

CITY OF SAN MATEO PLANNING APPLICATION

CONDITIONS OF APPROVAL

**PA-2018-042, 937-939 N. IDAHO ST. DUPLEX CONDOMINIUM CONVERSION (SPAR + VESTING
TENTATIVE PARCEL MAP)**

937 N IDAHO ST, SAN MATEO, CA 94401-1124

PARCEL # 029313080

AS APPROVED BY THE PLANNING COMMISSION ON 05/14/2019

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.

The following conditions shall be addressed on the construction plans submitted for any DEMOLITION PERMIT, BUILDING PERMIT, or SITE DEVELOPMENT PERMIT, and shall be satisfied prior to issuance of whichever permit is issued first, or if another deadline is specified in a condition, at that time.

Building Division (PA)

- 1 SITE SURVEY – The applicant shall provide a site survey of entire parcel stamped and signed by a Land Surveyor licensed by the State of California. The survey shall include, but not be limited to, the following: location and dimensions of property line, location of streets and easements, existing buildings, topographic contour lines, trees/landscape, miscellaneous structures, etc. The purpose of the site survey is to accurately verify compliance with items such as setback dimensions, heights of buildings from established contours, compliance with heritage tree ordinance, etc. (BUILDING)

Planning Division (PA)

- 2 PAYMENT OF OUTSTANDING PLANNING APPLICATION FEES – The applicant shall check with the Project Planner to determine whether any outstanding planning applications fees exist and those fees shall be paid prior to the issuance of the first building permit. (PLANNING)
- 3 CONDITIONS OF APPROVAL – Final plans shall include all the Conditions of Approval beginning on sheet 2 of the plans. (PLANNING)
- 4 TRASH AND RECYCLING ENCLOSURES - All ground level trash and recycling enclosures must be screened from public view by a solid wall or solid fence, and/or perimeter landscaping. These facilities shall be designed and located as delineated on the approved planning application drawings. The building permit plans shall show the location and screening of the Enclosure; however; the final location and required screening of all Items shall be reviewed and approved by the Zoning Administrator before issuance of a certificate of occupancy/final of the project. (PLANNING)

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- 5 CONFORMANCE WITH APPROVED PLANNING APPLICATION - All building permit application plans and details, and subsequent construction shall substantially conform with the approved planning application, including: drawings, plans, materials samples, building colors, the written project description, and other items submitted as part of the approved planning application. No signage is approved as part of the planning application; signage is governed by the City's Sign Ordinance. Documentation of any changes to the approved Planning Application plan set shall be provided at the time of Building Permit application submittal. Any proposed modifications to the approved planning application must be reviewed by the Chief of Planning and/or Zoning Administrator. Modifications to Building Permit plans must be approved prior to construction of the modified improvements. The Chief of Planning and/or Zoning Administrator shall determine whether the proposed modifications substantially conform with the approved planning application, or whether a planning application for a modification of a previously approved planning application is required to be submitted to permit the proposed project modifications, as required by San Mateo Municipal Code Section 27.08.080 Modifications. (PLANNING)

Public Works Department (PA)

- 6 TRIANGULAR AREA OF VISIBILITY – The building permit application plans shall show that the installation of landscaping and permanent structures located within the 10' triangular area of visibility at the driveway meet 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)
- 7 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 \$1000.00. 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, or be billed monthly at the discretion of the City, for any costs in excess of the deposit. If billed monthly, invoices shall not become delinquent (must 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)

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- 8 DRAINAGE - 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 City Engineer. No increase to the peak discharge shall be permitted downstream. In addition, discharge must 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. (PUBLIC WORKS)
- 9 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 City Engineer 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)
- 10 ENCROACHMENT PERMITS, BONDS, AND INSURANCE - The applicant must 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. This encroachment permit shall be obtained prior to the issuance of a building permit and prior to any work being done in the City's right of way. Prior to issuance of the encroachment permit, the applicant shall submit any applicable pedestrian or traffic detour plans for any lane or sidewalk closures. The detour plan shall comply with the current State of California Manual of Uniform Traffic Control Devices (MUTCD), and standard construction practices. Final construction plans and specifications shall be approved by the City Engineer, and released for construction, prior to the issuance of the encroachment permit. Right of way improvements shall include, at a minimum, the following items:
 - (E) SIDEWALK - The applicant shall replace to existing City standards all sidewalk surrounding the project site. Sidewalk replacement shall be constructed per City Standard Drawing 3-1-141A and 3-1-141C. At the time the planning application was filed, a minimum of three hundred and ninety (390) square feet of sidewalk will need to be replaced. This figure is provided only to determine minimum bonding requirements for the encroachment permit. (PUBLIC WORKS)
 - (G) CURB AND GUTTER - The applicant shall replace to existing City standards all curb and gutter surrounding the project site. New curb and gutter shall be constructed per City Standard Drawing 3-1-141A. At the time of the planning application was filed, a minimum of thirty-three (33) linear feet of curb and gutter

will need to be replaced. This figure is provided only to determine minimum bonding requirements for the encroachment permit. (PUBLIC WORKS)

(I) DRIVEWAY APPROACH - The applicant shall remove and replace (1) City Standard Residential driveway approach as shown on the approved plans. The new residential driveway approach shall be constructed per City Standard Drawing 3-1-149. Contractor shall protect the existing utility pole and utility pole foundation near the proposed driveway approach. (PUBLIC WORKS)

- 11 PARKING - The applicant shall submit plans for all required off street parking lots showing proper grading, drainage and parking dimensions in conformance with City parking standards. The plans shall be approved by the City Engineer prior to the issuance of any City permits. (PUBLIC WORKS)

The following conditions shall be met prior to RELEASE OF UTILITIES, FINAL INSPECTION, or ISSUANCE OF A CERTIFICATE OF OCCUPANCY, whichever occurs first, or if another deadline is specified in a condition, at that time.

Planning Division (PA)

- 12 PLANNING DIVISION INSPECTIONS – The applicant shall notify the project planner for inspections related to construction of all structures, landscaping, and other site improvements. The notification request shall be given at least 72 hours prior to the requested time for inspection. (PLANNING)
- 13 LETTER OF ARCHITECTURAL COMPLIANCE – The designer or architect of record shall submit a stamped and signed letter of compliance that the construction is consistent with the approved building permit plans, prior to scheduling the final Planning Division inspection. This condition shall be met prior to the release of utilities, final inspection, or issuance of a certificate of occupancy, whichever occurs first. (PLANNING)
- 14 FINAL SUBDIVISION PUBLIC REPORT – If required by the Department of Real Estate, the applicant shall furnish the department of community development with a copy of the Department of Real Estate’s Conversion Final Subdivision Public Report when issued, as well as to all prospective purchasers. (PLANNING)
- 15 BUILT-IN APPLIANCES – The applicant shall post an irrevocable bond or warranty with the project’s homeowner’s association assuring the operation and maintenance of all built-in appliances in each unit for a period of one year after conveyance of each unit. Any residential conversion project shall contain clothes

washing and drying appliances at a minimum ratio of one of each such appliance per five units, or fraction thereof, in the project, to be located in a facility readily accessible to all occupants. A similar bond or warranty for the clothes appliances shall be posted with the association for a like period of operation and maintenance. This condition shall be met prior to formation of the project's homeowner's association. (PLANNING)

Public Works Department (PA)

- 16 PARCEL MAP - It shall be the applicant's responsibility to have a parcel map, prepared by a person authorized to practice land surveying in California, delineating all parcels created or deleted and all changes in lot lines in conformance with San Mateo Municipal Code Section 26.56. As the project is a conversion to condominium units, the parcel map shall be subject to subdivision map review in conformance with San Mateo Municipal Code Section 26.52. Prior to approval of the final parcel map, all public improvements which are necessary to comply with present city standards shall be required and completed. The parcel map shall be approved by the City and recorded with the County Recorder's Office prior to the issuance of occupancy. A parcel map guarantee shall be submitted to the City, by the applicant's title company, prior to release of the parcel map to the title company for recordation. Prior to the City's release of the parcel map to the title company, the applicant may, at the discretion of the City Engineer, be required to submit to the City an electronic copy of the map in 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)

The following conditions shall be met prior to the approval of the FINAL MAP or PARCEL MAP, or if another deadline is specified in a condition, at that time.

Planning Division (PA)

- 17 CONDITIONS, COVENANTS, AND RESTRICTIONS (CC&R's) – The applicant shall obtain the City Attorney's approval of the Conditions, Covenants, and Restrictions governing the subdivision for consistency with these Conditions of Approval prior to recordation of final map. (PLANNING)

The following conditions shall be complied with AT ALL TIMES DURING THE CONSTRUCTION PHASE OF THE PROJECT, or if another deadline is specified in a condition, at that time.

Building Division (PA)

- 18 BUILDING CONSTRUCTION ACTIVITIES - The following provision to control traffic congestion, noise, and dust shall be followed during site excavation, grading and construction:

Work hours regulated by the San Mateo Municipal Code shall only be permitted 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 work 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 allowed hours of Building construction activities may be waived or modified through an exemption from the hours of work designated in Section 23.06.060 of the San Mateo Municipal Code, for limited periods, if the Building Official finds that:

(A) The following criteria are met:

- (i) 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
- (ii) An emergency situation exists where the construction 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.

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

(C) 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 must be provided three days prior to the start of the construction activity.

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

The Building Official 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 must be submitted to the Building Official ten (10) working days prior to the requested date of waiver.
(BUILDING)

Fire Department (PA)

- 19 FIRE SAFETY DURING CONSTRUCTION - Buildings under construction shall comply with the requirements of the California Fire Code. All additional fire permits required by the California Fire Code shall be obtained from the Bureau of Fire Protection and Life Safety. (FIRE)
- 20 BARRICADES, FENCES, OR GATES ACROSS FIRE ACCESS ROADWAYS DURING CONSTRUCTION - The installation or use of barricades, fences, or gates across emergency vehicle access roads during construction shall have prior approval of the City of San Mateo Fire Chief, or his/her designee. (FIRE)

Public Works Department (PA)

- 21 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 7.38.020), and the San Mateo Countywide Water Pollution Prevention Plan (SMCWPPP) by reference. Detailed information can be located at: <http://flowstobay.org/brochures> (PUBLIC WORKS)

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

City Attorney (PA)

- 22 INDEMNIFICATION – The applicant will defend, indemnify, and hold harmless the City of San Mateo, its elected and appointed officials, employees, and agents

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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)

- 23 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)

Planning Division (PA)

- 24 CONFORMANCE WITH APPROVED PLANNING APPLICATION AT ALL TIMES - All physical improvements, uses, and operational requirements authorized by the approved planning application shall substantially conform at all times that the use permitted by this planning application occupies the premises with the approved planning application, including: drawings, plans, materials samples, building colors, the written project description, and other items submitted as part of the approved planning application. Any proposed modifications to the approved planning application must be reviewed by the Chief of Planning and/or Zoning Administrator. The Chief of Planning and/or Zoning Administrator shall determine whether the proposed modifications substantially conform with the approved planning application, or whether a planning application for a modification of a previously approved planning application is required to be submitted to permit the proposed project modifications, as required by San Mateo Municipal Code Section 27.08.080 Modifications. (PLANNING)

*** MITIGATION MEASURE** - *This measure mitigates adverse environmental effects identified in the environmental document. Monitoring procedures are contained within the condition of approval. A change in the condition may affect the validity of the current environmental document, and a new or amended environmental document may be required.*