

CITY OF SAN MATEO
RESOLUTION NO. ____ (2022)

**RESOLUTION APPROVING A SINGLE FAMILY DWELLING DESIGN REVIEW (SFDDR) TO CONSTRUCT A SINGLE-FAMILY DWELLING WITH AN ATTACHED ACCESSORY DWELLING UNIT, A SITE DEVELOPMENT PLANNING APPLICATION (SDPA) FOR GRADING AND A SPECIAL USE PERMIT (SUP) TO DEMOLISH AN EXISTING SINGLE-FAMILY DWELLING, AT 445 VIRGINIA AVENUE (APN 034-072-060).
(PA-2021-020, 445 VIRGINIA AVENUE SUP + SFDDR + SDPA)**

WHEREAS, Josh Smith (herein referred to as the “Applicant”) submitted a planning application PA-2021-020 with the Planning Division for a Special Use Permit, Single Family Dwelling Design Review, and Site Development Planning Application to demolish an existing single family residence, construct a new 3,520 square-foot single-family residence, with an attached three-car garage and attached accessory dwelling unit, and proposed grading which exceeds five feet at its maximum depth at 445 Virginia Avenue, APN 034-072-060 (collectively referred to as “Project”) in the City of San Mateo (“City”); and

WHEREAS, the San Mateo City Charter and Municipal Code Section 23.40.040 authorizes the Planning Commission to take final action on site development permits involving grading exceeding five feet at its maximum point under Section 23.40.040;.

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, a historical resources evaluation was completed on August 25, 2020 by the City’s Historic Preservation consultant, which finds that the existing residence does not qualify as an historic resource;

WHEREAS, the City finds that the Project is categorically exempt from CEQA under Section 15301(l)(1) and 15303(a); and

WHEREAS, the City finds the Project consistent with the applicable policies of the General Plan and other applicable policies,

WHEREAS, the Planning Commission held a public hearing for the Project on November 8, 2022 duly noticed, at which all public comments were considered;

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 15301(l)(1) and 15303(a); and

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 Element policies of the City's General Plan.
 - a. In accordance with Policy LU 1.9, which encourages the preservation of single-family areas and limiting new development to low-density residential uses, the Project maintains the single-family use as delineated on the Land Use Map by proposing a replacement single family home and an accessory dwelling unit.
 - b. In accordance with Policy LU 1.9a, which encourages the livability of San Mateo neighborhoods by reviewing Single-Family Dwelling Design Review planning applications for compatibility with the City's Single-Family Design Guidelines, the Project has been evaluated for compatibility with the surrounding neighborhood and incorporates guidance from the City's Single-Family Design Guidelines by scaling and incorporating architectural elements similar to surrounding residences.
2. The Project conforms to Policy H 2.7 of the Housing Element policies of the City's General Plan. In accordance with Policy H 2.7, which allows for the creation of secondary units on residentially zoned properties and requires the design of secondary units to be compatible with the main residence and neighborhood, the Project includes the creation of a new secondary unit (accessory dwelling unit) which is designed to be compatible with the main residence and is in conformance with applicable development standards.
3. The Project conforms to Policy UD 2.12 of the Urban Design Element of the City's General Plan, which encourages single-family dwellings to substantially conform to the City's Single-Family Design Guidelines and preserve the neighborhood scale, materials, architectural style, privacy, and views. The Project has been evaluated to conform with the City's Design Guidelines and preserves and enhances the neighborhood through maintaining similar building scale as existing residences and similar Mediterranean architectural style as other existing residences.

NOW, THEREFORE, BE IT RESOLVED THAT THE PLANNING COMMISSION OF THE CITY OF SAN MATEO, DOES HEREBY APPROVE 445 VIRGINIA AVENUE, SUP + SFDDR + SDPA, PA-2021-020 AT 445 VIRGINIA AVENUE, APN 034-072-060 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 are approved based on the finding that granting a Special Use Permit for the full demolition of the existing single-family residence 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 in that the proposed project has been conditioned to minimize impacts of dust and noise to surrounding neighborhood. The proposed residential use is compatible with existing residential uses in the surrounding neighborhood. The existing single-family residence to be demolished is estimated to have been built in 1955 and is best characterized as Split Level-type Ranch style architecture. The existing residence was evaluated by the City's Historic Preservation consultant who found that the structure does not qualify as an historic resource pursuant to CEQA, therefore allowing for removal of the existing residence.

2. The Single-Family Dwelling Design Review (Municipal Code Section 27.08.032) application and associated Conditions of Approval are approved based on the following findings:
 - a. The structures, site plan, and landscaping are consistent with the adopted R1 Single Family Dwelling Design Guidelines in that:
 - i. The Project is well integrated into the existing architectural character of the neighborhood. The surrounding neighborhood consists of a variety of architectural styles, mixed between traditional Period-Revival and post-war residences, such as Spanish, Mediterranean, Monterey, Colonial, Tudor, French, and Cape Cod Cottage. The Project proposes a Mediterranean architectural style which is a compatible style in the surrounding neighborhood. Some traditional elements have been added to the house such as terracotta vent piping along the gable ends to further compatibility with the neighborhood.
 - ii. The Project reduces the visual impact of a solid wall plane along the front elevation with the integration of exposed timber headers above the larger windows which provide a visual break from the single wall plane. In addition, the roof structure above the garage helps de-emphasize and minimize the visual impact of the garage.
 - iii. The Project includes new landscaping in all yard areas. The proposed landscaping includes a variety of drought tolerant plants which will contribute to the overall neighborhood cohesiveness and installation of evergreen privacy hedges along the rear and side property lines to minimize any privacy impacts.
 - iv. The Project's exterior materials primarily consists of stucco and composition roof shingles, which are materials that are commonly found in the neighborhood. The proposed exterior crème beige color is similar to colors found in the neighborhood and commonly found on other Mediterranean-type architectural style residences, which helps further compatibility and integrate into the surrounding neighborhood.
 - b. The development will not be detrimental to the harmonious and orderly growth of the City in that the Project has been evaluated in accordance with the San Mateo Zoning Code and adheres to the maximum floor area ratio and building height.
 - 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 designed with high quality materials which will contribute to the architectural character of the surrounding neighborhood. The Project will also be constructed in compliance with all building codes and fire codes.
 - 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 site grading and associated Conditions of Approval are approved based on the following findings:
 - a. The project will result in the aggregate grading of 515 cubic yards at a height of 13 feet 8 ½ inches (height/depth) at its maximum point. The grading is necessary to accommodate the development of the proposed project. All concerns regarding surface grading, structure foundations, drainage, subsurface conditions, erosion, and landscaping have been addressed by the following:
 - i. The Project's proposed grading would result in a slope that is consistent slopes of other single-family lots on Virginia Avenue and the result of the grading will not have an impact on the visual relationship with the surrounding properties and helps to maintain compatibility with the neighborhood.
 - ii. The Project proposes new landscaping in all yard areas, including planting of new drought-tolerant groundcover, evergreen privacy trees, and a variety of shrubs. The proposed grading and slopes allow for new landscaping which helps further improve the streetscape of the neighborhood and further integrate the Project into the surrounding neighborhood.
 - iii. The Applicant has submitted an arborist report, which proposes to protect all existing trees on-site and protected trees whose tree protection zones fall within the subject lot. A condition of approval has also been applied, which requires the Applicant to complete a tree protection plan as part of the building permit review. Lastly, the Project includes the planting of new privacy hedges to mitigate any privacy concerns of adjacent neighbors.
 - iv. The proposed grading would occur entirely within the project site, and all concerns regarding site grading have been addressed as Conditions of Approval requiring conformance to the applicable City ordinances regulating site development. The applicant shall provide a site grading and drainage plan and obtain a Site Development Permit prior to commencing any work within the slope setback area.
 - b. All storm runoff drainage will be directed to storm water drainage systems as constructed by the applicant. Provision of landscaped areas will minimize storm runoff, and no overloading of drainage facilities will occur as a result of the project.
 - c. Construction related impacts will also be reduced by standard conditions of approval related to construction activities including watering of the site during grading operations, dust control, and scheduling of paving and other construction activities as soon as possible upon completion of grading activities.

EXHIBIT A
CITY OF SAN MATEO PLANNING APPLICATION
CONDITIONS OF APPROVAL
PA-2021-020, 445 VIRGINIA AVE., SUP + SFDDR + SDPA

445 VIRGINIA AVE, SAN MATEO,
PARCEL # 034072060
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 ACCESSORY DWELLING UNIT COOKING FACILITY – The applicant shall revise the accessory dwelling unit floor plan to include a kitchen with standard kitchen appliances in accordance with Chapter 27.19. (PLANNING)
- 2 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)
- 3 CONDITIONS OF APPROVAL – This complete list of Conditions of Approval shall be reproduced onto the second sheet of all building permit plan sets. (PLANNING)
- 4 PAYMENT OF OUTSTANDING PLANNING APPLICATION FEES – The applicant shall pay all outstanding planning application fees. (PLANNING)

Building Division (PA)

- 5 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)

6 BAAQMD JOB NUMBER – (use for projects demolishing a full structure) The applicant shall submit an asbestos demolition and renovation notification job number (J#) from Bay Area Air Quality Management District. (BAAQMD). (BUILDING)

7 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)

8 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)

9 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)

Parks and Recreation Department (PA)

10 TREE PROTECTION PLAN - The applicant shall submit an updated Tree Protection Plan (TPP) written by a Certified arborist for revision to be in compliance with San Mateo Municipal Code 13.40 and 23.40. A TPP is required whenever any Construction Activity encroaches within a radius equal to 10 times the diameter of the tree trunk measured at 54" above grade for any Protected Tree (s). (CDD ARBORIST)

11 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)

Public Works Department (PA)

12 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)

- 13 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)
- 14 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)
- 15 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)
- 16 SITE DEVELOPMENT PERMIT FOR GRADING – The applicant shall obtain a site development permit from the Public Works Department for grading that will exceed an area of 5,000 square feet and 5,000 cubic feet (185 cubic yards) in accordance with requirements of the City's Site Development Code found in San Mateo Municipal Code Chapter 23.40; unless applicant can demonstrate an exception per SMMC 23.40.030(d)(1-9).

A site grading and drainage plan prepared by a registered Civil Engineer with all supporting data, including hydraulic calculations, shall be submitted to Public Works for review with the first building permit application. A letter from the Civil Engineer shall be submitted with the plans indicating that the grading and drainage are in accordance with Rockridge Geotechnical report, dated March 19, 2021.

A deposit and non-refundable fee shall be submitted by the applicant based upon the Comprehensive Fee Schedule, established by the City Council, in effect at the time the building permit application is made. Public Works plan checking of the site grading and drainage plans submitted with the first building permit plans cannot proceed until fee and deposit are paid. 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 (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)

- 17 STORM WATER POLLUTION PREVENTION PLAN (SWPPP) – The project applicant shall provide a Storm Water Pollution Prevention Plan (SWPPP) in compliance with Bay Area Stormwater Management Agencies Association (BASMAA) Blueprint for a Clean Bay Best Management Practices to Prevent Stormwater Pollution from Construction-Related Activities. (PUBLIC WORKS)
- 18 STORMWATER POLLUTION PREVENTION PERMIT – The applicant shall obtain a Stormwater Pollution Prevention (STOPPP) 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)
- 19 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)

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

Building Division (PA)

- 20 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)
- 21 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)

- 22 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)
- 23 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)

Public Works Department (PA)

- 24 DRAINAGE – The building permit plans shall 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 or designee. Where necessary, sidewalk drains per City Standard Drawing 3-1-120 shall be provided to direct the water under the sidewalk and through the curb. 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. The building permit plans for the superstructure shall show drainage. (PUBLIC WORKS)
- 25 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)
- 26 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) SIDEWALK UNDERDRAIN – The applicant shall install one (1) standard sidewalk underdrains in accordance with City Standard Drawing No. 3 1 120. (PUBLIC WORKS)

- 27 SEWER LATERAL INSPECTION – As required by Municipal Code Section 7.38.432, the applicant shall hire a licensed plumber or contractor to perform a sewer lateral inspection and complete a Sewer Lateral Inspection Form (Form) to be submitted to the Director of Public Works or designee, unless the project is exempt per Municipal Code Section 7.38.432(c)(2). The video inspection shall be completed prior to building permit issuance. The Form shall be reviewed by the Department of Public Works. If the Form indicates a failed inspection, the repair and/or replacement of the sewer lateral shall appear on the building permit plans for the superstructure prior to building permit issuance. In addition, if the Form indicates a failed inspection, the applicant shall repair and/or replace the sewer lateral, with all required permits, and provide an updated Form with a passing inspection, prior to occupancy. (PUBLIC WORKS)
- 28 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 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)
- 29 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)
- 30 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.

Sanitary sewer laterals and/or water meters located in driveways shall have traffic rated boxes and lids. (PUBLIC WORKS)

- 31 WASTEWATER CAPACITY CHARGE – A wastewater capacity charge, as established by San Mateo Municipal Code Chapter 7.38.065, is imposed on all new development to recover a proportionate share of costs for existing and future wastewater system facilities and assets from new or expanded connections to City wastewater systems. The applicable wastewater capacity charge is determined by use, wastewater flow, and wastewater strength loadings and the amount shall be established by City Council resolution. 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 most current adopted fee schedule at the time of payment. (PUBLIC WORKS)
- 32 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)

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)

- 33 FINAL LANDSCAPING FOR SINGLE FAMILY PROJECTS – Apart from paved driveway and walkway areas, required front yard and street-side yard areas (if applicable) shall be improved with landscaping, which may consist of a combination of drought-tolerant plants and other organic and inorganic materials, except paving. If new landscaping is not proposed, any damaged landscaping shall be replaced with new landscaping as described above. Proposed new landscaping shall be shown on the building permit plans prior to permit issuance and all landscaping shall be installed prior to final inspection, subject to the satisfaction of the Community Development Director, or his/her designee. (PLANNING)
- 34 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)

Fire Department (PA)

- 35 FIRE SPRINKLER SYSTEM – The applicant shall install a fire sprinkler system throughout the single-family dwelling in accordance with NFPA 13D or the California Residential Code subject to review and approval by the Fire Marshal or his/her designee prior to the Fire Final Inspection. (FIRE)

Parks and Recreation Department (PA)

- 36 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 complied with AT ALL TIMES DURING THE CONSTRUCTION PHASE OF THE PROJECT.

Planning Division (PA)

- 37 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)

Building Division (PA)

- 38 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)

- 39 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)
- 40 DEMOLITION – The applicant shall comply with the California Fire Code Chapter 33 during all phases of construction of the project. (FIRE)
- 41 EGRESS – The applicant shall maintain required egress for all adjacent buildings/properties. (FIRE)

Parks and Recreation Department (PA)

- 42 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)
- 43 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)

Public Works Department (PA)

- 44 ARCHITECTURAL COPPER – Per the San Mateo Countywide Water Pollution Prevention Program's requirements, the applicant shall follow the specific best management practices for the installation of the Architectural Copper. For detailed information please distribute the flyer to all construction personnel involved in the fabrication and installation of the Architectural Copper that is located at: <https://www.flowstobay.org/preventing-stormwater-pollution/with-new-redevelopment/construction-best-practices/> (PUBLIC WORKS/BUILDING)
- 45 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)
- 46 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)
- 47 EROSION & SEDIMENT CONTROL – Provide an erosions & sediment control plan, demonstrating compliance with stormwater pollution prevention requirements and construction Best management Practices (BMP). (PUBLIC WORKS)

48 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 as 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 shall 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 is 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)

49 WATER QUALITY – Projects need to provide San Mateo Countywide C3 and C6 checklist and certification as part of plan submittal for building permit issuance and comply with Post Construction Stormwater requirements; which can be found under the Forms & Checklist at the following link: <https://www.flowstobay.org/preventing-stormwater-pollution/with-new-redevelopment/c-3-regulated-projects/>.

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

Planning Division (PA)

50 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)

51 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)

City Attorney (PA)

52 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)

53 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)