

**CITY OF BELMONT
MEMORANDUM**



TO: Planning Commission

FROM: Carlos de Melo, Community Development Director

SUBJECT: March 6, 2007 Planning Commission Meeting - Agenda Item 5A
Appl. No.2002-0061 – 905 South Road
Variance & Single Family Design Review
Request for Extension of Approvals

SUMMARY/ PROJECT DESCRIPTION

The applicant(s)/property owner(s), Simmie & Zenaida Graves, request an extension of the City Council (and associated Planning Commission) approval of a Variance & Single Family Design Review to construct a new 3,060 sq. ft. single family dwelling for a currently vacant site at 905 South Road.

On February 14, 2006, the City Council denied an appeal and upheld the Planning Commission's October 4, 2005 decision to approve the project. The Commission had previously reviewed the project on August 16, 2005, and directed staff to prepare the associated Resolution and Conditions of Approval.

The 11,108 square foot irregularly shaped property is located at the east side of South Road with a 101-foot wide street frontage and an average slope of 43%. The lot has a pronounced downslope from the front (west) of the property to the rear (east). The proposed new multi-level craftsman style residence for the subject property would consist of the following:

Dwelling Floor Area Summary	
Proposed Floors	Type of rooms
Garage Level – 459 Sq. Ft.	Two-car garage
Lower Split Levels – 2,601 Sq. Ft.	Living/dining room, family room, kitchen, master suite, three bedrooms, two & one-half bathrooms, elevator, laundry, stairs
Total = 3,060 Sq. Ft.	

Specific actions relating to the requested Single Family Design Review and Variance prior to City Council action on 2/14/06 and Planning Commission action on 10/4/05 are as follows:

- On July 20, 2004, the Planning Commission adopted a resolution denying a Setback Variance and Single Family Design Review to allow construction of previous design for a new residence for the site. The Commission reviewed the project over several meetings and at the hearing of May 4, 2004 directed staff to prepare a resolution outlining the specific findings for denial made by the Commission based on discussion at that 5/4/04 meeting. On July 30, 2004, Mr. Graves submitted an appeal of the 7/20/04 Planning Commission decision.
- At an appeal hearing on October 12, 2004, the City Council voted 5-0 to direct back to the Planning Commission the request for a Variance and Single Family Design Review to allow construction of a new single family residence for the site. The Council's action was based, in part, on the submission of a revised project by the applicant.
- In June/July 2005, the project applicant refined the project architectural design for the new residence; the subsequent plan submittals served as the basis for Commission review and approval of the project in August & October 2005.

See Attachment IV – February 14, 2006 City Council Appeal Staff Report, and October 4, 2005 and August 16, 2005 Planning Commission staff reports for additional background information for the project.

As discussed above, on February 14, 2006 the City Council upheld the Planning Commission decision to approve the project, and the one-year deadline for taking a building permit (and vesting the approval) has passed. Therefore, the applicants are now requesting an extension of the entitlements. The applicable Zoning Ordinance statutes for extension approvals are as follows:

Section 10.5 APPLICATIONS - EXTENSION OF TIME

10.5.1 EXTENSION OF TIME - The Planning Commission may grant up to two 1-year extensions of the expiration dates for variance, conditional use, design review, and exception permits it originally granted upon making the following findings:

- (a) The governing regulations under which the permit was originally approved have not changed in a way that have established different findings, development standards, or evaluation criteria.*
- (b) The applicants have presented a reasonable explanation of the delay in completing the project and have demonstrated intent to complete the project within the next year.*
- (c) The surrounding neighborhood conditions and site characteristics have not changed in a way that would no longer provide a factual basis for positively reaffirming the original findings.*

PLANNING COMMISSION STAFF REPORT

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February 20, 2007

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Section 10.5 allows the Planning Commission to extend planning approvals it originally granted. Such extension is not required to be requested before, or granted prior to the one-year deadline. The Commission has approved, within the last three years, extension requests for Single Family Design Review projects at 1801 Alden Street & 3401 Beresford Avenue, and a Conditional Use Permit & Design Review project for 325 Old County Road.

CONCLUSION

Staff has reviewed the request in light of the required findings and found:

- Applicable statutes have not changed via establishment of different findings, standards, or general evaluation criteria.
- The applicants have provided a reasonable explanation for the delay (See Attached Letter dated February 12, 2007). Staff further believes the applicant shows intent to obtain project permits and complete construction within the next year. The applicants are currently in plan check with the City to obtain project building permits. The applicant is also aware of further action items requiring Planning Commission review/approval (i.e. final landscape/sidewalk plan) prior to building permit issuance.
- There have been no significant changes to the surrounding South Road neighborhood. Within the past year, construction has commenced for a new single family dwelling at 900 South Road. The Planning Commission also approved a Variance to allow a revised retaining wall/landscape/driveway plan for the single family dwelling located at 850 South Road, and a single family design review to allow a residential addition for the property located at 711 South Road. No other recent building permits (for significant additions/modifications) or zoning entitlements within the last year have been issued for other properties within 300 feet of the subject site. There have also been no changes to the characteristics of the project site.

Staff believes an extension is warranted. Should the Commission grant the extension, the entitlements would be valid until October 4, 2007 (or less time as deemed appropriate by the Commission), unless a building permit has been issued before then or a second extension is requested and approved. In conclusion, staff believes the findings for granting an extension (Section 10.5.1. a-c) can be made in the affirmative.

ATTACHMENTS

- I. Resolution approving extension of Variance & Single Family Design Review
- II. Conditions of Approval
- III. Applicant Letter – February 12, 2007 (Commission Only)
- IV. February 14, 2006 City Council Appeal Staff Report, and October 4, 2005 and August 16, 2005 Planning Commission staff reports (Commission Only)

PLEASE NOTE: Attachments III and IV are not included as part of this document. Please contact the Community Development Department at (650) 595-7417 for more information on viewing these attachments

RESOLUTION NO. 2007-_____

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELMONT
APPROVING AN EXTENSION OF A VARIANCE & SINGLE FAMILY DESIGN REVIEW
FOR 905 SOUTH ROAD (APPL. NO. 2002-0061)

WHEREAS, Simmie and Zenaida Graves, property owner(s), request an extension of a Variance and Single Family Design Review approval granted by the Planning Commission on October 4, 2005 to construct a new 3,060 square foot single family residence at 905 South Road; 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 15303; and,

WHEREAS, the Planning Commission hereby adopts the staff memorandum dated March 6, 2007 and the facts contained therein as its own findings of facts; and,

WHEREAS, The Planning Commission has considered the applicant's request for an extension of the Variance & Single Family Design Review entitlements and finds the required findings per Section 10.5.1 (a-c) (Extension of Time) are made in the affirmative as follows:

(a) *The governing regulations under which the permit was originally approved have not changed in a way that have established different findings, development standards, or evaluation criteria.*

The applicable Variance and Single Family Design Review statutes have not significantly changed within the last year such that different findings, development standards, or evaluation criteria have been established. This finding is affirmed.

(b) *The applicants have presented a reasonable explanation of the delay in completing the project and have demonstrated intent to complete the project within the next year.*

The applicants have provided a reasonable explanation for the delay citing unanticipated issues relating to an appeal being filed against the project, the timing of obtaining structural/geotechnical consultants, and associated completion of detailed construction drawings for the project. The applicant shows intent to obtain project building permits and complete the development within the next year. This finding is affirmed.

(c) *The surrounding neighborhood conditions and site characteristics have not changed in a way that would no longer provide a factual basis for positively reaffirming the original findings.*

There have been no significant changes to the surrounding South Road neighborhood. Within the past year, construction has commenced for a new single family dwelling at 900 South Road. The Planning Commission also approved a Variance to allow a revised retaining wall/landscape/driveway plan for the single family dwelling located at 850 South Road, and a single family design review to allow a residential addition for the property located at 711 South Road. No other recent building permits (for significant additions/modifications) or zoning entitlements within the last year have been issued for other properties within 300 feet of the subject site. There have also been no changes to the characteristics of the project site. This finding is affirmed.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Belmont hereby extends the Variance and Single Family Design Review approvals to construct a 3,060 square foot single family dwelling at 905 South Road to October 4, 2007, subject to the conditions in the attached Exhibit "A".

* * * * *

I hereby certify that the foregoing resolution was duly and regularly passed and adopted by the Planning Commission of the City of Belmont at a regular meeting held on March 6, 2007 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 SINGLE FAMILY DESIGN REVIEW AND VARIANCE 905 SOUTH ROAD (APPL. NO.2002-0061)

- 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. 2002-0061 and date-stamped August 11, 2005, and as amended to address final landscape/irrigation and sidewalk/front entry interconnection plan approval described by Condition I.A.7. 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. No construction activity or related activities shall be allowed outside of the aforementioned hours or on Saturday's, 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.
3. 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.

6. The project is subject to Public Works Department and City Geologist review and approval with the following conditions:
 - a. Wet Weather Grading Restriction – Site grading shall not be permitted from November 15 through April 15. Any disturbed slope shall be adequately winterized prior to October 15.
 - b. Detailed Drainage Plan – A detailed project drainage plan, certified with the stamp of a Civil Engineer, shall be prepared. The plan should illustrate the locations and sizing of all appropriate surface drainage inlets, interceptor ditches and pipes to properly convey surface drainage to appropriate discharge points. The final plan shall be completed to the satisfaction of the City Engineer.
 - c. Geotechnical Plan Review – The applicant’s geotechnical consultant shall review and approve all geotechnical aspects of the project building and grading plans (i.e., site preparation and grading, site drainage improvements and design parameters for foundations, retaining walls, driveway pavement) to ensure that their recommendations have been properly incorporated. The results of the plan review shall be summarized by the geotechnical consultant in a letter and submitted to the City Engineer for review and approval prior to issuance of building permits.
 - d. Significant retaining walls are proposed upslope of the residence, associated with the patio area and driveway bridge deck. The consultant shall evaluate the potential for adverse impacts to the stability of South Road during construction of these walls. Appropriate measures to protect roadways stability shall be addressed.
 - e. Steep, potentially unstable slopes are proposed to remain between South Road and the patio retaining wall. The long-term stability of this slope area shall be analyzed considering ongoing creep and anticipated seismic shaking. It appears that fill materials are likely present beneath portions of this slope area. Supplemental subsurface investigation shall be completed (if necessary) to determine accurate factors-of-safety. A freeboard requirement shall be considered for the patio retaining wall to address potential sloughing of slope debris. Supplemental recommendations shall be prepared (as necessary) to ensure stability of slopes above the residence.
 - f. Currently recommended active and at-rest earth pressures for retaining wall design do not appear consistent with the properties of silty to sand clay soil, fill and colluvium (P1 value of 39 measured from site soils). Recommended design criteria for retaining walls shall be re-evaluated taking into account the steep slopes, high plasticity soils and vehicle surcharge loading. A supplemental seismic loading parameter shall be specified for any exterior retaining wall with

the potential for collapse onto the residence, or for walls that provide support to South Road.

- g. Given existing site slopes and subsurface material conditions, the consultant shall provide a minimum bedrock embedment recommendation for foundation piers. Consideration shall be given to designing piers to resist anticipated lateral loading from soil creep. For conformance with the prevailing local standards of geotechnical practice, the consultant shall consider the use of minimum 16” diameter piers reinforced with a cage containing a minimum of four #5 vertical bars.
 - h. Geotechnical Field Inspection – The geotechnical consultant shall inspect, test (as needed), and approve all geotechnical aspects of the project construction. The inspections shall include, but not necessarily be limited to: site preparation and grading, site surface and subsurface drainage improvements, and excavations for foundations and retaining walls prior to the placement of steel and concrete. The results of these inspections and the as-built conditions of the project shall be described by the geotechnical consultant in a letter and submitted to the City for review prior to final (as-built) project approval.
7. Prior to the issuance of building permits for the project, the applicant shall submit a sidewalk/front entry connection plan and final landscape/irrigation plan (prepared by a licensed landscape architect) which includes number, species, and location of plantings for review and approval by the Planning Commission. No protected or non-protected trees shall be removed from the site prior to issuance of building permits for the project.
 8. The following recommendations must be included as “tree protection notes” in the final stamped building set of plans:
 - a. **TREE PROTECTION FENCING** - Prior to issuing a permit for grubbing, demolition, tree removal, grading, or construction, the following must occur:
 - Fencing must be erected as per the Arborist tree map such that chain link is at least 10-feet out from the trunk base edge on either side of oak #3, and at least 6-feet out from the trunk on the southwest side of the tree (directly between the proposed balcony and the trunk base).
 - Fencing material used for all protective fences must be steel chain-link, at least six-feet in height, mounted on two-inch diameter galvanized iron posts 8-feet in length, driven a minimum of 24-inches into the ground. Posts must be mounted no farther than six-feet apart. This fence must be erected prior to any heavy machinery traffic or construction material arrival on site.
 - The areas outside the construction corridor shall be known as the Root Protection Zone or “RPZ”.

- Compliance inspections will occur (1) at the time of fence erection and buffer and irrigation installation, (2) during construction, and (3) after construction is complete. All fencing must remain in place until all construction is completed and the fencing and other protection has been received a final signoff letter from the city arborist. Permit approval will not occur until after the first inspection has been performed and the protection measures approved by the city arborist.
- The protective fencing must not be temporarily moved during construction, unless as noted in this section. No materials, excavated soil, liquids, or substances are to be placed or dumped, even temporarily, within the perimeter of this fence.
- RPZ fencing shall have waterproof signs posted on the fence, one every 10-feet, minimum 8X11” size, stating:

TREE PROTECTION FENCE
DO NOT ALTER OR REMOVE
CALL CITY ARBORIST 48-HOURS ADVANCE
(650) 697-0990

9. SILT FENCING: The applicant shall Install TENAX or equivalent 36-inch high silt fencing with built-in wooden stakes around the outside of all the root protection zone chain link fence routing around oak #3 noted on the Arborist tree map. Install as per package directions, digging in the entire lower edge of the silt fence below grade so that it is secure. This product is available from home improvement stores for about \$20-25 per roll. The silt fence will be semi-supported by the chain link fencing.
10. Removal of protected trees #1, #2, #4, #5, and #6 will require that a tree removal fee be paid to Belmont’s Tree Planting and Replacement Fund (as per the 2004 master fee schedule). If any of the aforementioned trees cannot be retained or decline during or after construction due to the effects of site plan project activities, then the appropriate tree removal fee, in accordance with the master fee schedule shall be paid.
11. The applicant shall pay a tree inspection fee of \$1,300 (\$1,000 arborist fee + 30% City administration fee) made out to “The City of Belmont” at the initial tree protection inspection meeting on site to cover protected oak #3 inspections and signoff letters by the city arborist throughout the life of the project. Call the contract city arborist at (650) 697-0990 to schedule the initial inspection meeting.
12. PRUNING: All pruning of oak #3 to clear the proposed construction areas shall be performed only by, or under direct supervision of, an ISA-certified arborist, and shall conform to all ANSI A-300 pruning standards (see vendor list below for approved tree care companies). A receipt for this work may be requested by the city arborist at any time. Failure to use a qualified pruning service with an ISA-certified arborist directly

monitoring or performing pruning work may result in penalties or fines based on the extent of damage caused by pruning (i.e. a percentage of the current appraised tree value lost as a direct result of pruning).

13. **CONSTRUCTION PHASING:** The proposed north side balcony just west of oak #3 shall be constructed at the conclusion of the residential development so that the width of the construction corridor between the footprint and the canopy of oak #3 is maximized.
14. **FERTILIZATION:** Utilize a qualified tree care company to apply soil injected fertilizer such as Doggett slow-release tree formula 32-7-7 with >50% Water insoluble type nitrogen. Inject fertilizer at standard arboricultural rates to the area within the RPZ of oak #3. Fertilization must take place before construction commences.
15. **ROOT SEVERING:** If woody roots measuring greater than 1-inch in diameter are encountered near oak #3 during pier drilling activity or other excavation outside the RPZ, then:
 - a. Call the city arborist 48-hours advance so that roots can be documented before severing.
 - b. Sever them cleanly at right angles to the root growth direction using a sharp wood cutting tool such as a Sawzall, chainsaw, pruning saw, lopper, electrician's cable cutter, or a highly-sharpened wood chisel and rubber mallet.
 - c. Backfill the root cut ends with parent soil as soon as possible (same day). If they cannot be backfilled within 24-hours of severing, then cover with four layers of wet muddy burlap cloth and irrigate the area very thoroughly with garden hose spray.
16. **TEMPORARY IRRIGATION:** Temporary irrigation water shall be applied to the area within the oak #3 RPZ on a twice-monthly basis. Water source can be a neighbor's garden hose with a black rubber soaker hose attached and snaked around the RPZ, or it can be applied from the street from a tow-behind water tank. The volume of water should be approximately 150-gallons per soak, 2X/month, distributed evenly around the area inside the chain link RPZ, and applied in greatest concentration to the area closest to construction activity (i.e. the uppermost edge of the chain link RPZ fence).
17. **MULCH:** The applicant shall lay a 5-inch thick layer of coarse wood chips (not bark chips) over the soil surface within the RPZ of oak #3 and in the construction corridor just uphill from the chain link fence. Pull chips out at least 12-24 inches away from the tree trunks so that wood chips are not contacting the root flares. These chips are available free from many tree care companies who would otherwise have to pay dumping fees to dispose of them.
18. **LANDSCAPE PLAN:** The applicant shall not allow irrigation piping to be trenched in below grade within 10-feet of the trunk base edge of oak #3. If possible, keep all trenching at least 15-linear feet from the oak.

- a. Applicant shall use drip and/or bubbler irrigation for this project instead of overhead spray.
 - b. The applicant shall increase the number of mitigation tree plantings from twelve 24” box to fifteen 24” box. If this is not feasible for the site, then in-lieu fees can be paid to the City Tree Planting and Establishment Fund (as per Planning Commission action).
 - c. The applicant shall install a minimum of six (6) coast live oaks on the site instead of the originally proposed three (3) trees.
19. TREE BOND: A 2-year maintenance bond, letter of credit, or deposit shall be provided by the applicant before construction commences in order to ensure the survival of new landscape trees (As per Municipal Code Section 25-7). The amount of this bond is to be the value of the trees being planted on site. A minimum bond, letter of credit, or deposit of \$5,250 (\$350 per 24” box tree) X (assumed 15 trees) shall be provided.
20. The applicant shall provide a construction management plan, prior to the issuance of building permits for the project, which includes but is not limited to addressing:
- Ingress/egress and staging of construction equipment within the site (or off-site if permission is granted)
 - Securing of all construction equipment to remain completely within the subject property to not harm adjacent property in case of accidental soil/equipment instability (via anchoring or tethering of the equipment within the site)
 - Provision of both “equipment catchment” and “debris catchment” fencing on the lower elevations of the property to prevent equipment and construction/soil debris from entering adjacent properties.
21. The applicant shall provide evidence of a liability insurance policy, naming the City of Belmont as additional insured, (including a letter of credit, deposit, or bond) to the City to address construction-related damage to off-site properties in association with development of the single family dwelling for the subject site. This policy shall be submitted to the City prior to the issuance of building permits for the project. The components of and value of such policy shall be subject review and approval by the City Attorney.
22. The applicant shall provide a written contract for services by Robert Y. Chew Geotechnical, Inc or other registered geotechnical consultants at the time the plans are submitted to the building department for permit review.

Building Division

1. Prior to any construction, the applicant or a designated representative shall obtain all of the required building permits for the project.

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 or video of before condition are recommended.
 2. New curb and gutter shall be installed in accordance with the Department of Public Works approved standards.
 3. Roof leaders and site drainage shall be directed to the City stormwater drainage system. A dissipator box or other energy reduction method shall be used.
- 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. The property owner/applicant shall apply for and obtain a permanent encroachment agreement from the Department of Public Works, with approval by the City Council, for a structure, retaining wall, awning, or other features constructed in the public right-of-way, easement or on property in which the City holds an interest.
 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. The owner/applicant shall submit a dust control plan for approval by the Department of Public Works. To reduce dust levels, exposed earth surfaces shall be watered as necessary. The application of water shall be monitored to prevent runoff into the storm drain system. Spillage resulting from hauling operations along or across any public or private property shall be removed immediately. Dust nuisances originating from the contractor's operations, either inside or outside of the right-of-way shall be controlled.
 6. A written report prepared by a Geotechnical Engineer shall be submitted in accordance with Section 9-36 of the City Code.
 7. Applicant shall install the sanitary sewer connection in accordance with Department of Public Works approved standards and pay the applicable sewer connection fee.
 8. If PG&E is requiring the developer to put in the gas and/or electrical connection, then the developer must submit plans for the encroachment to the Department to Public Works.
 9. The applicant shall submit an erosion and sedimentation control plan describing Best Management Practices (BMPs) to be used to prevent soil, dirt, and debris from entering the storm drain system and into/on the downhill setback area above the Belmont Vista Convalescent Facility property. The plan shall include the following items:
 - a) A site plan showing the property lines, existing and proposed topography, and slopes; areas to be disturbed, locations of cut/fill and soil storage/disposal area; areas with existing vegetation to be protected; existing and proposed drainage patterns and structures; watercourses or sensitive areas on-site or immediately downstream of project; and designated construction access routes, staging areas and washout areas.
 - b) Erosion and sediment controls to be used during construction, selected as appropriate from the California Regional Water Quality Control Board, San Francisco Bay Region Erosion and Sedimentation Control Field Manual (available from: Friends of the San Francisco Estuary, P.O. Box 791, Oakland, CA 94604-0791).
 - c) Methods and procedures to stabilize denuded areas and install and maintain temporary erosion and sediment control continuously until permanent erosion controls have been established.

- d) Provision for preventing erosion and trapping sediment on-site, such as sediment basins or traps, earthen dikes or berms, fiber rolls, silt fence, check dams, storm drain inlet protection, soil blankets or mats, covers for soil stock piles and/or other measures.
 - e) Provisions for installing vegetative cover in disturbed areas, including areas to be seeded, planted, and/or mulched, and types of vegetation proposed.
 - f) Provision for diverting on-site runoff around exposed areas and diverting off-site runoff around the project site (e.g., swales and dikes).
 - g) Notes, specifications, and/or attachments describing the construction, operation and maintenance of erosion and sediment control measures, including inspection frequency; methods and schedule for grading, excavation, filling clearing of vegetation and storage and disposal of excavated or cleared material; types of vegetative cover and mulch, including methods and schedules for planting and fertilization; and provisions for temporary and permanent irrigation.
- C. The following conditions shall be met prior to occupancy except as otherwise specified in the conditions.
- 1. 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.
 - 2. Failure to comply with any permit condition may result in a “Stop Work” order or other penalty.
 - 3. 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. No grading or related activities shall be allowed outside of the aforementioned hours or on Saturday’s, Sundays, and the following holidays: New Year’s Day, President’s Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day and Christmas Day. The Stormwater Pollution Prevention Program Best Management Practices (BMPs) for construction shall be implemented to protect water quality.
 - 4. The owner/applicant shall ensure that applicable Best Management Practices (BMPs) from the San Mateo Stormwater Pollution Prevention Program (STOPPP) are followed to prevent discharge of soil or any construction material into the gutter, stormdrain system or creek.

5. The owner/applicant shall ensure that all construction personnel follow standard BMPs for stormwater quality protection during construction of project. These includes, 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.
6. If construction is not complete by the start of the wet season (November 15 through April 15), prior to November 15 the developer shall implement a winterization program to minimize the potential for erosion and sedimentation. As appropriate to the site and status of construction, winterization requirements shall include inspecting/maintaining/cleaning all soil erosion and sedimentation controls prior to, during, and immediately after each storm event; stabilizing disturbed soils through temporary or permanent seeding, mulching, matting, tarping or other physical means; rocking unpaved vehicle access to limit dispersion of mud onto public right-of-way; covering/tarping stored construction materials, fuels, and other chemicals. Plans to include proposed measures to prevent erosion and polluted runoff from all site conditions. As site conditions warrant, the Department of Public Works may direct the developer to implement additional winterization requirements.
7. The applicants shall provide on-site material storage because South Road does not have sufficient width to permit storage or staging in the public right-of-way.
8. When the applicants apply for the building permit, they shall submit a traffic control plan for construction vehicles stopping on South Road to deliver or offhaul materials.

9. They shall also submit an erosion control plan as a condition of the grading plans approval. It must provide plan view and details for best management practice (BMP) erosion control in accordance with the City's NPDES program.
10. The applicants shall provide a construction and demolition recycling plan as a condition of the building permit. The building department will inspect for compliance with this plan.

III. COMPLY WITH THE FOLLOWING CONDITIONS OF THE BELMONT/SAN CARLOS FIRE DEPARTMENT:

1. In areas identified as Urban-Wildland Interface, a vegetation management plan shall be submitted with the plans. Minimum 30' clearance away from all structures, and a minimum clearance of ten-feet from sides of access roads in hilly terrain may be required.
2. New fire hydrants are required. One new hydrant shall be in accordance with the 2001 California Fire Code, Appendix III-B.
3. The fire-flow shall be in accordance with the 2001 CFC, Appendix III-A. (1,500 GPM Req.).
4. An approved automatic fire sprinkler system meeting the requirements of the Belmont/San Carlos Fire Protection Authority shall be provided.
5. Address numbers shall be illuminated and visible on all new buildings. Rear addressing is may also be required. Size of lettering and illumination shall meet Belmont/San Carlos Fire Standards.

IV. 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.

Certification of Approved Final Conditions:

Carlos de Melo, Community Development Director

Date