



MEETING OF JUNE 7, 2006

AGENDA ITEM NO.

Application I.D.: 2006-0031
Application Type: Variance
Location: 850 South Road
Owner/Applicant: Colleen Devlin
APN: 045-151-240
Zoning: R-1A – Single Family Residential
General Plan Designation: RL – Low Density Residential
Environmental Determination: Categorically Exempt, Section 15302

PROJECT DESCRIPTION

The applicant requests a Variance to (a) allow exterior stairs to extend more than six feet into the required 23-foot front yard, and (b) to allow driveway retaining walls with guardrails that have an aggregate height in excess of the six-foot maximum allowable height in the front yard.

RECOMMENDATION

Staff recommends that the Planning Commission **approve** the Variance subject to the conditions of approval contained in the attached draft resolution¹.

ZONING/GENERAL PLAN DESIGNATION

The existing single-family residence is a permitted use in the designated R-1A (Single Family Residential) zoning district, and is conforming to the General Plan Designation RL - Low Density Residential.

¹ Please note: This recommendation is made in advance of public testimony or Commission discussion of the project. At the public hearing, these two factors, in conjunction with the staff analysis, will be considered by the Commission in rendering a decision on the project.

PLANNING COMMISSION STAFF REPORT

RE: 850 South Road, PA#2006-0031

June 7, 2006

Page 2

500 FOOT RADIUS MAP

PRIOR ACTIONS

The subject property encompasses a portion of Lot 4 of The Mezes Ranch which was recorded in 1889. The existing house and site improvements were constructed in 1966, and there have no planning actions prior to the current variance application.

SITE CONDITIONS

The subject site is a steeply up-sloping (approximately 48% at the garage/parking area portion of the lot), irregularly-shaped parcel located on the west side of South Road in a neighborhood developed with single-family residences. The site is developed with a single-family residence with an attached two-car garage, asphalt driveway and parking area adjacent to the garage. A large retaining wall supports the driveway cut on the upslope of the driveway, and a wood retaining wall (in poor condition) supports the downslope of the parking area. Pedestrian access from the street to the house is provided by a set of exterior stairs on the downslope of the driveway.

The site is landscaped with low-lying vegetation on the steep slopes and with shrubs, trees, flowers and bushes of various sizes. One non-protected mimosa tree is located adjacent to the existing stairs and would be removed for the proposed construction. An arborist report was prepared and the findings are discussed in the Project Analysis section (see Attachment V).

PROJECT ANALYSIS

The applicant proposes a number of site improvements which include:

- removal of the existing asphalt driveway surface and resurface this area with concrete pavers
- reconfiguring the parking area to accommodate two cars
- adding a new trash enclosure
- realigning and rebuilding the entry stairs
- removing and replacing the existing downslope retaining wall
- adding new raised planting beds below the new retaining wall
- retaining the existing driveway upslope retaining wall as is with the addition of a surface coat of stucco to match the new downslope retaining wall design.

The location of the exterior stairs extending more than six feet into the required 23-foot² front yard setback and the aggregate height of the combined retaining wall with guardrail that is greater than six feet in the required front yard require a variance (see discussion in the Variance section of this report).

Exterior Materials/Colors

² ***Front Yard Setback per 9.7.4(a):** Five lots on the same side of the street were evaluated to determine the average front yard setback. The front yard setbacks ranged from 20' to 30', with an overall average of 23'. The proposed single family dwelling maintains a 23' front yard setback with the proposed exterior stairs located 3' from the front property line.

The new downslope retaining wall, raised planting beds and upslope retaining wall would have a beige color stucco finish to match the exterior finish of the existing house and garage. The new retaining wall and planting beds would be topped with light beige cap stones. The new retaining wall and stairs would have a black wrought iron 3-foot high fence on top with darker beige lighted columns. The driveway would be resurfaced with mixed size pavers.

A new wood trash enclosure would be located at the south end of the parking area. The original design included a 7' high wood trellis over the enclosure, but the plans have been modified to remove the trellis and reduce the height of the enclosure to 4' 6" – see crossed out trellis and note on Sheet L-1.

Landscaping and Arborist Recommendations

One non-protected mimosa tree located in the front yard would be removed for the proposed construction. The City Arborist assessed the tree in "fair" condition and recommends a removal fee of \$750.

The proposed landscape plan for the new raised planting beds and front yard includes planting three (15 gallon) silk trees, 16 (5 gallon) shrubs and vines, and 75 (1-5 gallon) groundcovers and perennials.

Groundwork and Geotechnical Recommendations

The existing grade of the driveway would not change and minimal excavation would be required for the reconfiguration of the parking area and realignment of the stairs and downslope retaining wall (20 cubic yards of cut and 16 cubic yards of fill).

A preliminary geotechnical and geologic investigation was performed by GeoForensics Inc. on April 29, 2003 and updated on March 23, 2005 (see Attachment VI). The current plans have been revised slightly since that time to add cut/fill data necessary for the variance application – no structural changes have occurred. The geotechnical investigation indicates that geotechnical development of the site is controlled by the presence of steep slopes and hard bedrock materials and concludes that the proposed site improvements can be safely constructed.

GENERAL PLAN CONFORMANCE

The proposed site improvements for the single-family residence do not change the land use of the site. The residence and associated site improvements are in conformance with the low-density residential general plan designation.

ZONING CONFORMANCE

The proposed front exterior stairway extends more than six feet into the required front yard setback and requires a variance per BZO Section 9.7.1(b). The aggregate height of the combined downslope driveway retaining walls with the guardrail exceeds six feet and requires a variance per BZO Section 9.7.1(f).

9.7.1 *PERMITTED IN ANY YARD*

- (b) *Unroofed exterior stairs, landings and decks of open design required by law which do not extend above the ground floor entrance except for the railing. No such stairs, landings or decks shall project more than six (6) feet into the required front or rear yard, and in no case should they encroach into the side yard setback.*
- (f) *Fences, walls or lattice-work screen having a height of not more than six feet above any portion of the adjoining ground level, provided that no such fence, wall, lattice-work screen or any hedge shall exceed three and one half feet in height when located in any front setback area within 40 feet of a street intersection.*

The proposed site improvements meet all other setback, height and permitted use regulations of the R-1A zoning district.

NEIGHBORHOOD OUTREACH

The applicant performed neighborhood outreach as detailed in the Neighborhood Outreach Strategy and summary letter attached to this report (Attachment IV). The applicant reported mailing a letter to nearby neighbors May 1, 2006 inviting them to a May 13th meeting at the project site. Although no one attended the meeting, the applicant reports informing the next door neighbors, and obtained their support for the project. Staff has not received any public comments regarding this project as of the writing of this report. It appears the applicant has achieved the outreach strategy tasks.

ENVIRONMENTAL CLEARANCE (CEQA)

The proposed addition to the single-family home is categorically exempt from the provisions of the California Environmental Quality Act by provision of Section 15302:

“Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.”

The proposed site improvements meet the above requirements for CEQA exemption.

VARIANCE ANALYSIS

The existing exterior stairs in the front yard provide access from the street to the front entrance of the house, and the replacement of the stairs must comply with UBC standards. The stairs are also subject to BZO Section 9.7.1(b) that permits unroofed exterior stairs, landings and decks of open design required by law which do not extend above the ground floor entrance except for the railing and do not project more than six feet into the required front yard. The proposed new stairs extend to within three feet of the front property line, resulting in a distance of 14' greater than permitted in the front yard (23' less the permitted 6' less 3' = 14').

In addition, the aggregate height of the combined retaining wall with the guardrail exceeds six feet and requires a variance per BZO Section 9.7.1(f).

The Planning Commission must be able to make all required variance findings of Section 14.5.1 of the Zoning Ordinance to approve the requested variance. Below is a discussion of each finding.

- (a) *The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the Zoning Plan.*

If the zoning regulations are strictly applied to this property, the total height of the downslope retaining walls (including the guardrail) would be limited to six feet, and the exterior stairs would not encroach closer to the front property line than 17 feet. These outcomes would result in practical difficulties and unnecessary physical hardships inconsistent with the objectives of the zoning ordinance, as follows:

1. The project would require greater excavation, additional retaining walls, and a less desirable parking/driveway area for the residence.
2. The existing garage would not be reasonably accessible for parking.
3. The required exterior stairs would not be reasonably accessible, and would be steeper and less desirable.

Staff notes that the proposed modifications to the driveway area optimize the existing built site improvements and enhance necessary safety considerations for negotiating the steep slope around the driveway and parking area. Thus, staff believes this finding can be made in the affirmative.

- (b) *There are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zoning district.*

The steep 48% upslope of the front yard (calculated a distance of 29' from an elevation of approximately 126' at the street to 140' at the existing northeast corner of the garage floor) is an exceptional or extraordinary circumstance that does not generally apply to other properties in the same zoning district. However, pedestrian access ways such as stairs are typical for lots on steep slopes in order to provide access required by law to houses and garages from the street. The proposed downslope retaining wall would occur at two terraces with planting beds and would not exceed five feet in height. However, to address safety considerations, a guardrail is necessary at the top of the upper level wall around the parking area and along the stairs resulting in an aggregate height of eight feet. Staff believes these safety concerns warrant variance approval, due to the steep slope adjacent to the driveway and parking area, and believes this finding can be made in the affirmative.

- (c) *The strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district.*

The proposed driveway and exterior stair modifications improve access for the site, as enjoyed by owners of other properties in R-1A zoned properties. The strict or literal interpretation and enforcement of the zoning regulations in this case would result in steeper stairs and excessive excavation to reduce the existing slope of the driveway and parking area, and would maintain an undesirable access condition for the property. Reasonable and safe access is a requirement for single family dwellings, and a design to meet these requirements on a steep upslope site necessitates variances on a case-by-case basis relating to retaining wall height and stairway location. Such a variance is appropriate and warranted in this case. Thus, staff believes this finding can be made in the affirmative.

- (d) *The granting of the Variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district.*

The granting of the variance will not constitute a grant of special privilege because the stairway and driveway are accessways required by law. Other properties in the same zoning district have similar high retaining walls along driveways and front stairs to accommodate physical site constraints posed by similar steep upslope conditions. The proposed retaining wall and stairway design is a result of special consideration given to site features, such as slope, that limit the possibilities for constructing a driveway and access stairs that comply entirely with the zoning regulations. The proposed retaining walls along a required driveway and stairway providing access to the dwelling do not conflict with zoning objectives that are intended to ensure sufficient back-up distance and safe pedestrian access to the front dwelling entrance. Staff believes this finding can be made in the affirmative.

- (e) *The granting of the Variance will not be detrimental to the public health, safety, or welfare, or be materially injurious to properties or improvements in the vicinity.*

The granting of the variances will provide safe pedestrian access to the proposed house and around the parking area. The site improvements will be built to UBC standards and must meet structural design recommendations of the geotechnical consultant. The placement of the downslope retaining walls with planting beds and stairs is sensitive to the environmental constraints of the site and would not be materially injurious to properties or improvements in the vicinity. Furthermore, the applicant has designed the stairs to exit directly to the driveway, improving pedestrian egress/safety within the lot. Staff believes this finding can be made in the affirmative.

CONCLUSION AND RECOMMENDATION

Based on the analysis and required findings, staff recommends approval of the Variance application with the Conditions of Approval in Attachment III.

ACTION ALTERNATIVES

Continue the application for redesign.

Deny the Variance application. The Commission will identify specific facts to support a denial, and a resolution would be returned to the Commission for final action.

ATTACHMENTS

- I. 500 foot radius map of project site (incorporated as Page 2 of report)
- II. Resolution approving the Variances and the Single Family Design Review
- III. Conditions of Project Approval
- IV. Neighborhood Outreach Materials
- V. Arborist Report – March 20, 2006
- VI. Geotechnical Investigation – GeoForensics Inc. March 23, 2005 and April 2003
- VII. Applicant's revised plans (Commission only)

Respectfully submitted,

Tricia Schimpp
Contract Planner

Carlos de Melo
Community Development Director

CC: Applicant

RESOLUTION NO. 2005-_____

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELMONT
APPROVING A VARIANCE
AT 850 SOUTH ROAD (APPL. NO. 2006-0031)

WHEREAS, Colleen Devlin, property owner, requests a Variance to (a) allow exterior stairs to extend more than six feet into the required 23-foot front yard, and (b) to allow driveway retaining walls with guardrails that have an aggregate height in excess of the six-foot maximum allowable height. and,

WHEREAS, public hearings were duly noticed, held on June 7, 2006, and closed; and,

WHEREAS, the Planning Commission of the City of Belmont finds the project to be categorically exempt pursuant to the California Environmental Quality Act, Section 15302, and,

WHEREAS, the Planning Commission hereby adopts the staff report dated June 7, 2006 and the facts contained therein as its own findings of facts; and,

WHEREAS, The Planning Commission finds the required variance findings of Section 14.5.1(a – e) of the Zoning Ordinance are made in the affirmative as follows:

- a) *The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the Zoning Plan.*

If the zoning regulations are strictly applied to this property, the total height of the downslope retaining walls (including the guardrail) would be limited to six feet, and the exterior stairs would not encroach closer to the front property line than 17 feet. These outcomes would result in practical difficulties and unnecessary physical hardships inconsistent with the objectives of the zoning ordinance, as follows:

4. The project would require greater excavation, additional retaining walls, and a less desirable parking/driveway area for the residence.
5. The existing garage would not be reasonably accessible for parking.
6. The required exterior stairs would not be reasonably accessible, and would be steeper and less desirable.

Staff notes that the proposed modifications to the driveway area optimize the existing built site improvements and enhance necessary safety considerations for negotiating the steep slope around the driveway and parking area. This finding is affirmed.

- (b) *There are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zoning district.*

The steep 48% upslope of the front yard (calculated a distance of 29' from an elevation of approximately 126' at the street to 140' at the existing northeast corner of the garage floor) is an exceptional or extraordinary circumstance that does not generally apply to other properties in the same zoning district. However, pedestrian access ways such as stairs are typical for lots on steep slopes in order to provide access required by law to houses and garages from the street. The proposed downslope retaining wall would occur at two terraces with planting beds and would not

exceed five feet in height. However, to address safety considerations, a guardrail is necessary at the top of the upper level wall around the parking area and along the stairs resulting in an aggregate height of eight feet. Staff believes the safety concerns warrant variance approval, due to the steep slope adjacent to the driveway and parking area. This finding is affirmed.

- (c) *The strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district.*

The proposed driveway and exterior stair modifications improve access for the site, as enjoyed by owners of other properties in R-1A zoned properties. The strict or literal interpretation and enforcement of the zoning regulations in this case would result in steeper stairs and excessive excavation to reduce the existing slope of the driveway and parking area, and would maintain an undesirable access condition for the property. Reasonable and safe access is a requirement for single family dwellings, and a design to meet these requirements on a steep upslope site necessitates variances on a case-by-case basis relating to retaining wall height and stairway location. Such a variance is appropriate and warranted in this case. This finding is affirmed.

- (d) *The granting of the Variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district.*

The granting of the variances will not constitute a grant of special privilege because the stairway and driveway are accessways required by law. Other properties in the same zoning district have similar high retaining walls along driveways and front stairs to accommodate physical site constraints posed by similar steep upslope conditions. The proposed retaining wall and stairway design is a result of special consideration given to site features, such as slope, that limit the possibilities for constructing a driveway and access stairs that comply entirely with the zoning regulations. The proposed retaining walls along a required driveway and stairway providing access to the dwelling do not conflict with zoning objectives that are intended to ensure sufficient back-up distance and safe pedestrian access to the front dwelling entrance. This finding is affirmed.

- (e) *The granting of the Variance will not be detrimental to the public health, safety, or welfare, or be materially injurious to properties or improvements in the vicinity.*

The granting of the variances will provide safe pedestrian access to the proposed house and around the parking area. The site improvements will be built to UBC standards and must meet structural design recommendations of the geotechnical consultant. The placement of the downslope retaining walls with planting beds and stairs is sensitive to the environmental constraints of the site and would not be materially injurious to properties or improvements in the vicinity. Furthermore, the applicant has designed the stairs to exit directly to the driveway, improving pedestrian egress/safety within the lot. This finding is affirmed.

WHEREAS, the Planning Commission did hear and use their independent judgment and considered all said reports, recommendations and testimony herein above set forth.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission approves the Variance to (a) allow exterior stairs to extend more than six feet into the required 23-foot front yard, and (b) to allow driveway retaining walls with guardrails that have an aggregate height in excess of the six-foot maximum allowable height at 850 South Road, subject to the attached conditions in Exhibit "A".

* * * * *

Passed and adopted at a regular meeting of the Planning Commission of the City of Belmont held on June 7, 2006 by the following vote:

AYES,
COMMISSIONERS: _____
NOES,
COMMISSIONERS: _____
ABSENT,
COMMISSIONERS: _____
ABSTAIN,
COMMISSIONERS: _____
RECUSED,
COMMISSIONERS: _____

Carlos de Melo
Planning Commission Secretary

EXHIBIT "A"

CONDITIONS OF PROJECT APPROVAL – VARIANCE
850 SOUTH ROAD (APPL. NO.2006-0031)

I. COMPLY WITH THE FOLLOWING CONDITIONS OF THE COMMUNITY DEVELOPMENT DEPARTMENT:

- A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions:

Planning Division

1. Construction shall conform to the plans on file in the Planning Division for Appl. No. 2006-0031 and date-stamped March 28, 2006. The Director of Community Development may approve minor modifications to the plans.
2. All construction and related activities which require a City building permit shall be allowed only during the hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, and 10:00 a.m. to 5:00 p.m. on Saturdays. No construction activity or related activities shall be allowed outside of the aforementioned hours or on Sundays and the following holidays: New Year's Day, President's Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day and Christmas Day. All gasoline powered construction equipment shall be equipped with an operating muffler or baffling system as originally provided by the manufacturer, and no modification to these systems is permitted.

Prior to issuance of building permits, the property owner shall file with the Director of Community Development, on forms provided by the City, an acknowledgment that he/she has read, understands and agrees to these conditions of approval.

4. In accordance with the Belmont Zoning Ordinance, the permit(s) granted by this approval shall expire one (1) year from the date of approval, with said approval date indicated on the accompanying Planning Commission resolution. Any request for extension of the expiration date shall be made in accordance with the applicable provisions of the Belmont Zoning Ordinance.
5. In the event that this approval is challenged by a third party, the property owner and all assignees will be responsible for defending against this challenge, and agrees to accept responsibility for defense at the request of the City. The property owner and all assignees agree to defend, indemnify and hold harmless the City of Belmont and all officials, staff, consultants and agents from any costs, claims or liabilities arising from the approval, including without limitation, any award of attorneys fees that might result from the third party challenge.

Building Division

A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions.

1. Conformance with approved plans.

B. The following conditions shall be met prior to the issuance of the first building permit (i.e., foundation permit) and/or site development permits except as otherwise specified in the conditions.

1. Obtain all required permits.

2. Retaining wall design requirement.

3. Geotechnical recommendations.

4. Provide a record of survey.

5. Building materials and color scheme shall be shown on plans.

6. The construction activities shall comply with the City Noise Ordinance.

7. Provide list of construction and demolition recycling service providers.

8. Require contractors and subcontractors to make good faith effort to contact construction and demolition recycling providers.

9. Notify all contractors and subcontractors of Belmont expectations of maximizing diversion of solid waste.

10. Investigate opportunities for salvaging material for reuse.

II. COMPLY WITH THE FOLLOWING CONDITIONS OF THE PUBLIC WORKS DEPARTMENT:

A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions.

1. Streets, sidewalks and curbs in need of repair within and bordering the project shall be repaired and/or removed and replaced in accordance with the Department of Public Works approved standards. Photographs of preconstruction condition are advised.
- B. The following conditions shall be met prior to the issuance of the first building permit (i.e., foundation permit) and/or site development permits except as otherwise specified in the conditions.
 1. The property owner/applicant shall apply for and obtain temporary encroachment permits from the Department of Public Works for work in the City public right-of-way, easements or property in which the City holds an interest, including driveway, sidewalk, sewer connections, sewer clean-outs, curb drains, storm drain connections, placement of a debris box.
 2. Property owner/applicant shall apply for and obtain a grading permit from the Department of Public Works. The grading permit fee is based on the total amount of earth moved including cut and fill.
 3. Verify location of utility meters, valves, back flow preventers, and hydrants with appropriate utility company. Show relationship of each to site improvements, such as retaining walls.
 4. The owner/applicant shall submit a grading plan prepared by a California-registered Civil Engineer in accordance with City Grading Ordinance, Chapter 9, Section 3 of the City Code, with a grading permit application, for approval by the Department of Public Works and Building Division prior to any grading or clearing being performed on-site.
 - a. The applicant should note that if the proposed grading meets one or more of the criteria outlined in Section 9-23 of the City Code, a Planning Commission review will be required. Caution: If the total grading quantity changes after Planning Commission approval, a new grading approval may be required. The applicant may choose to complete the grading plan and calculations early in the planning process to limit delays in scheduling this review. (See Section 9-28 of City Code for review process). The plan shall incorporate the following restrictions:
 - b. All soils stockpiled on the site during construction shall be covered or otherwise protected from wind and water erosion.
 - c. During construction, erosion and sedimentation control plans shall be implemented in order to retain sediments on-site.
 - d. Site grading and finished construction shall be designed and executed in such a manner as to avoid diverting runoff onto other properties.
 - e. Restrictions and recommendation of the Geologic and Soils report as approved by the City's Geologist.
 5. All landscaping shall be maintained and shall be designed with efficient irrigation systems to reduce runoff, promote surface filtration, and minimize the use of fertilizers, herbicides and pesticides.

- C. The following conditions shall be met prior to occupancy except as otherwise specified in the conditions.

The property owner/applicant shall apply for and obtain an administrative permanent encroachment agreement from the Department of Public Works, for placement of nonstandard materials (i.e., brick pavers) within the public right-of-way.

2. After the City permits are approved but before beginning construction, the owner/applicant shall hold a preconstruction conference with Building and Public Works Department staff and other interested parties. The developer shall arrange for the attendance of the construction manager, contractor, and all subcontractors who are responsible for grading and erosion and sedimentation protection controls.
3. Failure to comply with any permit condition may result in a “Stop Work” order or other penalty.
4. Grading shall be performed in accordance with the City Grading Ordinance, Chapter 9 of the City Code. Soil or other construction materials shall not be stockpiled in the public right-of-way unless an encroachment permit is obtained from the Department of Public Works. Grading shall neither be initiated nor continued between November 15 and April 15. Grading shall be done between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday unless otherwise specifically authorized by the Director of Public Works. The Stormwater Pollution Prevention Program Best Management Practices (BMPs) for construction shall be implemented to protect water quality.
5. The owner/applicant shall ensure that applicable Best Management Practices (BMPs) from the San Mateo Stormwater Pollution Prevention Program (STOPP) are followed to prevent discharge of soil or any construction material into the gutter, stormdrain system or creek.
6. The owner/applicant shall ensure that all construction personnel follow standard BMPs for stormwater quality protection during construction of project. These include, but are not limited to, the following:
 - a. Store, handle and dispose of construction materials and wastes properly, so as to prevent their contact with stormwater.
 - b. Control and prevent the discharge of all potential pollutants, including solid wastes, paints, concrete, petroleum products, chemicals, washwater or sediment, and non-stormwater discharges to storm drains and watercourses.
 - c. Use sediment controls, filtration, or settling to remove sediment from dewatering effluent.
 - d. Do not clean, fuel, or maintain vehicles on-site, except in a designated area in which runoff is contained and treated.
 - e. Delineate clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses with field markers or fencing.

- f. Protect adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching or other measures as appropriate.
- g. Perform clearing and earth moving activities only during dry weather (April 15 through November 14).
- h. Limit and time applications of pesticides and fertilizers to prevent polluted runoff.
- i. Limit construction access routes and stabilize designated access points.
- j. Do not track dirt or other materials off-site; clean off-site paved areas and sidewalks using dry sweeping methods.

III. COMPLY WITH THE FOLLOWING CONDITIONS OF THE POLICE DEPARTMENT:

- 1. All activities shall be subject to the requirements of the Belmont Noise Ordinance.
- 2. No debris boxes or building materials shall be stored on the street.
- 3. Flag persons shall be positioned at both ends of blocked traffic lanes.
- 4. 24-hour written notice to the Police Department is required before any lane closure. Must have Police Department approval in advance.
- 5. Due to narrow road with no on-street parking, vehicles larger than a standard pick-up truck require consultation with traffic officer prior to going to site (i.e. traffic plan). Include delivery of equipment (e.g. bob cat) and materials.

Certification of Approved Final Conditions:

Carlos de Melo, Director of Community Development

Date