



## **STAFF REPORT**

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### **Resolution Granting a Hauling Permit to 2625 Monte Cresta Drive in Vehicles Exceeding the Maximum Gross Weights Allowed by the City Ordinance**

Honorable Mayor and City Council:

#### **Summary**

Hauling of soil and materials is expected to begin in late October, 2004, for the construction of a 2200 square-foot single family residence at 2625 Monte Cresta Drive. The contractor wants to use trucks that exceed the weight limits established by Belmont Municipal Code. Pursuant to Section 14-65 of the Belmont Municipal Code, the City Council may, upon making specific findings, grant an exemption to the weight limits in the Belmont Municipal Code. Staff recommends that the Council approve a permit for hauling pursuant to Section 14-65, allowing the contractor to haul materials in trucks that exceed the weight limits in the Belmont Municipal Code.

#### **Background and Discussion**

Section 14-46 of the Belmont Municipal Code designates truck routes within the City. Subsection (e) provides that Alameda de las Pulgas and Ralston Avenue are acceptable truck routes, but limits the gross weight of any truck and load moving along these roadways to eight (8) tons. The maximum vehicle weight on other City streets is limited to three (3) tons. Pursuant to Section 14-65 of the Belmont Municipal Code, the City Council may, upon making specific findings, grant an exemption to the weight limits enumerated in the Belmont Municipal Code.

Jerry Boynton is constructing a 2200 square foot single family residence at 2625 Monte Cresta Drive. An estimated 200 cubic yards of dirt will be off-hauled from the site. The proposed truck route for this project is Monte Cresta Drive, San Juan Boulevard and Ralston Avenue.

The owner submitted a hauling permit application. The following reasons provide a basis for granting a waiver to the Municipal Code:

- 1) The use of the dump vehicles (10 wheelers) will have insignificant impact to the City streets.

- 2) The project is scheduled to begin in late October 2004. Approximately ten days will be required to remove the soil from the site. The hauling of building materials will be continuous through the 12 months of construction.
- 3) The amount of hauling materials is insignificant. The construction traffic will have little impact to the local traffic.

Pursuant to Section 14-65, Conditions for Granting Permits, the City Council may grant a permit allowing the variance from the weight limits based upon the following findings:

- (a) *That the public health, safety or welfare require the operation of vehicles in excess of the weight limits herein set forth and the use of the route applied for or such modification thereof as it may be deemed advisable* - The operation of the small dump vehicles will have insignificant impact to the City streets. The construction traffic will have little impact to the local traffic.
- (b) *That the hauling over the route specified will not be injurious to the public health, safety or welfare* - The routes used by the vehicles will be on designated truck routes and residential roadway with pavement designed to handle the small dump vehicles.
- (c) *That the City will be duly protected from liability for injury to persons and property* - The contractor will have insurance protecting the City from liability for injury to persons and property.
- (d) *That the City will be indemnified from injury to the public streets and other places by reason of the use thereof for such operation* – The contractor filed the grading and hauling permit applications that include an indemnification clause to hold the City harmless against any claims and damages. The contractor will have insurance protecting the City from liability for injury to persons and property.

### **Fiscal Impact**

There is no fiscal impact. The City will receive the Hauling Permit fees as required in the City Code.

### **Recommendation**

It is recommended City Council adopt a resolution granting a hauling permit to 2625 Monte Cresta Drive in vehicles exceeding the maximum gross weights allowed by the City Ordinance.

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**Alternatives**

1. Refer back to staff for further information.
2. Deny the request.

**Attachments**

1. Resolution

Respectfully submitted,

Gilbert Yau, PE  
Senior Civil Engineer

Raymond E. Davis III, PE, PTOE  
Public Works Director

Daniel Rich  
Interim City Manager

RESOLUTION NO. \_\_\_\_\_

**CITY OF BELMONT**  
**San Mateo County, California**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT  
GRANTING A HAULING PERMIT TO 2625 MONTE CRESTA DRIVE IN VEHICLES  
EXCEEDING THE MAXIMUM GROSS WEIGHTS ALLOWED BY THE  
CITY ORDINANCE**

WHEREAS, the City of Belmont has approved a building and grading permit for the construction of a new 2,200 square foot single-family residence at 2625 Monte Cresta Drive; and,

WHEREAS, Jerry Boynton, contractor for the property at 2625 Monte Crest Drive, proposes to utilize Ralston Avenue, Monte Cresta Drive, and San Juan Boulevard for hauling of soil and materials from the site; and,

WHEREAS, Belmont Municipal Code Section 14-65 allows for the hauling of materials in trucks exceeding the weight limits provided for in Belmont Municipal Code, Chapter 14, Article III, Truck Routes and Weight Limitation, provided certain findings are made; and,

WHEREAS, the City Council finds that:

- (a) *That the public health, safety or welfare require the operation of vehicles in excess of the weight limits herein set forth and the use of the route applied for or such modification thereof as it may be deemed advisable* - The operation of the small dump vehicles will have insignificant impact to the City streets. The construction traffic will have little impact to the local traffic.
- (b) *That the hauling over the route specified will not be injurious to the public health, safety or welfare* - The routes used by the vehicles will be on designated truck routes and residential roadways with pavement designed to handle the small dump vehicles.
- (c) *That the City will be duly protected from liability for injury to persons and property* - The contractor will have insurance protecting the City from liability for injury to persons and property.
- (d) *That the City will be indemnified from injury to the public streets and other places by reason of the use thereof for such operation* - The contractor filed the grading and hauling permit applications that include an indemnification clause to hold the City harmless against any claims and damages. The contractor will have insurance protecting the City from liability for injury to persons and property.

NOW, THEREFORE BE IT RESOLVED THAT, the City Council grants a hauling permit pursuant to Belmont Municipal Code Section 14-65 to 2625 Monte Cresta Drive for vehicles no larger than 10 wheeler trucks.

\* \* \* \* \*

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Belmont at a regular meeting thereof held on this 26<sup>th</sup> day of October 2004, by the following vote:

AYES, COUNCILMEMBER(S): \_\_\_\_\_

NOES, COUNCILMEMBER(S): \_\_\_\_\_

ABSTAIN, COUNCILMEMBER(S): \_\_\_\_\_

ABSENT, COUNCILMEMBER(S): \_\_\_\_\_

\_\_\_\_\_  
Clerk of the City of Belmont

APPROVED:

\_\_\_\_\_  
Mayor of the City of Belmont

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October 26, 2004  
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