

## MEETING OF JUNE 17, 2014

### AGENDA ITEM NO. 5B



Application I.D.: PA2014-0004

Application Type: Single Family Design Review

Location: 1804 Miller Avenue – Lot A

Applicant: Tim Petersen

Owner: John Hansen

APN: 044-054-230

Zoning: R-1C - Single Family Residential District

General Plan Designation: RL – Low Density Residential

Environmental Determination: Categorically Exempt, Section 15303, Class 3(a) - In urbanized areas, up to three single-family residences may be constructed or converted under this exemption.

### PROJECT DESCRIPTION

The applicant requests Single Family Design Review (SFDR) approval to construct a new 2,734 square foot, two-story, craftsman-style single family residence. Approximately 197 cubic yards of grading is proposed for the construction of the new home (112 cubic yards of cut and 85 cubic yards of fill – export 27 cubic yards). Eight protected-size trees would be removed as part of the project. The proposed landscape plan includes the retention of five trees at the front of the property, and the planting of eleven new trees along the right side and at the rear of the proposed home.

### RECOMMENDATION

Staff recommends that the Planning Commission **approve** the Single Family Design Review subject to the conditions of approval contained in the attached draft resolution<sup>1</sup>.

### PRIOR ACTIONS

The property at 1804 Miller Avenue originally was comprised of four legal lots established as part of the “Belmont Country Club Properties” Subdivision in 1924. A single family home was constructed on site in 1926.

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<sup>1</sup> 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  
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A lot line adjustment (LLA) was approved for the property at 1804 Miller Avenue in May of 2014. The LLA modified the four legal non-conforming lots (building sites) into three fully conforming lots (Lots A, B and C). The LLA approval was conditioned on the removal of the single family home and garage on site.

The single family home and detached garage were scheduled to be demolished in June 2014, and the LLA was to be subsequently recorded. There have been no other planning actions on this property.

**SITE CONDITIONS**

The subject 5,674-square foot property is located in a single family neighborhood developed with one and two-story single-family homes of varying architectural designs. The site has an approximate average slope of 8%. The property is landscaped with grass, shrubs, and mature trees.

**GENERAL PLAN CONFORMANCE**

The proposed single-family residence does not change the land use of the site. The residence is in conformance with the residential general plan designation.

**ZONING CONFORMANCE**

Development Criteria

The proposed single-family residence is a principally permitted use within the subject property’s R-1C District. As proposed, the single-family residence would also meet all of the required development for the R-1C Zoning District, as identified in the table below.

<b>Development Criteria Table – R-1C District</b>			
<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>	<b>Required/Maximum</b>
<b>Lot Size</b>	5,674 sq. ft.	No Change	5,000 sq. ft.
<b>FAR</b>	N/A	0.482	0.533
<b>Square Footage</b>	N/A	2,734 sq. ft.	3,024 sq. ft.
<b>Parking</b>	N/A	Two-car garage Two uncovered	Two-car garage Two uncovered
<b>Setbacks:</b>			
<b>Front</b>	N/A	22 ft.	20 ft.
<b>Left Side</b>	N/A	6 ft.	6 ft.
<b>Right Side</b>	N/A	6.6 ft.	6 ft.
<b>Rear</b>	N/A	15 ft.	15 ft.
<b>Driveway length</b>	N/A	22 ft.	18 ft.
<b>Height</b>	N/A	27.8 ft.	28 ft.

The proposed residence would be constructed close to the exact height limitation. In order to ensure that the proposed residence is fully compliant with the Zoning Ordinance requirements for height, staff recommends the following conditions of project approval:

- *Building plans shall be submitted that reflect that no part of the residence shall exceed the 28-foot height limit as measured from the finished grade to the topmost point of the residence immediately above. A California licensed surveyor or civil engineer shall provide a wet-stamped certification that the home conforms with the 28-foot height limit prior to the roof diaphragm inspection.*

### Retaining Wall Design

Section 9-47 (*Retaining Wall Design*) of the City Code requires that all retaining walls visible from the public right-of-way which are greater than three (3) feet in height shall be of such a design as to conform to the natural setting and surroundings by meeting the following standards:

- (a) Retaining walls shall be of a medium to dark earth-tone color.
- (b) Retaining walls shall be articulated in either a vertical or horizontal plane, (e.g. advancing and receding vertical faces of walls) or articulated top of wall.
- (c) The materials of the walls shall not be wire cut concrete block or similar materials.
- (d) Materials to be used shall provide a rough texture such as natural stone, brick veneer, fluted or split face stone, crib block, wood, or similar materials.

A new retaining wall of approximately three feet in height is proposed along the left side of the driveway. Exterior treatment for the wall was not defined. However, staff is recommending a condition of project approval that would require the surface of the wall to be a medium to dark earth tone color with a rough textured finish, consistent with the requirements of Section 9-47 (*Retaining Wall Design*) of the City Code, identified above. Specifically, the wall shall be required to incorporate a stone veneer exterior treatment.

### Tree Ordinance

#### *PC Review of Entitlements*

Section 25 of the Belmont City Code (*Tree Ordinance*) requires that protected tree removals proposed in conjunction with development permits be processed by the Community Development Department/Planning Commission (see attached Tree Ordinance); however, the Tree Ordinance does not include any required findings (basis for approval/denial) for tree removal permits processed by the Community Development Department/Planning Commission.

#### *Tree Removal and In-lieu Fees*

The Tree Ordinance indicates that the tree removal fees and the payment of in-lieu replanting fees are intended to offset the impacts associated with the permitted action. The City's Master Revenue Schedule for Tree Removal specifically indicates that fees are collected to mitigate the loss of trees

from the City's tree population, and that these fees are to be deposited in the City Tree Planting and Establishment Fund.

### *Replacement Trees*

The identified intent of replacement plantings is to facilitate a bio-mass and tree canopy equivalent to that lost with the tree removal. No quantifiable criteria are provided within the Tree Ordinance to assist in determining the number of tree plantings to obtain an equivalent bio-mass/tree canopy; however, the size and number of replacement trees is required to be based upon the size, number, and species of the tree(s) removed, and the number and density of existing trees on the subject property.

In terms of replanting requirements, all protected size trees are treated equally under the Tree Ordinance (except for Acacia, Eucalyptus Globulus, and Monterey Pine tree species). No other general exceptions or reductions in tree removal replanting amounts are given for non-native trees, invasive tree species, or trees in poor condition. In addition, there is no allowance specified with the Ordinance for trees removed as part of a required fire/vegetation management plan (i.e., for development occurring in Wildland Urban Interface areas).

### *PC Discretion*

Section 25-7 (*Conditions attached to permits*) of the Tree Ordinance allows the Planning Commission to impose conditional requirements for the granting of a tree removal permit including any or all of the following: 1) tree replacement of up to 3:1 for protected tree removal and 1:1 for removal of protected size Acacia, Eucalyptus Globulus, or Monterey Pine trees; 2) payment of tree removal fees in accordance with the latest adopted fee schedule; 3) continued tree maintenance for new trees and replacement plantings; and 4) payment of a security deposit for replanting when five or more protected trees are removed.

### *Project Tree Removal/Replacement*

There are two properties proposed for development by the same property owners (Lots A and B). The City Arborist reviewed a total of twenty-seven protected size trees on both properties, but identified impacts related to Lot A and Lot B separately within the report.

The City Arborist indicated that there are eight trees proposed for removal to allow for the construction of the new home on Lot A (tree numbers 16, 17, 18, 23, 24, 25, 26, and 27). At the time of this review, tree removal fees could be collected for the removal of these trees in the amount of \$20,097; however, the Tree Board recently recommended City Council adoption of an approximately 60% reduction of development review tree removal fees. Should the Council adopt these recommendations, tree removal fees could be reduced for this project to \$8,225.

In-lieu replanting fees (\$497 per required tree) could also be assessed by the Planning Commission up to a 3:1 ratio; based upon the proposed replanting of eleven trees, the in-lieu fee amount for the project could be between zero dollars for a 1:1 replacement ratio, and \$3,479 for a 3:1 replacement ratio (a 1:1 replacement is the maximum permitted for Monterey pines).

The City Arborist recommends the removal of two trees without payment of tree removal fees because they are dead (tree numbers 28 and 29). There are six trees that would be impacted by the project (tree numbers 7, 19, 20, 21, 22, and 30). The City Arborist has recommended retention measures for these trees. The applicant has agreed to the retention measures identified in the Arborist Report, and has modified the project plans accordingly. A bond could be collected for the potential damage or removal of these trees.

As discussed above, the Planning Commission has discretion when requiring conditions of approval for Tree Removal Permits. Staff would note that the total tree planting appears to be all that the project site could accommodate (retained and proposed trees). Thus, staff recommends replanting as proposed.

The tree removal fees that could potentially be collected for this project (\$20,097) would allow for the planting of forty new trees off-site. If the Council adopts the Tree Board recommendations for tree removal fees, the tree removal fees that could potentially be collected for this project (\$8,225) would allow for the planting of sixteen new trees off-site.

As of the writing of this report, staff has no recommendation with respect to tree removal fees. Instead, staff requests that the Commission review the project and provide direction related to the appropriate fee amount. Staff would note that the Commission discussion would be informed by the results of the City Council review of the Tree Board's fee recommendations.

#### Single Family Design Review (SFDR)

The key issues related to SFDR for the proposed project are discussed below. The requisite SFDR Findings (BZO Section 13A.5A-I) are provided in the attached resolution.

#### *Neighborhood Character and Public Views*

The proposed craftsman style dwelling would include materials that are consistent with the style of the home (i.e., cement plaster and horizontal wood siding, with stone veneer base, wood columns, wood fascia, a wood trellis above the garage doors, carriage-style garage doors, divided-light windows with wood framing, wrap around covered porch, and an asphalt shingle roof). These materials would be consistent with the established character (earth tones, wood, and stucco) of other homes in the neighborhood. The garage door and front door of the home would face Miller Avenue, consistent with the layout of other homes along the street.

Given the local topography and homes and trees within the surrounding area, there are no public views across the property (i.e., views of the San Francisco Bay, undeveloped hillsides, open space areas and/or vacant ridgelines).

*Site Planning & Accessory/Support Feature Design*

The home is proposed on the lot within the allowable setback areas, which would result in the removal of eight trees (trees within the proposed building footprint or impacted by foundation construction). However, the applicant has incorporated tree protection measures for the project to retain five trees at the front of the property, and eleven new trees would be planted along the right side and at the rear of the proposed home.

Grading would be nearly balanced on site (twenty seven net cubic yards of off-haul). Large, extraneous contributors to grading and hardscape (i.e., large flat pads outside of the foot print of the home and driveway access that significantly contribute to overall grading and/or hardscape) are not proposed with the project. In addition, the proposed driveway would incorporate decorative pavers over a pervious substrate. Thus, the potential aesthetic impacts of project hardscape have been minimized and appropriately addressed.

The design of the proposed two-story home includes gable and cross-gable roof forms, projecting and recessed building walls, architectural features and ornamentation, (i.e., a covered front porch with columns, substantial window framing, decorative doors, and stone veneer base) that would emphasize the facade of the home, and mitigate its perceived building bulk.

A condition of approval is recommended to require the proposed retaining wall along the left side of the driveway to incorporate the stone veneer on the exterior of the home. The proposed six-foot high redwood fence would be consistent with the craftsman style of the home.

*Access, Grading, Hardscape, Site Stability, Erosion, and Water Quality*

*Access*

Driveway access is proposed from the front of the property (Miller Avenue). A walkway from the driveway to the front porch would provide access for pedestrians.

*Grading*

A preliminary grading and drainage plan has been prepared for the project by a civil engineer. Grading estimates for the project are provided in the table below. All measures are in cubic yards.

	<u>House</u>	<u>Driveway</u>	<u>Yards</u>	<u>Project Totals</u>
<b>Cut</b>	- 70	-2	-40	<b>-112</b>
<b>Fill</b>	+10	+15	+60	<b>+85</b>
<b>Total</b>	<b>-60</b>	<b>+13</b>	<b>+20</b>	<b>-27</b>

### *Hardscape*

The total hardscape associated with the project would be approximately 39%.

### *Site Stability*

The applicant has submitted a Geotechnical Investigation, prepared by Lai & Associates, dated November 18, 2013. The geotechnical report concluded that the proposed residential development is suitable for the site from a geotechnical perspective, provided that the recommendations contained in the report are implemented in the design and construction.

The report was peer-reviewed by the City's Consulting Geologist, Cotton, Shires & Associates, Inc., in a letter dated March 12, 2014. The City Geologist (CSA) does not have feasibility objections to the layout of the proposed site improvements; however, CSA indicated that a geotechnical update recommending minimum building foundation embedment criteria should be prepared and submitted, prior to issuance of building permit. A response letter was prepared by Lai & Associates, dated March 19, 2014, addressing building foundation embedment criteria, which will be included with the building permit submittal.

The City Geologist has also provided recommendations for geotechnical review of final building and grading plans and field inspections during construction. All of the City Geologist recommendations have been included in the attached Conditions of Approval.

Should the project be approved, buildings and retaining walls would also be plan checked by consulting structural engineers for compliance with building code as part of the building permit process.

### *Erosion/Water Quality*

A storm-water checklist, and preliminary grading, and drainage plan were submitted for the project. The project would generally direct rainwater from impervious areas to vegetated swales and/or landscape areas on site.

Public Works staff has conducted a preliminary (conceptual) review of the storm-water checklist, and preliminary grading/drainage plans, and have been found them to be compliant/conditionally complainant with state and local codes. Public Works staff will review final storm-water checklist and grading and drainage plans upon submittal of the more detailed grading/building permit (working) drawings. Erosion/sediment control plans will also be required to be submitted with the building permit application for review and approval by Public Works, as part of the building permit process.

### *Landscape Plan & Tree Replacement*

A landscape plan has been submitted that includes the retention of the trees at the front of the site, and the planting of additional California native trees along the right side and the rear of the proposed home. California native drought tolerant shrubs are proposed at the front and rear of the home. The driveway pad is proposed as pavers over a pervious substrate, and the rear deck would be constructed of wood with open slats. A retaining wall along the right side of the driveway would be approximately three feet in height at the garage face.

The proposed landscape plan includes large native trees and a variety of shrubs in locations that would soften and screen the home as seen from the street and surrounding area. The proposed plan also includes California native drought tolerant plant species and water efficient irrigation systems (i.e., drip and bubbler irrigation systems). Staff believes that the proposed plan is appropriate for the neighborhood.

As previously discussed, eight protected size trees would be removed as part of the project, and eleven new trees would be planted. The total tree planting appears to be all that the project site could accommodate (retained and proposed trees). Thus, staff recommends replanting as proposed.

### *Construction Related Impacts & Structural Encroachments*

Grading for construction of the home would not be substantial and there is adequate room to stage construction on site. A construction management plan will be required for the project as a standard condition of project approval. Review of staging areas, recycling and disposal procedures and adequacy of erosion control measures would be reviewed by the Building Division as part of the structural plan check. All construction would be completed in compliance with the California Building Code and NPDES standards as administered by the City of Belmont. The proposal includes no new structural encroachments into the public right-of-way.

### Residential Design Guidelines (RDG)

Belmont has adopted Residential Design Guidelines (RDG) in order to assist applicants in preparing plans for Design Review submittal (i.e. design recommendations). The guidelines are organized into sections that correspond with the key design-related issues (findings) that the Planning Commission considers when deciding whether to approve a Single Family Residential Design Review application.

SFDR Findings C, D, G and H are technical findings, and SFDR Findings A, B, E, and F are design-related findings. The distinction between these two types of findings and an RDG evaluation of the project is provided below.

### Technical Findings

Analysis of a proposed project for consistency with technical SFDR Findings does not include direct Planning Commission involvement. The PC is not expected to provide technical analysis, but rather ensure that the analysis occurred as part of the process. The City has identified relevant review processes to address technical findings.

The City has an established process to address SFDR Findings C, D, G and H. For a new home, a geotechnical report, storm-water checklist, and preliminary grading, and drainage plan are required. The geotechnical report is peer reviewed by the city geologist, and geotechnical approval of the detailed working drawings is required prior to grading/building permit issuance; buildings and retaining walls are plan checked by consulting structural engineers for compliance with building code, prior to building permit issuance.

Any proposed structural encroachments into the public right-of-way, a driveway plan and profile, storm-water checklists, and grading/drainage plans are reviewed for compliance/conditional compliance with state and local codes by Civil Engineers in the Department of Public Works. Standard conditions of project approval require submittal of construction management plans addressing haul routes, staging, erosion control, etc., prior to issuance of grading or building permits.

### *Project Review – Technical Findings*

The applicant has submitted geotechnical investigations for the project. The City's geotechnical consultant, Cotton Shires Associates (CSA), has conducted a peer review of the submitted reports. The City Geologist does not have feasibility objections to the layout of the proposed site improvements, and has provided recommendations for geotechnical review of final building and grading plans and field inspections during construction. The project engineer has also prepared storm-water checklists, and preliminary grading/drainage plans in accordance with city submittal requirements, and these checklists/plans have also been reviewed for compliance/conditional compliance with state and local codes by Civil Engineers in the Department of Public Works. The Department of Public Works has also reviewed the project and provided conditions of project approval related to storm-water protection, access, right-of-way encroachments, construction management, etc. Should the project be approved, buildings and retaining walls would be plan checked by consulting structural engineers for compliance with building code as part of the building permit process.

### Design Related Findings

Analysis of a proposed project for consistency with design-related SFDR Findings includes direct Planning Commission involvement. The Commission evaluates the project plans/submittal materials, and considers the staff analysis and public input, before determining if the required finding can be made in the affirmative. For example, in order to evaluate SFDR Finding A (Neighborhood Compatibility and Public View Preservation), the Commission would typically

review the submitted materials, and visit the subject neighborhood to become familiar with the local topography, and the location, scale and design of neighboring structures.

### *Project Review – Design-Related Findings*

The proposed two-story home would utilize natural, earth-tone materials, and would be located within required setbacks with the front door and garage facing Miller Avenue, consistent with the placement, massing, and exterior materials of other homes along the street/within the neighborhood (Guidelines A-1.a-A-1.c). No public views or prominent ridgelines would be obstructed with construction of the proposed project (Guideline A-2). The proposed craftsman style dwelling would include materials, colors, and ornamentation that are consistent with the style of the home, which would provide visual interest (Guidelines A-3.a, A-3.b, A-6.a-A-6.c). In addition, the proposed home would include building wall off sets and varied roof lines which would reduce its perceived bulk (Guidelines B-1.a-B-1.d, and B-2.a-B-2.c).

Grading would be nearly balanced on site, and large extraneous flat pad grading and impervious hardscape areas outside of the footprint of the home and required access would not occur as part of the project (Guidelines B-4.a, B-4.d, B-5.a, and B-5.b). The home would be located to retain the large trees at the front of the site, and utility trenching has been modified to avoid tree root systems (Guideline B-6.a and B-6.b). A condition of approval would require the retaining wall at the front of the site to utilize the same earth tone color and materials as the stone veneer on the home (Guidelines E-1.a, and E-1.c). New California native, drought tolerant replacement trees and plants are proposed as part of the landscape/irrigation plan to compliment the building architecture and assist in softening and screening the home as seen from the surrounding area (Guidelines B-6.d, F-1.a, F-1.c, F-2.a, and F-2.c).

## **CONCLUSION AND RECOMMENDATION**

Based on the foregoing analysis and required findings provided in the attached resolution, staff recommends approval of the Single-Family Design Review application with the Conditions of Approval in Attachment III.

## **ACTION ALTERNATIVES**

1. Continue the application for redesign.
2. Deny the Single Family Design Review. 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 Single Family Design Review
- III. Conditions of Approval
- IV. Public Correspondence/Neighborhood Outreach

- V. Arborist Report & Applicant Response
- VI. Geotechnical Report, letter and Peer Review
- VII. RDG Review Table & Index
- VIII. Tree Ordinance & Fee Schedule
- IX. Applicant's plans, and materials (Commission only)

Respectfully submitted,

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Damon DiDonato  
Senior Planner

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Carlos de Melo  
Community Development Director

RESOLUTION NO.  
RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELMONT  
APPROVING SINGLE FAMILY DESIGN REVIEW  
AT 1804 MILLER AVENUE – LOT A (APPL. NO. 2014-0004)

WHEREAS, Tim Petersen, applicant, on behalf of John Hansen, owner, requests Single Family Design Review approval to construct a new 2,734 square foot single family residence; and,

WHEREAS, a Public Hearing was duly noticed, and held on June 17, 2014, and closed; and,

WHEREAS, the Planning Commission hereby adopts the staff report dated June 17, 2014 and the facts contained therein as its own findings of facts; and,

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby approves Single Family Design Review to construct a new 2,734 square foot single family residence at 1804 Miller Avenue – Lot A, subject to the attached conditions in Exhibit “A”, and based upon the following findings:

Environmental Review

Section 15303, Class 3 (a) of the California Environmental Quality Act (CEQA) exempts construction of one single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single-family residences may be constructed or converted under this exemption

The proposed residence meets the above requirements for CEQA exemption.

Single Family Design Review

The required Single Family Design Review Findings, Section 13A.5 (A-I), are made in the affirmative as follows:

- A. *The buildings and structures shown on the site plan are located to be consistent with the character of existing development on the site and in the neighborhood, as defined; minimize disruptions of existing public views; protect the profile of prominent ridgelines.*

The proposed craftsman style dwelling would include materials that are consistent with the style of the home (i.e., cement plaster and horizontal wood siding, with stone veneer base, wood columns, wood fascia, a wood trellis above the garage doors, carriage-style garage doors, divided-light windows with wood framing, wrap around covered porch, and an asphalt shingle roof). These materials would be consistent with the established character (earth tones, wood, and

stucco) of other homes in the neighborhood. The garage door and front door of the home would face Miller Avenue, consistent with the layout of other homes along the street. Given the local topography and homes and trees within the surrounding area, there are no public views across the property (i.e., views of the San Francisco Bay, undeveloped hillsides, open space areas and/or vacant ridgelines). This finding is affirmed.

*B. The overall site and building plans achieve an acceptable balance among the following factors:*

- (1) building bulk*
- (2) grading, including*
  - (a) disturbed surface area and*
  - (b) total cubic yards, cut and fill*
- (3) hardscape, and tree removal*

The home is proposed on the lot within the allowable setback areas, which would result in the removal of eight trees (trees within the proposed building footprint or impacted by foundation construction). However, the applicant has incorporated tree protection measures into the project to retain five trees at the front of the property, and eleven new trees would be planted along the right side and at the rear of the proposed home.

Grading would be nearly balanced on site (twenty seven net cubic yards of off-haul). Large, extraneous contributors to grading and hardscape (i.e., large flat pads outside of the foot print of the home and driveway access that significantly contribute to overall grading and/or hardscape) are not proposed with the project. In addition, the proposed driveway would incorporate decorative pavers over a pervious substrate. Thus, the potential aesthetic impacts of project hardscape have been minimized and appropriately addressed.

The design of the proposed two-story home includes gable and cross-gable roof forms, projecting and recessed building walls, architectural features and ornamentation, (i.e., a covered front porch with columns, substantial window framing, decorative doors, and stone veneer base) that would emphasize the facade of the home, and mitigate its perceived building bulk.

All four factors (building bulk, grading, hardscape, and tree removal) appear to be appropriately addressed in the building design to achieve a complementary balance for the project. This finding is affirmed.

*C. All accessways shown on the site plan and on the topographic map are arranged to provide safe vehicular and pedestrian access to all buildings and structures.*

Driveway access is proposed from the front of the property (Miller Avenue). A walkway from the driveway to the front porch would provide access for pedestrians. This finding is affirmed.

*D. All proposed grading and site preparation have been adequately reviewed to protect against site stability and ground movement hazards, erosion and flooding potential, and habitat and stream degradation.*

The applicant has submitted geotechnical investigations for the project. The City's geotechnical consultant, Cotton Shires Associates (CSA), has conducted a peer review of the submitted reports. The City Geologist does not have feasibility objections to the layout of the proposed site improvements, and has provided recommendations for geotechnical review of final building and grading plans and field inspections during construction. The project engineer has also prepared storm-water checklists, and preliminary grading/drainage plans in accordance with city submittal requirements, and these checklists/plans have also been reviewed for compliance/conditional compliance with state and local codes by Civil Engineers in the Department of Public Works. The Department of Public Works has also reviewed the project and provided conditions of project approval related to storm-water protection, access, right-of-way encroachments, construction management, etc. Should the project be approved, buildings and retaining walls would be plan checked by consulting structural engineers for compliance with building code as part of the building permit process.

All grading would be in compliance with the City's Grading Ordinance. In addition, standard conditions of approval would assure that project construction and operations do not result in off-site soil or water erosion. Best Management Practices (BMP's) are a standard condition of approval which requires that soil, gravel and water do not migrate off site and cause erosion. BMP's require the use of soil and water erosion controls (i.e., waddles and storm water filtration, etc.) prior to water entering the storm drain system in order to prevent sedimentation of the storm drain system and watercourses. Grading is limited to the drier season (April 15- November 14) which also serves to prevent erosion. Thus, as proposed and conditioned, this finding is affirmed.

*E. All accessory and support features, including driveway and parking surfaces, underfloor areas, retaining walls, utility services and other accessory structures are integrated into the overall project design.*

The proposed driveway would utilize pavers in keeping with the craftsman-style design of the home. The proposed wooden fence would also be consistent with the design of the home. A condition of approval would require the proposed retaining wall along the left side of the driveway to incorporate the stone veneer on the exterior of the home. This finding is affirmed.

*F. The landscape plan incorporates:*

- (1) Native plants appropriate to the site's environmental setting and microclimate, and*
- (2) Appropriate landscape screening of accessory and support structures, and*
- (3) Replacement trees in sufficient quantity to comply with the standards of Section 25 (Trees) of the Belmont City Code*

The proposed landscape plan includes large native trees and a variety of shrubs in locations that would soften and screen the home as seen from the street and surrounding area. The proposed plan also includes California native, drought-tolerant plant species and water efficient irrigation systems (i.e., drip and bubbler irrigation systems).

Eight protected size trees would be removed as part of the project, and eleven new trees would be planted. The total tree planting appears to be all that the project site could accommodate (retained and proposed trees). Tree removal and in-lieu replanting fees would also be assessed to the project in accordance with the City's Tree Ordinance. Therefore, this finding is affirmed.

*G. Adequate measures have been developed for construction-related impacts, such as haul routes, material storage, erosion control, tree protection, waste recycling and disposal, and other potential hazards.*

A construction management plan will be required for the project as a standard condition of project approval. Review of staging areas, recycling and disposal procedures and adequacy of erosion control measures would be reviewed by the Building Division as part of the structural plan check. All construction would be completed in compliance with the California Building Code and NPDES standards as administered by the City of Belmont. This finding is affirmed.

*H. Structural encroachments into the public right-of-way associated with the project comply with the standards of Section 22, Article 1 (Encroachments) of the Belmont City Code.*

The proposal includes no new structural encroachments into the public right-of-way. This finding is affirmed.

*I. Substantial compliance with the Residential Design Guidelines.*

The project has been reviewed in accordance with the established City processes to address SFDR Findings C, D, G and H. A geotechnical report, storm-water checklist, and preliminary grading, and drainage plan have been submitted. The geotechnical report was peer reviewed by the city geologist, and geotechnical approval of the detailed working drawings is required prior to grading/building permit issuance; buildings and retaining walls will be plan checked by consulting structural engineers for compliance with building code, prior to building permit issuance.

No structural encroachments into the public right-of-way are proposed. A driveway plan and profile, storm-water checklists, and grading/drainage plans have been reviewed for compliance/conditional compliance with state and local codes by Civil Engineers in the Department of Public Works. Standard conditions of project approval require submittal of construction management plans addressing haul routes, staging, erosion control, etc., prior to issuance of grading or building permits.

The proposed two-story home would utilize natural, earth-tone materials, and would be located within required setbacks with the front door and garage facing Miller Avenue, consistent with the placement, massing, and exterior materials of other homes along the street/within the neighborhood (Guidelines A-1.a-A-1.c). No public views or prominent ridgelines would be obstructed with construction of the proposed project (Guideline A-2). The proposed craftsman style dwelling would include materials, colors, and ornamentation that are consistent with the style of the home, which would provide visual interest (Guidelines A-3.a, A-3.b, A-6.a-A-6.c). In addition, the proposed home would include building wall off-sets and varied roof lines which would reduce its perceived bulk (Guidelines B-1.a-B-1.d, and B-2.a-B-2.c).

Grading would be nearly balanced on site, and large extraneous flat pad grading and impervious hardscape areas outside of the footprint of the home and required access would not occur as part of the project (Guidelines B-4.a, B-4.d, B-5.a, and B-5.b). The home would be located to retain the large trees at the front of the site, and utility trenching has been modified to avoid tree root systems (Guideline B-6.a and B-6.b). A condition of approval would require the retaining wall at the front of the site to utilize the same earth tone color and materials as the stone veneer on the home (Guidelines E-1.a, and E-1.c). New California native, drought tolerant replacement trees and plants are proposed as part of the landscape/irrigation plan to compliment the building architecture and assist in softening and screening the home as seen from the surrounding area (Guidelines B-6.d, F-1.a, F-1.c, F-2.a, and F-2.c). As such, the project is in substantial compliance with the Residential Design Guidelines. This finding is affirmed.

\* \* \* \* \*

Passed and adopted at a regular meeting of the Planning Commission of the City of Belmont held on June 17, 2014 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  
1804 MILLER AVENUE – LOT A  
APPLICATION PA2014-0004

- 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. Plans submitted for building permit and all construction shall conform to the plans on file in the Planning Division for Appl. No. 2014-0004. 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, 4<sup>th</sup> 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 owners shall file with the Director of Community Development, on forms provided by the City, an acknowledgment that they have read, understand and agree 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 owners and all assignees will be responsible for defending against this challenge, and agree to accept responsibility for defense at the request of the City. The property owners 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. A final retaining wall design plan shall be submitted for review and approval by the Community Development Director, prior to issuance of a building permit. Said plan shall include a dark, earth-tone, rough surface treatment similar to the stone veneer for the home.
7. Building plans shall be submitted that reflect that no part of the residence shall exceed the 28-foot height limit as measured from the finished grade to the topmost point of the residence immediately above. A California licensed surveyor or civil engineer shall provide a wet-stamped certification that the home conforms with the 28-foot height limit prior to the roof diaphragm inspection.
8. The applicant shall provide a written plan for construction staging, storage areas, haul route, construction vehicle parking, delivery of materials, etc. for review and approval by the Community Development Department in consultation with the Building Division, and the Department of Public Works.
9. The applicant shall be required to notify all property owners/residents within a 300-foot radius of the subject, and along the haul route, prior to any/all grading operations – such notification shall include the following:
  - A statement of the published haul route for the cut/fill work.
  - A description of the staging area(s) for all equipment involved with the project cut/fill work.
  - The dates or a timeframe in which the cut/fill work for the project is expected to take place.
  - Contact Information for the project construction manager.

#### City Geologist

The project is subject to Public Works Department and City Geologist review and approval with the following conditions:

1. Geotechnical Update – The project Geotechnical Consultant shall evaluate proposed site development plans for Parcel A and update geotechnical design recommendations as warranted. The consultant shall consider the benefits of recommending minimum bedrock embedment criteria for all house foundation supporting elements to achieve uniform support across the entire building footprint.

Appropriate documentation to address the above shall be submitted to the City for approval by the City Geotechnical Consultant, prior to issuance of building permits.

2. Geotechnical Plan Review - The Project 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 and driveway) to ensure that their recommendations have been properly incorporated.

The results of these geotechnical evaluations and plan review shall be described by the geotechnical consultant in a letter and submitted to the City along with other documentation for building permit plan-check.

3. Geotechnical Construction Inspection – The Project Geotechnical Consultant shall inspect, test (as needed), and approve all geotechnical aspects of the project construction. The inspections should 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 consultant shall inspect the final site drainage improvements for conformance with geotechnical recommendations.

The results of these inspections and the as-built conditions of the project should be described by the geotechnical consultant in a letter and submitted to the City Engineer for review prior to final (granting of occupancy) project approval.

#### City Arborist

1. Suggested Plan Adjustments to Optimize Long Term Tree Vigor:
  - a) Land Contour Grading: Eliminate contour grading and swale grading within 15 feet of any tree to be retained on lots A and B (e.g. trees #3, 13, 14, 19, 30, 31) to allow existing open soil root zone grade elevations to remain as-is within 15 feet of the trunks of all trees being retained on and adjacent to the site.
  - b) Storm Drain: Either eliminate storm drain box installation and pipe trenching and use hand-graded shallow land swales in lieu of formal drains, or realign all storm drain pipe trenches and area drain boxes such that they are at least 15 feet from the trunk edges of all trees being retained on lots A and B (e.g. trees #3, 13, 19, 20, 21, 30, 31).
  - c) Deck/Landing on Lot B: Eliminate the proposed deck and landing within 15 feet of the trunk edge of tree #31.
  - d) Landscape Plantings: Eliminate proposed plantings within 15 feet of all trees to remain on lots A and B.
  - e) Irrigation Pipe Trenching: Eliminate all irrigation pipe trenching below grade within 15 feet of all trees being retained on lots A and B (if any is proposed, since irrigation plan was not available from applicant at the time of writing).

2. Fees:

Applicant shall pay tree removal fees and in-lieu fees per Planning Commission determination.

Applicant shall pay an arborist construction period monitoring fee in the amount of \$1,500 plus applicable City fees (e.g. 30% administration fees) to cover basic monthly inspections and reporting to Staff.

The CCA may charge additional fees at the regular contract hourly rate of \$100/hour for additional services such as when requested by the project build team to be on-site to monitor trenching, pier drilling, excavation, etc. within 20 feet of trees being retained.

3. Pre-Construction Meeting:

The project team shall meet with CCA on-site prior to commencement of demolition, to go over final root protection zone fence routes for trees being retained, trunk buffer specifications, pruning prescriptions for airspace clearance for specific trees, root pruning protocols, , landscape and irrigation limitations, storm drain line trench realignments and limits, and contour grading and swale grading daylight limits to optimize tree root zone protection.

4. Pruning / Arborist of Record:

Retain a qualified ISA-Certified Arborist to perform deadwood pruning on tree #31, install cabling and/or bracing on tree #4, and perform airspace clearance pruning (if needed), per American National Standard Institute (ANSI)-A300 Tree Shrub and Other Woody Plant Maintenance / Standard Practices.

5. Wood Chip Mulch:

Tree care company wood chipper truck type natural wood chips shall be placed in a 4-inch thick layer over the soil surface underneath the entire canopy driplines of all survey trees being retained in lot A, lot B, and the City street tree corridor. Pull mulch out 12 inches away from the trunks of the trees to avoid moisture buildup. These types of chips are available for purchase as “wood chips” (not bark chips) at Lyngso Garden Supply of Redwood City.

6. Trunk Buffer:

Affix a trunk buffer around trees being retained on lots A and B (e.g. trees #1, 2, 3, 4, 5, 13, 14, 19, 20, 21, 30, 31).

Best Management Practice for tree protection of trees to remain on a site is to wrap an entire roll of orange fencing around the lower 8 feet of trunk of each tree, and affix 2X4 or 1X4 boards (or waste wood of similar dimensions) around the circumference of the trunk, and secure with duct tape on the outside only (do not use wires).

Refer to the 2013 tree protection standard images handout available from the CCA, care of Belmont planning division Staff.

7. Root Protection Zone:

Chain link

Install chain link fence (exact locations of fence to be determined during the pre-construction field meeting). This fencing shall be known as the root protection zone or “RPZ”.

Fencing material used for all protective fences must be steel chain-link, at least five-feet in height, mounted on two-inch diameter galvanized iron posts 7-feet in length, driven a minimum of 24-inches into the ground. Posts for post and hook fencing must be mounted no wider than six-feet apart. This fence must be erected prior to any heavy machinery traffic or construction material arrival on site.

Note: Create a +/- 18 inch wide open gap in each RPZ fence perimeter so that arborists and other tree protection related personnel can access the areas inside the RPZ.

A silt fence shall be dug into the ground per package directions along the bottom edge of the uphill sides of the chain link root protection zone fences, and zip tied or otherwise affixed to the RPZ as a barrier against liquid waste encroachments.

Use straw erosion control wattles pinned down along the bottom edges of the chain link fences.

The protective fencing shall not be temporarily moved during construction, unless authorized by the CCA through an email or other written form. Materials, tools, excavated soil, liquids, substances, etc. shall not be placed or dumped, even temporarily, inside the RPZ.

Storage, staging, work, or other activities shall not occur inside the RPZ without the expressed written (emailed) permission from the Contract City Arborist. The CCA shall be contacted 48 hours advance notice when requesting that a fence section be temporarily moved or removed.

Refer to the 2013 tree protection standard images handout.

8. Signage:

The TPZ fencing shall have one sign affixed with UV-stabilized zip ties to the chain link at eye level for every 15-linear feet of fencing, minimum 8”X11” size each, plastic laminated or otherwise waterproofed, stating:

**ROOT PROTECTION ZONE FENCE  
ZONA DE PROTECCION PARA ARBOLES**

**-NO ENTRE SIN PERMISO. LLAME EL ARBOLISTA WALTER LEVISON-**

DO NOT MOVE OR REMOVE WITHOUT AUTHORIZATION FROM  
WALTER LEVISON, CONTRACT CITY ARBORIST, CITY OF BELMONT

CALL OR EMAIL 48-HRS ADVANCE FOR PERMISSION

TELEFONO CELL 415-203-0990 / EMAIL [drtree@sbcglobal.net](mailto:drtree@sbcglobal.net)

9. Root Pruning:

If any woody roots measuring 1 inch diameter or greater are encountered during site work within 20 feet of trees being retained, stop site plan work and call a qualified tree care contractor to prune roots at right angles to the root growth direction, using sharp tools such as an A/C powered Sawzall, lopper, professional pruning saw, etc.

If roots are required to be left exposed for more than 24 hours, then cover with six (6) layers of wet, muddy burlap. If possible, cover the root(s) completely with existing site soil and wood chip mulch, and irrigate thoroughly to saturate the uppermost 24 inches of the soil profile. Cover the soil with wood chip mulch.

Call the CCA at cell 415-203-0990 immediately upon encountering the roots (prior to pruning) so that digital images of the root locations, depths, and densities can be archived.

If roots are shattered or broken, then the “backdigging” protocol must be used prior to root pruning in order than the roots be severed at a location with undamaged tissue.

Refer to the 2013 tree protection standard images handout.

10. Water Spray:

If standard pressure water is available on site, spray off foliage of all trees being retained on a 1x/month basis using a high power garden hose to wash both the upper and lower surfaces of the foliage. This helps keep the gas portals (stomata) unclogged for better gas exchange which is crucial for normal tree function.

Conditions of Approval – PA2014-0004

1804 Miller Ave – Lot A

June 17, 2014

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EXHIBIT "A"

CONDITIONS OF PROJECT APPROVAL  
SINGLE FAMILY DESIGN REVIEW  
1804 MILLER AVENUE – LOT A  
APPLICATION PA2014-0004

- 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:

Building Division

1. Plans submitted for building permit and all construction shall conform to the approved plans on file in the Planning Division for Appl. No. 2014-0004.
2. The applicant shall obtain all required permits.
3. This project is subject to the School Facilities Fee. Proof of payment must be presented to the City of Belmont before the permit will be issued. Contact the Sequoia Union School District directly for further information.
4. Pursuant to the Belmont Department Ordinance #2011-1, Section 1003.2.9.2(A), the building shall include a fire sprinkler system and the plan will be a deferred submittal.
5. Pursuant to Regulation 6, Rule 3 per the Bay Area Air Quality Management District, effective January 1, 2009, no person or builder shall commence construction of a new building or structure permitted to contain or containing a wood-burning device or install a new wood-burning device resulting from a remodel unless the device meets the requirements of Section 6-3-303. Any gas fueled heating device or electric-powered heating device is allowed under this standard.

6. Retaining walls shall be designed by a civil engineer.
7. The City of Belmont Municipal Code requires a soils and engineering geology report for all new or substantially altered foundations. Provide such a report and a letter from the geotechnical engineer confirming that the foundation plan has been reviewed and that it has been determined that the recommendations in the soils report are properly incorporated into the plans. BMC 7-12, IBC 106.1 & 1804.3.
8. The applicant shall provide a record of survey.
9. The applicant shall post hours of operation and phone numbers for noise complaints.
10. The applicant shall show the location of all transformers, fire standpipes, and back flow preventers on the building plans.
11. The applicant shall provide space for recycling containers.
12. The applicant shall provide list of construction and demolition recycling service providers.
13. Contractors and subcontractors shall make a good faith effort to contact construction and demolition recycling providers.
14. The applicant shall notify all contractors and subcontractors of Belmont expectations of maximizing diversion of solid waste.
15. The applicant shall investigate opportunities for salvaging material for reuse.
16. Building plans shall specify that the 2013 CBC as amended by the State of California and all applicable City of Belmont ordinances will be employed during this project.

EXHIBIT "A"

CONDITIONS OF PROJECT APPROVAL  
SINGLE FAMILY DESIGN REVIEW  
1804 MILLER AVENUE – LOT A

II COMPLY WITH THE FOLLOWING CONDITIONS OF THE BELMONT FIRE DEPARTMENT:

1. A separate application and permit are required for the installation or alteration of any Automatic Fire Extinguishing System. An application shall be made by either a Registered Engineer or by the Licensed Fire Sprinkler Contractor who will be performing the work. This shall include any Fixed Fire Protection System. A valid Permit and Approved Plans shall be at the jobsite at all times.
2. The building shall be provided with an automatic fire extinguishing system. The building plans shall show the locations of any of the following devices: Double Detector Check Valve, Post Indicator Valve, Fire Department Connection, Fire Sprinkler Riser located on the Exterior of the Building, and Fire Alarm Bell.
3. Prior to application for a Fire Sprinkler Permit, the applicant shall submit plans to Mid-Peninsula Water District for their review and approval. Please contact MPWD at 650-591-8941.
4. A separate application and permit are required for the installation of any underground fire service lines. Application shall be made by a Registered Engineer or by either a General Engineering Contractor or a Licensed Fire Sprinkler Contractor, who will be performing the work.
5. Every building, or structure, shall be provided with an address. Numerals shall be located where clearly visible from the street or roadway upon which it fronts. Residential Structures shall have numerals a minimum of 4 inches in height and of ½ stroke. Numerals shall be of contrasting color to their background and illuminated at night. Numerals shall be white in color where located upon glazing.
6. All Fire Inspections are performed on Wednesdays between 9AM-2PM, unless special arrangements are made with the Fire Inspector. The applicant shall call 650-637-2939 a minimum of 48 hours in advance to place an inspection request. The applicant will receive a confirmation call within 24 hours of the request.
7. On plans submitted for a Building Permit, the applicant shall show the location of all required Smoke Alarms and Carbon Monoxide Alarms, in accordance with CRC Sections 314 & 315.
8. Plans submitted for a Building Permit shall identify the size of bedroom windows, demonstrating that they meet egress requirements of CRC 310.

9. In accordance with the Municipal/Regional Stormwater Permit, no fire sprinkler system drain shall discharge into any Storm Drain System. The system shall discharge to either a landscape area large enough to contain the outflow, or to the Sanitary Sewer by means of an indirect connection. The applicant shall show the location of the Fire Sprinkler System drain on plans submitted for a building permit.

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, and shall also be used for making wide turns. Flag persons shall use high visibility vests and proper signs.
4. 24-hour written notice to the Police Department is required before any lane closure.
5. The applicant shall be responsible to secure all equipment on site. Tools and equipment shall be locked up and secured. If the site is fenced, a key or combination shall be provided to the Police Department. Use of lighting, video surveillance and/or a guard should be considered. If lighting is to be used it shall not create glare off-site.

EXHIBIT "A"  
CONDITIONS OF PROJECT APPROVAL  
SINGLE FAMILY DESIGN REVIEW  
1804 MILLER AVENUE – LOT A (APPLICATION PA2014-0004)

IV. 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. New curb and gutter shall be installed in accordance with the Department of Public Works approved standards.
2. A residential driveway approach shall be installed in accordance with Department of Public Works approved standards.
3. Roof leaders and site drainage shall be directed to a vegetated area onsite or the City stormwater drainage system. A dissipater box or other energy reduction method shall be used.
4. The owner/applicant shall submit C3 & C6 stormwater pollution prevention checklist, impervious calculation checklist and BMP measures checklist with the application for a building permit.
5. The owner/applicant shall pay planned drainage fees in accordance with City ordinances.
6. Projects with architectural copper should, if possible, purchase copper materials that have been pre-patinated at the factory. Whether patination is done offsite or onsite, applicant should consider coating the copper materials with an impervious coating that prevents further corrosion and runoff. If patination is done on-site, implement one or more of the following:
  - Discharge the rinse water to landscaping. Ensure that the rinse water does not flow to the street or storm drain. Block off storm drain inlet if needed.
  - Collect rinse water in a tank and pump to the sanitary sewer. Contact your local sanitary sewer agency before discharging to the sanitary sewer.
  - Collect the rinse water in a tank and haul off-site for proper disposal.
7. Direct roof runoff into cisterns/rain barrels and use rainwater for irrigation or other non-potable use.
8. Direct roof runoff onto vegetated areas.

9. Use micro-detention, including distributed landscape-based detention.

**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, for approval by the Department of Public Works and Building Division prior to any grading or clearing being performed on-site.
5. 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:
  - a) All soils stockpiled on the site during construction shall be covered or otherwise protected from wind and water erosion.
  - b) During construction, erosion and sedimentation control plans shall be implemented in order to retain sediments on-site.
  - c) Site grading and finished construction shall be designed and executed in such a manner as to avoid diverting runoff onto other properties.
  - d) Restrictions and recommendation of the Geologic and Soils report as approved by the City's Geologist.
6. 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. The measures shall also include:

- a) Water all active construction sites at least twice daily.
  - b) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
  - c) Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.
  - d) Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites.
  - e) Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
  - f) Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
  - g) Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiled materials.
  - h) Install sandbags or other erosion-control measures to prevent silt runoff to public roadways.
  - i) Replant vegetation in disturbed areas as quickly as possible.
  - j) Watering should be used to control dust generation during the break-up of pavement.
  - k) Cover all trucks hauling demolition debris from the site.
  - l) Use dust-proof chutes to load debris into trucks whenever feasible.
  - m) Water or cover stockpiles of debris, soil, sand or other materials that can be blown by the wind.
  - n) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be in proper running order prior to operation.
  - o) Diesel powered equipment shall not be left inactive and idling for more than five minutes, and shall comply with applicable BAAQMD rules.
  - p) Use alternative fueled construction equipment, if possible.
  - q) All vehicle speeds on unpaved roads shall be limited to 15 mph.
  - r) Post a visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 24 hours. The Air District phone number shall also be visible to ensure compliance with applicable regulations.
7. The proposed development may add or replace the impervious surface area of the property. The applicant shall provide calculations showing the total impervious area of the completed project with the building permit application. Calculations shall be submitted to the Department of Public Works for review and approval.

8. A written report prepared by a Geotechnical Engineer shall be submitted in accordance with Section 9-36 of the City Code.
9. Upon installation of the sewer lateral pipe between the house and construction to the main line, the property owner will obtain a Sewer Lateral Certificate under City Ordinance Section 21-213.
10. Applicant shall install the sanitary sewer connection in accordance with Department of Public Works approved standards and pay the applicable sewer connection fee.
11. Sanitary sewer to include a back flow prevention device.
12. 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.
13. The owner/applicant shall provide a plan showing all the site improvements and utility trench locations.
14. The plan shall indicate the location of all the protected trees and protection fences on site. No utility trench shall encroach within the protection fence areas.
15. 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.
16. All plans shall conform to the requirements of the City NPDES stormwater discharge permit and the San Mateo Stormwater Pollution Prevention Plan (STOPPP).
17. 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.
18. Project shall incorporate landscaping that minimizes irrigation and runoff, promotes surface infiltration, minimizes the use of pesticides and fertilizers, and incorporates other appropriate sustainable landscaping practices such as Bay-Friendly Landscaping.
19. Roof drains shall drain away from the building and be directed to landscaping or a stormwater treatment measure.

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

1. The property owner/applicant shall apply for and obtain an administrative permanent encroachment agreement from the Department of Public Works, for placement of non-standard 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 (STOPPPP) 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.
7. 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, disturbed soils through temporary or permanent seeding, mulching, matting, tarping or other winterization requirements shall include inspecting/maintaining/cleaning all soil erosion and sedimentation controls prior to, during, and immediately after each storm event; stabilizing 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.
8. Fire sprinkler test water shall discharge to onsite vegetated areas, or, alternatively shall be discharged to the sanitary sewer system, subject to the local sanitary sewer agency's authority and standards .
9. Air conditioning condensate shall drain to landscaping, or alternatively may be connected to the sanitary sewer system, subject to the local sanitary sewer agency's authority and standards.
10. Construct sidewalks, walkways, patios, and driveways with permeable surfaces. These include porous pavement (asphalt and concrete), turf block, and permeable joint pavers.
11. All changes in the design shall be approved by the geotechnical engineer.
12. Applicant shall ensure that no stormwater enters neighboring properties. On-site drainage system shall capture all rainwater.

## **Attachment IV**

# **Public Correspondence & Neighborhood Outreach**



## NEIGHBORHOOD OUTREACH STRATEGY

# Belmont Permit Center APPLICANT'S GUIDE AND FORM

### **I. INTRODUCTION**

The City of Belmont is committed to an open process of development review, and requires that applicants take a proactive approach to neighborhood outreach. Therefore, every development request which is decided by the Planning Commission or City Council in a public hearing must include a Neighborhood Outreach Strategy, submitted with the application. The strategy must include your proposal for contacting your neighbors, informing them of your proposed project and receiving their feedback in advance of the City's review. This form is provided to assist you in preparing your Neighborhood Outreach Strategy

### **II. OUTREACH STRATEGY**

In order to provide an effective Neighborhood Outreach Strategy, you must address these issues:

- A. *Contacting Your Neighbors* – Since you will be providing the City with labels for all property owners and tenants within 300 feet of your property, it is strongly suggested that you notify these same people of your neighborhood outreach efforts. You can mail your own notices to them, post bulletins, make telephone calls or go door-to-door, if you wish. (Please note that these options do not give you the right to trespass or conduct any other activities which are contrary to the law.)
- B. *Informing Your Neighbors of the Project* – This can be accomplished a variety of ways, but is most easily accomplished by a scheduled meeting or open house on the property. At the meeting, you are encouraged to have your project plans available, as well as your architect, engineer or other consultants as necessary to explain and answer questions about the project. The more convenient the meeting date, time and arrangements, the more success you will have in establishing a positive atmosphere for the dialogue. You may choose other means for informing your neighbors, such as mailing a project information packet.
- C. *Receiving Neighbor Feedback* – If you host a neighborhood meeting, you will be able to receive immediate feedback on your proposal. You are urged to take notes on the comments you receive, as well as who attends. If you mail information, some means of communication must be established to allow neighbors to contact you and leave their comments.
- D. *A Schedule for Action* – Your strategy must also include a schedule for achieving the above tasks prior to the first public hearing conducted by the City. While the City acknowledges that schedules may change, you must identify the approximate timing of the three steps described above.

### **III. YOUR NEIGHBORHOOD OUTREACH STRATEGY**

Please submit a written description of your Neighborhood Outreach Strategy on the attached sheet, addressing the four points described above. You are required to implement the Strategy prior to the public hearing on your project. You may be asked by the Planning Commission or City Council about the results of your efforts. Failure to implement the strategy prior to the public hearing on your application may result in the hearing being continued to a later date.



1. How do you plan to contact your neighbors?

Using notification addresses from city

2. How will you inform your neighbors about the project?

Send them a set of reduced plan  
Hold an on site outreach meeting

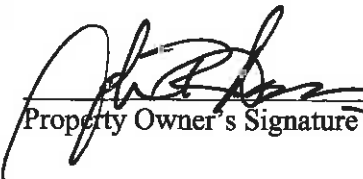
3. How will you gather feedback from your neighbors?

Have a sign-in of comments sheet at the neighborhood outreach meeting

4. Here are the tentative dates for completing my outreach strategy:

- A. Contact: Once addresses are provided by city
- B. Informing Once project is deemed complete 2/15/14?
- C. Feedback " "

4. As property owner, I, \_\_\_\_\_ (print property owner's name), hereby acknowledge that I will make every reasonable effort to obtain neighbor comments on my project prior to presenting my request to the Planning Commission or City Council in public hearing. I understand that the purpose of the Neighborhood Outreach Strategy is to foster a positive and constructive dialogue regarding my project and its possible effects on surrounding homeowners and tenants.

 VP PSC Manager  
Phoenix Miller, LLC

1-28-14  
Date

5/12/2014

**Project: 1804 Miller Avenue, Belmont, CA.**

Re: Comments sheet from neighborhood meeting held Saturday, 5/10/14 between 10-12am (Lot A) and 2-4pm (Lot B) at 1804 Miller Avenue, Belmont, CA.

**Lot A:**

<u>Name:</u>	<u>Address:</u>	<u>Comments:</u>
Alice & Don Littlepage	1801 Miller	No written comment
Kristen & Mitchell Yawitz	1923 Lyon Ave.	Planned house size, not to scale for this area.
Kim Sperry	1922 Lyon Ave.	Want to know about third parcel.
Choa's	1800 Miller Ave.	Would like large Monterey Pine trees removed for safety.
Chuck Patterson	1922 Lyon Ave.	No written comment
Matt and Michelle Kerby	1807 Bayview Ave.	No written comment
Sylvia Broderick	1919 Lyon Ave.	Attractive house. Concerned about parking.
Jean Quiroz	1917 Lyon Ave.	Parking is a concern.
Angela Curtis	1920 Lyon Ave.	Concerned with parking

**Lot B:**

<u>Name:</u>	<u>Address:</u>	<u>Comments:</u>
Anne & Tim Hoffman	1803 Miller	Looks very nice, please investigate adding more off-street parking on Miller Ave.
Debbie & Joe Berumen	2002 Lyon	No written comment
Angela Curtis	1920 Lyon	Parking issues
Jean Quiroz	1917 Lyon	Now written comment.
Carol Reed	1905 Bayview Ave.	Parking, safety, landscaping, monster house, trees. Environmental report.

**Attachment V**

**Arborist Report  
&  
Applicant Response**



**Assessment of and recommendations for twenty-seven (27) protected size trees  
on and directly adjacent to**

**1804 Miller / Proposed Lots A & B  
Belmont, CA**

**Prepared at the Request of:**

**Mr. Damon DiDonato, Senior Planner  
Planning and Community Development Department  
1 Twin Pines Lane  
Belmont, CA 94002**

**Site Visit:**

**Walter Levison, Contract City Arborist (CCA)**

**3/25/2014**

**Report:**

**(CCA)**

**3/26/2014**



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## 1 Summary

1. 1804 Miller is a developed single family residential site with extensive side yards and rear yard. The property is proposed to be developed into three (3) separate single family residential lots, two of which, lots A and B, have been received as proposed site plan projects by Belmont planning division and are reviewed in this report by Walter Levison, Contract City Arborist (CCA).

Only trees on or directly adjacent to proposed lots A and B are referred to in this initial report.

The CCA's tree location map mark-up showing lots A and B with trees noted by tree tag number is attached to the end of this report. The sheet used for preparation of this tree map was sheet CS 'site plan' by Petersen Architecture of San Francisco, California, dated 10/28/2013.

2. Various site plan adjustments are suggested below in sections 2 and 5 to provide trees being retained with adequate above-ground canopy and below-ground root zone protection.
3. Quick Check Tree Disposition Matrix: The following is a quick-check tree disposition matrix for quick reference of tree disposition on lot A, lot B, and the City street corridor, divided by lot:

Tree Disposition	Lot A Site Plan	Lot B Site Plan
1: Can be retained and protected – Private Tree	#22	#4, 5 (with moderate impacts), 12, and #14 (if retained)
2: Can be retained and protected – City Tree		#1, 2
3: Remove – direct construction conflict	#7, 16 17, 18, 23, 24, 25, 26	#15
4: Severe impact from construction	#19 (sewer trench edge +/-4 ft. from trunk edge), 20 (sewer trench edge +/-5 ft. from trunk edge), 21 (sewer trench edge +/-7 ft. from trunk edge), 27 (2 to 4 ft. from foundation footing), 31 (deck, landing, contour grading, swale grading, demolition of garage).	#3 (proposed drain box and drain line trench), #6 (driveway construction), and #13 (proposed drain box and drain line trench).



Tree Disposition	Lot A Site Plan	Lot B Site Plan
5: Conflicts with Utilities		#30 (storm drain line and area drain box, and demolition of existing garage).
6: Conflicts with landscape plan		
7: Conflicts with pipe trench route on irrigation plan	(Cannot assess, as no irrigation plan exists)	(Cannot assess, as no irrigation plan exists)
8: Author suggests removal due to condition (very poor, dead, etc.)	#28, 29	

## 2 Tree Disposition Matrix

Tree Tag Number / Common Name / Overall Condition Rating / Lot Number	Disposition Under Current Proposed Site Plans for Lots A& B	Site Plan Changes Needed to Retain Tree in its Current Condition (Lots A and B)	Landscape or Irrigation Plan Changes Needed to Retain Tree in its Current Condition	Suggested Protection & Maintenance Actions	Reference Removal Fee per 2013-14 Master Fee Schedule (Add mitigation and in-lieu fees as applicable)
1: Deodar cedar Good Condition Street Tree	Retain and Protect	None	Eliminate all proposed irrigation pipe trenching within 20 feet of tree.	Fencing, trunk buffer	\$4,968
2: Deodar cedar Good Condition Street Tree	Retain and Protect	None	Eliminate all proposed irrigation pipe trenching within 20 feet of tree.	Fencing, trunk buffer	\$3,725



Tree Tag Number / Common Name / Overall Condition Rating / Lot Number	Disposition Under Current Proposed Site Plans for Lots A& B	Site Plan Changes Needed to Retain Tree in its Current Condition (Lots A and B)	Landscape or Irrigation Plan Changes Needed to Retain Tree in its Current Condition	Suggested Protection & Maintenance Actions	Reference Removal Fee per 2013-14 Master Fee Schedule <small>(Add mitigation and in-lieu fees as applicable)</small>
3: Deodar cedar Fair Condition Street Tree	Retain and protect, severe impacts	Move proposed drain line trench and drain box to 15 feet from trunk.	Eliminate all proposed irrigation pipe trenching within 20 feet of tree.	Fencing, trunk buffer	\$2,484
4: Deodar cedar Fair Condition Lot B	Retain and Protect	None	Eliminate all proposed irrigation pipe trenching within 20 feet of tree.	Fencing, trunk buffer	\$3,725
5: Giant sequoia Fair Condition Lot B	Retain and Protect	Proposed driveway location may have moderate impacts on root zone. Adjustment may or may not be possible.	Eliminate all proposed irrigation pipe trenching within 20 feet of tree.	Fencing, trunk buffer	\$4,968
6: Deodar cedar Good Condition Street Tree	Remove	Move proposed Lot B driveway	Eliminate all proposed irrigation pipe trenching within 20 feet of tree.	n/a	\$4,968
7: Incense cedar Poor Condition Lot A	Remove	Move proposed Lot A driveway	Eliminate all proposed irrigation pipe trenching within 20 feet of tree.	n/a	\$3,725
12: Acacia Poor Condition Lot B	Retain and protect?	None	Eliminate all proposed irrigation pipe trenching within 20 feet of tree.	Fencing (if retained)	\$75 flat fee



Tree Tag Number / Common Name / Overall Condition Rating / Lot Number	Disposition Under Current Proposed Site Plans for Lots A& B	Site Plan Changes Needed to Retain Tree in its Current Condition (Lots A and B)	Landscape or Irrigation Plan Changes Needed to Retain Tree in its Current Condition	Suggested Protection & Maintenance Actions	Reference Removal Fee per 2013-14 Master Fee Schedule <small>(Add mitigation and travel fees as applicable)</small>
13: Canary Island pine Good Condition Lot B	Retain and protect, severe impacts	Move proposed drain line trench and drain box to 15 feet from trunk.  Eliminate all contour grading and/or swale grading within 15 feet of trunk.	Eliminate all proposed irrigation pipe trenching within 20 feet of tree.	Fencing, trunk buffer	\$4,968
14: Brazilian silk oak Poor Condition Lot B	Retain and protect?	Eliminate all contour grading and/or swale grading within 15 feet of trunk.	Eliminate all proposed irrigation pipe trenching within 20 feet of tree.	Fencing, trunk buffer (if tree is retained)	\$2,484
15: Juniper species Lot B	Remove	Not Possible	-----	-----	\$2,484
16: Coast redwood Poor Condition Lot A	Remove	Not Possible	-----	-----	\$4,968
17: Incense cedar Fair Condition Lot A	Remove	Not Possible	-----	-----	\$4,968
18: Incense cedar Good Condition Lot A	Remove	Not Possible	-----	-----	\$2,484



Tree Tag Number / Common Name / Overall Condition Rating / Lot Number	Disposition Under Current Proposed Site Plans for Lots A & B	Site Plan Changes Needed to Retain Tree in its Current Condition (Lots A and B)	Landscape or Irrigation Plan Changes Needed to Retain Tree in its Current Condition	Suggested Protection & Maintenance Actions	Reference Removal Fee per 2013-14 Master Fee Schedule (Add mitigation and in-lieu fees as applicable)
19: Monterey pine Poor Condition Lot A	Retain and protect, severe impacts	Move utility trench edge to 13 feet from trunk edge.  Eliminate all contour grading within 15 feet of tree.	Eliminate all proposed irrigation pipe trenching within 20 feet of tree.	Fencing, trunk buffer, weekly heavy irrigation (if tree is retained)	\$75 flat fee
20: Monterey pine Poor Condition Lot A	Retain and protect, severe impacts	Move utility trench to 12 feet from trunk edge.	Eliminate all proposed irrigation pipe trenching within 20 feet of tree.	Fencing, trunk buffer, weekly heavy irrigation (if tree is retained)	\$75 flat fee
21: Coast redwood Good Condition Lot A	Retain and protect, severe impacts	Move utility trench to 10 or 11 feet from trunk edge.	Eliminate all proposed irrigation pipe trenching within 20 feet of tree.	Fencing, trunk buffer, weekly heavy irrigation (if tree is retained)	\$2,484
22: Incense cedar Fair Condition Lot A	Retain and protect	None	Eliminate all proposed irrigation pipe trenching within 20 feet of tree.	Fencing, and possibly monthly irrigation	\$3,725
23: Coast redwood Good Condition Lot A	Remove	Not Possible	-----	-----	\$2,484
24: Coast redwood Good Condition Lot A	Remove	Not Possible	-----	-----	\$4,968
25: Monterey pine Poor Condition Lot A	Remove	Not Possible	-----	-----	\$75 flat fee



Tree Tag Number / Common Name / Overall Condition Rating / Lot Number	Disposition Under Current Proposed Site Plans for Lots A& B	Site Plan Changes Needed to Retain Tree in its Current Condition (Lots A and B)	Landscape or Irrigation Plan Changes Needed to Retain Tree in its Current Condition	Suggested Protection & Maintenance Actions	Reference Removal Fee per 2013-14 Master Fee Schedule (Add mitigation and in-lieu fees as applicable)
26: Monterey pine Poor Condition Lot A	Remove	Not Possible	-----	-----	\$75 flat fee
27: Monterey pine Poor Condition Lot A	Remove	Not Possible	-----	-----	\$75 flat fee
28: Monterey pine (Dead) Lot A	Remove	-----	-----	-----	(fee waived)
29: Monterey pine (Dead) Lot A	Remove	-----	-----	-----	(fee waived)
30: Coast beefwood Fair Condition Lot A	(Remove?), severe impacts from garage foundation demolition, and new storm drain related infrastructure construction	Move proposed area drain box and drain line trench to 8 feet from trunk edge.  Eliminate all proposed contour grading and swale grading within 15 feet of tree.	Eliminate all proposed irrigation pipe trenching within 20 feet of tree.	Fencing, trunk buffer, irrigation (if tree is retained)	\$3,725
31: Douglas fir Good Condition Lot B	Retain and protect, severe impacts	Eliminate proposed rear deck and landing.  Eliminate all proposed contour grading and swale grading within 15 feet of tree.	Eliminate all proposed irrigation pipe trenching within 20 feet of tree.  Eliminate all proposed plantings within 15 feet of tree.	Trunk buffer, erect fence at 15 feet radius out from trunk in most directions, and irrigate prior to demolish existing garage (if tree is to be retained)	\$3,725



### 3 Protected Trees

Protected trees are defined in the Belmont tree ordinance as all trees with trunk diameter(s) totaling 10 inches or greater at 4.5 feet above grade, except for *Acacia* species, Monterey pine (*Pinus radiata*), and Tasmanian blue gum (*Eucalyptus globulus*) which can be removed under a \$75 per tree flat fee system, once a removal permit is granted by Staff.

Removal fees are listed in the Master Revenue Schedule under part IV (Development Review Fees), effective 9/1/2013.

In addition, removal of protected trees may require mitigation plantings to be installed on site. When a requirement to install trees cannot be met, then a Tree Planting In-Lieu Fee of up to \$497 per each non-installed mitigation tree shall be paid by the applicant to the City Tree Planting and Establishment Fund, at the discretion of the Planning Commission and City Council.

Please refer to the 2013-14 master fee schedule below.

### 4 City of Belmont Master Fee Schedule Effective 9/1/2013

<b>CITY OF BELMONT MASTER REVENUE SCHEDULE</b>		
<b>Effective 9/1/13</b>		
<b>TREE REMOVAL FEES<sup>1</sup></b>		
Tree removal fees are assessed for the removal of trees associated with development of property. Fees are collected to mitigate the loss of trees from the City's tree population. Fees are deposited in the City Tree Planting and Establishment Fund.		
<b>FEE BASIS:</b>		
1. Development Projects Requiring Planning Commission Review		
Tree Size (DBH) <sup>2</sup>	Protected Trees <sup>3</sup>	Acacia, Monterey Pine, Eucalyptus Globulus
24" or greater	\$4,968	\$75
18" but less than 24"	\$3,725	\$75
10" but less than 18"	\$2,484	\$75
Less than 10"	No Fee	No Fee
2. General Property Maintenance Tree Removal Permit		
Tree Size (DBH)	Protected Trees	
10" or greater	\$75	
<sup>1</sup> Payment shall be made prior to the issuance of a grading permit for development projects. If no grading permit is required, payment shall be made prior to the issuance of a building permit. If no building permit is required, payment shall be made prior to removal of any protected tree. <sup>2</sup> DBH = the diameter of the tree at breast height, measured across the widest face of the tree trunk, at 4½ feet above natural grade. On a slope, the 4½ foot height is measured from the center of the trunk, halfway between the uphill and downhill side. In the case of multiple stemmed trees, the measurement shall be the sum of the diameters of all stems measured at 4½ feet above natural grade. <sup>3</sup> Protected Trees as defined in Chapter 25 of the City Code		
<b>TREE PLANTING IN-LIEU FEES</b>		
When a requirement to plant trees on the subject property cannot be met, the applicant shall pay a Tree Planting In-Lieu Fee to the City Tree Planting and Establishment Fund.		
Per each non-replaced tree		\$497



## 5 Suggested Conditions of Approval

Directions to Staff or Contract Staff associated with this project:

Please enter the following into the Belmont CRW PermitTrack file for this project to prevent permit issuance prior to the City Arborist's evaluation of initial tree protection measures at the site:

'STATUS' field: 'HOLD'

'REMARKS' field: 'PENDING INITIAL TREE PROTECTION INSPECTION AND SIGNOFF'

## PRE-PROJECT ITEMS

### 1. Suggested Plan Adjustments to Optimize Long Term Tree Vigor:

- a) Land Contour Grading: Eliminate contour grading and swale grading within 15 feet of any tree to be retained on lots A and B (e.g. trees #3, 13, 14, 19, 30, 31) to allow existing open soil root zone grade elevations to remain as-is within 15 feet of the trunks of all trees being retained on and adjacent to the site.
- b) Storm Drain: Either eliminate storm drain box installation and pipe trenching and use hand-graded shallow land swales in lieu of formal drains, or realign all storm drain pipe trenches and area drain boxes such that they are at least 15 feet from the trunk edges of all trees being retained on lots A and B (e.g. trees #3, 13, 19, 20, 21, 30, 31).
- c) Deck/Landing on Lot B: Eliminate the proposed deck and landing within 15 feet of the trunk edge of tree #31.
- d) Landscape Plantings: Eliminate proposed plantings within 15 feet of all trees to remain on lots A and B.
- e) Irrigation Pipe Trenching: Eliminate all irrigation pipe trenching below grade within 15 feet of all trees being retained on lots A and B (if any is proposed, since irrigation plan was not available from applicant at the time of writing).
- f) Lot C: Review proposed lot C landscape, irrigation, and grading and drainage plans for conflicts, and adjust plans accordingly to optimize retention and protection of trees being retained in lot A, lot B, and in the City street tree corridor. Lot C set of plans was not available for review as of the date of writing.

### 2. Fees:

Applicant shall pay tree removal fees and in-lieu fees per Planning Commission and Staff determination.



Applicant shall pay an arborist construction period monitoring fee in the amount of \$1,500 plus applicable City fees (e.g. 30% administration fees) to cover basic monthly inspections and reporting to Staff.

The CCA may charge additional fees at the regular contract hourly rate of \$100/hour for additional services such as when requested by the project build team to be on-site to monitor trenching, pier drilling, excavation, etc. within 20 feet of trees being retained.

### 3. Pre-Construction Meeting:

Project team shall meet with CCA on-site prior to commencement of demolition, to go over final root protection zone fence routes for trees being retained, trunk buffer specifications, pruning prescriptions for airspace clearance for specific trees, root pruning protocols, , landscape and irrigation limitations, storm drain line trench realignments and limits, and contour grading and swale grading daylight limits to optimize tree root zone protection.

### 4. Pruning / Arborist of Record:

Retain a qualified ISA-Certified Arborist to perform deadwood pruning on tree #31, install cabling and/or bracing on tree #4, and perform airspace clearance pruning (if needed), per American National Standard Institute (ANSI)-A300 Tree Shrub and Other Woody Plant Maintenance / Standard Practices.

### 5. Wood Chip Mulch:

Tree care company wood chipper truck type natural wood chips shall be placed in a 4-inch thick layer over the soil surface underneath the entire canopy driplines of all survey trees being retained in lot A, lot B, and the City street tree corridor. Pull mulch out 12 inches away from the trunks of the trees to avoid moisture buildup. These types of chips are available for purchase as "wood chips" (not bark chips) at Lyngso Garden Supply of Redwood City.

### 6. Trunk Buffer:

Affix a trunk buffer around trees being retained on lots A and B (e.g. trees #1, 2, 3, 4, 5, 13, 14, 19, 20, 21, 30, 31).

Best Management Practice for tree protection of trees to remain on a site is to wrap an entire roll of orange fencing around the lower 8 feet of trunk of each tree, and affix 2X4 or 1X4 boards (or waste wood of similar dimensions) around the circumference of the trunk, and secure with duct tape on the outside only (do not use wires).

Refer to the 2013 tree protection standard images handout available from the CCA, care of Belmont planning division Staff.



## 7. Root Protection Zone:

### Chain link

Install chain link fence (exact locations of fence to be determined during the pre-construction field meeting). This fencing shall be known as the root protection zone or "RPZ".

Fencing material used for all protective fences must be steel chain-link, at least five-feet in height, mounted on two-inch diameter galvanized iron posts 7-feet in length, driven a minimum of 24-inches into the ground. Posts for post and hook fencing must be mounted no wider than six-feet apart. This fence must be erected prior to any heavy machinery traffic or construction material arrival on site.

Note: Create a +/- 18 inch wide open gap in each RPZ fence perimeter so that arborists and other tree protection related personnel can access the areas inside the RPZ.

A silt fence shall be dug into the ground per package directions along the bottom edge of the uphill sides of the chain link root protection zone fences, and zip tied or otherwise affixed to the RPZ as a barrier against liquid waste encroachments.

Use straw erosion control wattles pinned down along the bottom edges of the chain link fences.

The protective fencing shall not be temporarily moved during construction, unless authorized by the CCA through an email or other written form. Materials, tools, excavated soil, liquids, substances, etc. shall not be placed or dumped, even temporarily, inside the RPZ.

Storage, staging, work, or other activities shall not occur inside the RPZ without the expressed written (emailed) permission from the Contract City Arborist. The CCA shall be contacted 48 hours advance notice when requesting that a fence section be temporarily moved or removed.

Refer to the 2013 tree protection standard images handout.

## 8. Signage:

The TPZ fencing shall have one sign affixed with UV-stabilized zip ties to the chain link at eye level for every 15-linear feet of fencing, minimum 8"X11" size each, plastic laminated or otherwise waterproofed, stating:



**ROOT PROTECTION ZONE FENCE**  
**ZONA DE PROTECCION PARA ARBOLES**

**-NO ENTRE SIN PERMISO. LLAME EL ARBOLISTA WALTER LEVISON-**

DO NOT MOVE OR REMOVE WITHOUT AUTHORIZATION FROM  
WALTER LEVISON, CONTRACT CITY ARBORIST, CITY OF BELMONT

CALL OR EMAIL 48-HRS ADVANCE FOR PERMISSION

TELEFONO CELL 415-203-0990 / EMAIL [drtree@sbcglobal.net](mailto:drtree@sbcglobal.net)

**DURING-PROJECT ITEMS**

**9. Root Pruning:**

If any woody roots measuring 1 inch diameter or greater are encountered during site work within 20 feet of trees being retained, stop site plan work and call a qualified tree care contractor to prune roots at right angles to the root growth direction, using sharp tools such as an A/C powered Sawzall, lopper, professional pruning saw, etc.

If roots are required to be left exposed for more than 24 hours, then cover with six (6) layers of wet, muddy burlap. If possible, cover the root(s) completely with existing site soil and wood chip mulch, and irrigate thoroughly to saturate the uppermost 24 inches of the soil profile. Cover the soil with wood chip mulch.

Call the CCA at cell 415-203-0990 immediately upon encountering the roots (prior to pruning) so that digital images of the root locations, depths, and densities can be archived.

If roots are shattered or broken, then the "backdigging" protocol must be used prior to root pruning in order than the roots be severed at a location with undamaged tissue.

Refer to the 2013 tree protection standard images handout.

**10. Water Spray:**

If standard pressure water is available on site, spray off foliage of all trees being retained on a 1x/month basis using a high power garden hose to wash both the upper and lower surfaces of the foliage. This helps keep the gas portals (stomata) unclogged for better gas exchange which is crucial for normal tree function.

Refer to the 2013 tree protection standard images handout to be distributed to the applicant by the project planner Mr. Rob Gill.



## 11. Author's Side Notes / Long Term Tree Issues:

Giant sequoia #5: This species is not native to this region, and may eventually succumb to *Botryosphaeria* fungal infection as do many specimens of this species when planted in cool coastal zones with heavy clay soils.

Canary Island Pine #13: This tree exhibits an apical stem blowout (uppermost portion of the central leader stem), and may require renovation pruning related to this historical blowout.

Brazilian silk oak #14: This species is considered relatively weak wooded and short lived. The specimen at our site, tree #14, is currently in poor overall condition, and may decline or die as a result of proposed site work, simply due to the fact that its pre-project condition is already compromised, predisposing the tree to further declines.

Monterey pines #19 and #20: This species is very susceptible to bark beetle attacks and pine pitch canker fungus infection, both of which may already be present as issues for these two tree specimens. Irrigation has been shown to reduce incidence of both bark beetle attack and pitch canker declines in this species, per studies by UC Davis researchers. However, it is important to note that both trees #19 and #20 are in poor overall condition as of the date of writing, and may continue to decline or die as a result of proposed site work. Heavy once-weekly irrigation should commence prior to the start of, and be maintained throughout, the site plan project.

Incense cedar #22: This species is not native to the peninsula area, and is accustomed to hot summer conditions in the sierras, where quick draining sandy soils and summer rainfall can be expected. It appears the tree was lion-tailed to remove inner live foliage and twigs, though this cannot be verified as of the date of writing. Lion tailing is a poor pruning practice. Given that the tree is in only fair overall condition, and is growing in heavy clay soil with a mild Belmont climate, it is possible the tree will never express landscape performance any better than its current state.

Beefwood #30: This tree is a proven good performer in coastal conditions such as our Belmont climate. The tree is in fair overall condition, but may be severely impacted by proposed site demolition and new work. Temporary irrigation may mitigate some root zone damages.

Douglas fir #31: As with beefwood #30, this tree is a proven good performer in coastal conditions such as our Belmont climate. This tree is actually in good overall condition, but currently exhibits scaffold limb dieback due to unknown cause(s). The tree may be severely impacted by proposed site demolition and new work. Temporary irrigation and careful root pruning may mitigate some root zone damages. Note that this species is considered non-tolerant of poor drainage conditions such as are encountered on sites with heavy clay soils, per *Trees and Development* (Matheny & Clark).



## 6 Assumptions and Limiting Conditions

Any legal description provided to the consultant appraiser is assumed to be correct. Any titles and ownership to any property are assumed to be good and marketable. No responsibility is assumed for matters legal in character. Any and all property is appraised and evaluated as through free and clean, under responsible ownership and competent management.

It is assumed that any property is not in violation of any applicable codes, ordinance, statutes, or other government regulations.

Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible; however, the consultant appraiser can neither guarantee nor be responsible for the accuracy of information provided by others.

The consultant appraiser shall not be required to give testimony or to attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services as described in the fee schedule and contract of engagement.

Unless required by law otherwise, the possession of this report or a copy thereof does not imply right of publication or use for any other purpose by any other than the person to whom it is addressed, without the prior expressed written or verbal consent of the consultant appraiser.

Unless required by law otherwise, neither all nor any part of the contents of this report, nor copy thereof, shall be conveyed by any one, including the client, to the public through advertising, public relations, news, sales, or other media, without the prior expressed conclusions, identity of the consultant appraiser, or any reference to any professional society or institute or to any initiated designation conferred upon the consultant appraiser as stated in his qualifications.

This report and any values expressed herein represent the opinion of the consultant appraiser, and the consultant's appraiser's fee is in no way contingent upon the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.

Sketches, drawings, and photographs in this report, being intended for visual aids, are not necessarily to scale and should not be construed as engineering or architectural reports or surveys unless expressed otherwise. The reproduction of any information generated by engineers, architects, or other consultants on any sketches, drawings, or photographs is for the express purpose of coordination and ease of reference only. Inclusion of said information on any drawings or other documents does not constitute a representation by Walter Levison to the sufficiency, or accuracy, of said information.

Unless expressed otherwise:

- a. information contained in this report covers only those items that were examined and reflects the conditions of those items at the time of inspection; and
- b. the inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the plants or property in question may not arise in the future.

Loss or alteration of any part of this report invalidates the entire report.

## Arborist Disclosure Statement:

Arborists are tree specialists who use their education, knowledge, training, and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist, or to seek additional advice.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Tree are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborist cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments, like any medicine, cannot be guaranteed.

Treatment, pruning, and removal of trees may involve considerations beyond the scope of the arborist's services such as property boundaries, property ownership, site lines, disputes between neighbors, and other issues. Arborists cannot take such considerations into account unless complete and accurate information is disclosed to the arborist. An arborist should then be expected to reasonably rely upon the completeness and accuracy of the information provided.

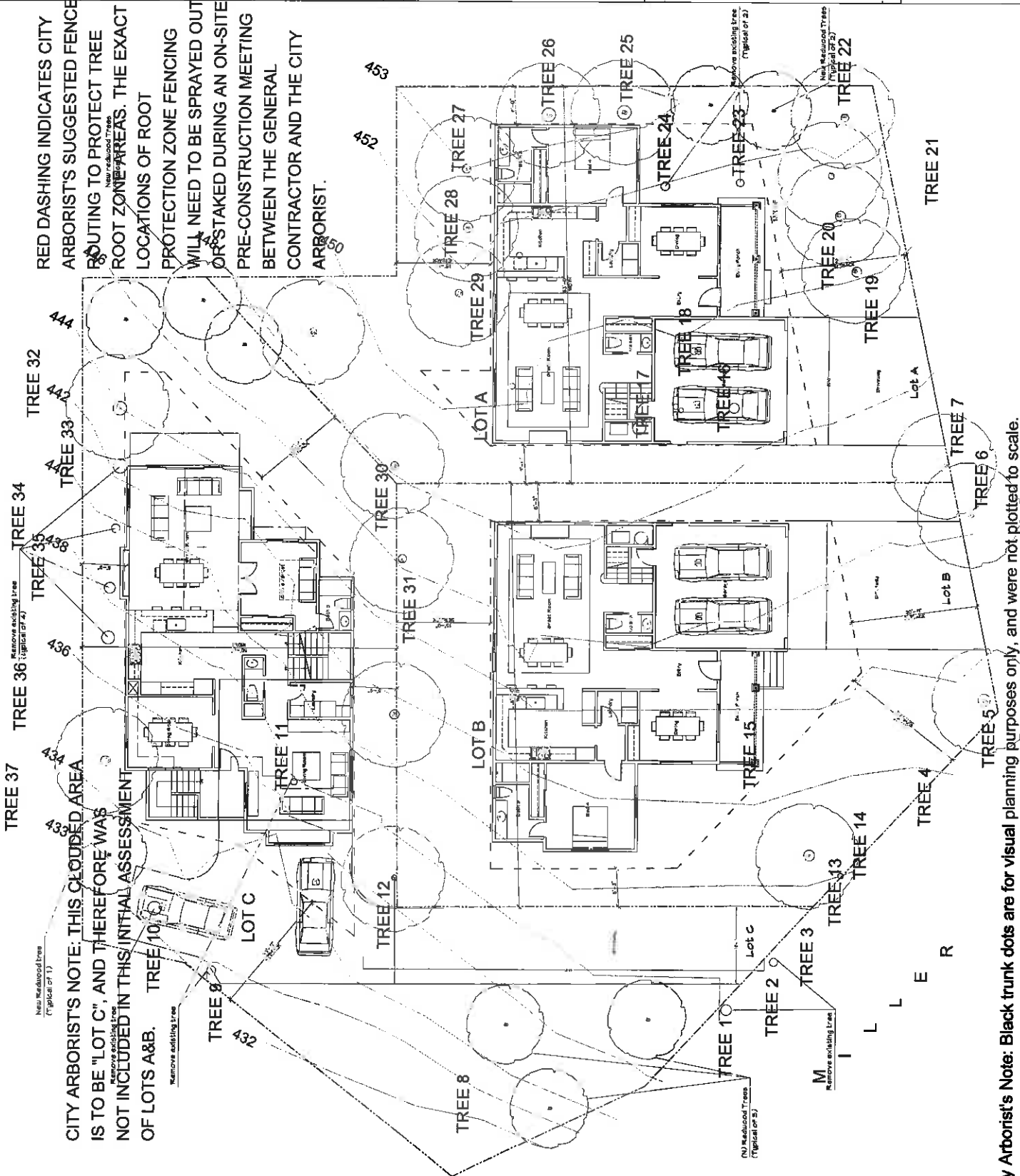
Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate the trees.

## 7 Certification

I hereby certify that all the statements of fact in this report are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

  
Signature of Consultant

## 8 Attached, Tree Location Map Mark-Up by the CCA



RED DASHING INDICATES CITY ARBORIST'S SUGGESTED FENCE ROUTING TO PROTECT TREE ROOT ZONE AREAS. THE EXACT LOCATIONS OF ROOT PROTECTION ZONE FENCING WILL NEED TO BE SPRAYED OUT OR STAKED DURING AN ON-SITE PRE-CONSTRUCTION MEETING BETWEEN THE GENERAL CONTRACTOR AND THE CITY ARBORIST.

CITY ARBORIST'S NOTE: THIS CLOUDED AREA IS TO BE "LOT C", AND THEREFORE WAS NOT INCLUDED IN THIS INITIAL ASSESSMENT OF LOTS A&B.

City Arborist's Note: Black trunk dots are for visual planning purposes only, and were not plotted to scale.

**SCHEMATIC FIRST FLOOR PLAN STUDY**

Note: Refer to CHD drawing for site slope and area calculation, per parcel.

5/30/14

**Re: 1804 Miller Avenue/ Lot A /Belmont, CA.**

Architect & Civil responses to Arborist Report dated 3/25/14 by Walter Levison.  
Refer to tree map per arborist report for tree locations and species.

**Lot A:**

- Tree #7: *“Eliminate irrigation pipe trenching within 20’ of tree. Move drive way. “*

**Response:** Geopaver driveway system with “Pacific Interlocking Hydro-Flo”pavers to create permeable , low depth, driveway with less impact. Driveway to remain in same location with the least impact possible to tree #7. Refer to civil comments below. Geopaver system recommended by Arborist.

- Trees #19: *“ Move utility trench 13 feet from trunk edge(+/- 4’ per plan). Eliminate contour grading w/in 15’ of tree. Eliminate irrigation pipe trenching w/in 20’ of retained trees. ”*

**Response:** Refer to civil comments below.

- Trees #20: *“Move utility trench 12 feet from trunk edge(+/-5’ per plan). Eliminate irrigation pipe trenching w/in 20’ of retained trees. ”*

**Response:** Refer to civil comments below.

- Trees #21: *“Move utility trench 10-11 feet from truck edge. Eliminate irrigation pipe trenching w/in 20’ of retained trees. ”*

**Response:** Refer to civil comments below.

- Tree #27: *“Poor condition. ”*

**Response:** Removing tree(Monterey pine in poor condition). New proposed landscaping per sheet L-1.

**Civil Responses to Arborist comments:**

1. Storm drainage has been adjusted to minimize impacts to tree and a still achieve positive flow.
2. Sewer has been moved as close as possible to driveway (i.e. as far away from tree as possible).
3. Water and Gas services have been designed to be placed in driveway, to maximize distances to trees on both sides of driveway.
4. A 20-foot offset for irrigation, generally would mean no landscaping in front yard, because of trees (i.e. setback to house is less than 20-feet). Drip system irrigation to be hand dug to protect root systems.
5. Grading has been adjusted to minimize impacts to the remaining trees.

**Attachment VI**

**Geotechnical Report/Letter  
&  
Peer Review**

**LAI & ASSOCIATES**  
GEOTECHNICAL ENGINEERS

**Via Email**

March 19, 2014  
Job No. 196.100

Mr. John Hansen  
Pacific States Capital  
P. O. Box 7602  
Menlo Park, California 94026

Subject: Responses to Geotechnical Peer Review Comments  
Proposed Residential Development  
Miller Avenue  
Belmont, California

Dear Mr. Hansen:

This letter presents our responses to the geotechnical peer review comments on the proposed residential development at 1804 Miller Avenue in Belmont, California. The review comments were summarized in a letter prepared by Cotton, Shires and Associates, Inc. (CSA) and dated March 12, 2014. We previously performed a geotechnical investigation at the site and presented the results in three geotechnical investigation reports (one for each parcels), dated November 18, 2013.

In preparation of our responses, we have reviewed the following documents:

- Geotechnical Peer Review Letter, prepare by Cotton, Shires and Associates, Inc., dated March 12, 2014.
- Civil plan (Sheet C-1) titled "New Residence – Lot A, 1804 Miller Avenue, Belmont, San Mateo County, California," prepared by Clifford Bechtel and Associates, dated January 20, 2014.
- Architectural plans (Sheets CS, A1, A2, A3, L1, REF1 and REF2) titled "New 2-Story Residence, Hansen Lot A, Miller Avenue, Belmont, CA," prepared by Petersen Architecture, dated January 22, 2014.
- Tentative lot merger and lot line adjustment plan, prepared by B & H Surveying, Inc., dated January, 2014.

Our responses to the CSA's geotechnical peer review comments are as follows:

1. The footings for the proposed two-story house at Lot A (Parcel A) should be founded at least 18 inches below the lowest adjacent "pre-grading" ground surface or on top of the bedrock, whichever is deeper.

415 Boulder Court, Suite 400, Pleasanton, CA 94566; Cell: (925) 639-3836; Email: [paulslai11@gmail.com](mailto:paulslai11@gmail.com)

John 3:16

March 19, 2014

Job No. 196.100

Page 2


2. As recommended in our November 18, 2013 reports, the site improvement plans, the structural calculations of the proposed houses and retaining walls (if necessary), and the structural plans of the proposed houses and retaining walls should be submitted for our review for conformance with our recommendations.
  
3. It is our opinion that, from a geotechnical engineering standpoint, the proposed lot merger and lot line adjustment shown on the tentative lot merger and lot line adjustment plan appeared to be reasonable and feasible.

Our consultation is based on a review of our previous reports and the above-mentioned documents for the subject project. The responses and recommendations contained herein are professional opinions derived in accordance with the currently accepted local standards of geotechnical engineering practice; no other warranty is expressed or implied.

We trust this letter provides the information you require at this time. If you have any questions, please do not hesitate to call us.

Respectfully submitted,

**LAI & ASSOCIATES**

  
Paul Sai-Wing Lai  
Principal Engineer  
GE 2326



PSL/LETTER

Copies:            Addressee (1)



March 12, 2014  
B5024

**TO:** Damon DiDonato  
Senior Planner  
CITY OF BELMONT  
One Twin Pines Lane, Suite 110  
Belmont, California 94002

**SUBJECT:** **Geotechnical Peer Review**  
**RE:** Hansen, New Single-Family Dwelling, Lot Merger  
1804 Miller Avenue

At your request, we have completed a geotechnical peer review of permit applications for project construction and the lot merger using:

- Geotechnical Report – Proposed Residential Development Parcel A prepared by Lai and Associates, dated November 18, 2013;
- Architectural, Landscape and Reference Plans (7 sheets, various scales) prepared by Tim Peterson Architecture, dated January 22, 2014; and
- Civil Grading and Drainage Plan (1 sheet, 8-scale) prepared by Clifford Bechtel and Associates, dated January 20, 2014; and
- Tentative Lot Merger and Lot Line Adjustment Plan (10-scale) prepared by B&H Surveying, dated January 2014.

In addition, we have reviewed pertinent maps and documents from our office files and completed a site reconnaissance from the property perimeter.

### **DISCUSSION**

We understand that the applicant proposes to construct a 2-story, single-family residence with an attached garage on proposed Parcel A. The referenced Tentative Lot Merger Plan indicates that existing Lots 29, 30, 31, and 32 are to be merged and property lines adjusted to form Parcels A, B, and C.

Proposed Parcel A is occupied by for an existing garage and driveway (to be removed). Proposed Parcel B contains an existing residence (to be removed). Proposed Parcel C contains various short retaining walls and an apparent wind screen structure.

The intended access for Parcel C is not depicted, but it appears access would likely be provided from a driveway extending from Lyon Avenue. Driveway access to Parcel C from Lyon Avenue would need to cross a relatively abrupt grade change near the street (of approximately 6 vertical feet) requiring grading and possible retaining wall construction. Provided grading estimates for Parcel A residential construction includes 112 cubic yards of cut and 65 cubic yards of fill.

### SITE CONDITIONS

The proposed house site is characterized by gentle (approximately 10 percent inclination) hillside topography. Similar slope conditions are present beneath the existing residence on Parcel B, however, slopes become moderately steep (19 percent inclination) in the southern portion of Parcel B. We noted a distressed and tilted low stone wall near the intersection of Miller Avenue and Lyon Avenue. Proposed Parcel C is generally characterized by moderately steep (15 to 24 percent inclination) south-facing slopes. Site drainage is generally characterized by sheetflow to the south and southeast.

Based on completed exploratory borings on the three proposed parcels, the Project Geotechnical Consultant indicates that the site is underlain by relatively shallow chert and siltstone bedrock. Borings encountered bedrock within 2 to 4 feet of the ground surface. Soils over the bedrock consist of silty sand. The San Andreas Fault is located approximately 3 miles southwest of the site.

### CONCLUSIONS AND RECOMMENDED ACTION

The proposed new residence construction on Parcel A is constrained by a proposed combination cut and fill building pad. Bedrock will probably be exposed in the northern portion of the pad, and bedrock materials (beneath soil and fill materials) will be at an appropriate depth of 5 feet in the southern portion of the pad. It appears that the Project Geotechnical Consultant prepared design recommendations before site development plans were completed and recommended use of shallow spread footing foundations that do not appear appropriate for the proposed combination cut and fill pad.

We recommend that the Project Geotechnical Consultant review current development plans, consider extending all foundation elements to bedrock to provide uniform support, and update foundation recommendations for the proposed project. Changes to footing depths should not impact the appearance or geotechnical feasibility of the proposed new residence layout. We recommend that updated foundation design recommendations be prepared prior to issuance of building permits.

Regarding the proposed Lot Merger, we recommend that the Project Geotechnical Consultant formally evaluate the geotechnical feasibility of building areas delineated on all three parcels. Subsurface exploration has been completed on all three

parcels, but presented geotechnical evaluations are limited to Parcel A. The Consultant should review and reference the Tentative Lot Merger and Lot Line Adjustment Plan when addressing geotechnical feasibility of the proposed new parcels.

We recommend geotechnical approval of Proposed Parcel A residential development with the following Conditions 1, 2, and 3. We recommend that Condition 4 be satisfactorily addressed prior to approval of the proposed Lot Merger and Lot Line Adjustment.

1. **Geotechnical Update** - The Project Geotechnical Consultant should evaluate proposed site development plans for Parcel A and update geotechnical design recommendations as warranted. The consultant should consider the benefits of recommending minimum bedrock embedment criteria for all house foundation supporting elements to achieve uniform support across the entire building footprint.

Appropriate documentation to address the above should be submitted to the City, for approval by the City Geotechnical Consultant, prior to issuance of building permits.

2. **Geotechnical Plan Review** - The Project Geotechnical Consultant should 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 and driveway) to ensure that their recommendations have been properly incorporated.

The results of the geotechnical evaluations and plan review should be summarized by the geotechnical consultant in a letter and submitted to the City along with other documentation for building permit plan-check.

3. **Geotechnical Construction Inspections** - The geotechnical consultant should inspect, test (as needed), and approve all geotechnical aspects of the project construction. The inspections should 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. Final site drainage improvements should be inspected for conformance with geotechnical recommendations.

The results of these inspections and the as-built conditions of the project should be described by the geotechnical consultant in a letter and submitted to the City Engineer for review prior to final (granting of occupancy) project approval.

4. **Geotechnical Lot Merger Evaluation** - The Project Geotechnical Consultant should evaluate the geotechnical feasibility of building areas for Parcels A, B, and C indicated on the Tentative Lot Merger and Lot Line Adjustment Plan. Supplemental investigation should be completed, if necessary, to determine the geotechnical feasibility of proposed building areas for residential development.

Appropriate documentation to address the above should be submitted to the City prior to approval of the proposed Lot Merger and Lot Line Adjustment.

#### **LIMITATIONS**

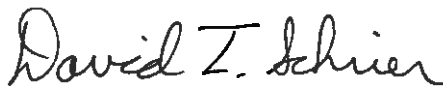
This geotechnical peer review has been performed to provide technical advice to assist the City with its discretionary permit decisions. Our services have been limited to review of the documents previously identified, and a visual review of the property. Our opinions and conclusions are made in accordance with generally accepted principles and practices of the geotechnical profession. This warranty is in lieu of all other warranties, either expressed or implied.

Respectfully submitted,

**COTTON, SHIRES AND ASSOCIATES, INC.  
CITY GEOTECHNICAL CONSULTANT**



Ted Sayre  
Principal Engineering Geologist  
CEG 1795



David T. Schrier  
Principal Geotechnical Engineer  
GE 2334

TS:DTS:kd

**GEOTECHNICAL REPORT**

**PROPOSED RESIDENTIAL DEVELOPMENT – PARCEL A  
MILLER AVENUE  
BELMONT, CALIFORNIA**

**NOVEMBER 18, 2013  
JOB NO. 196.100**

**PREPARED FOR  
PACIFIC STATES CAPITAL**

**PREPARED BY  
LAI & ASSOCIATES  
415 BOULDER COURT, SUITE 400  
PLEASANTON, CALIFORNIA 94566**

**LAI & ASSOCIATES**  
GEOTECHNICAL ENGINEERS

**Via Email**

November 18, 2013  
Job No. 196.100

Mr. John Hansen  
Pacific States Capital  
P. O. Box 7602  
Menlo Park, California 94026

**Subject:** Geotechnical Investigation  
Proposed Residential Development – Parcel A  
Miller Avenue  
Belmont, California

Dear Mr. Hansen:

**INTRODUCTION**

This report presents the results of our geotechnical investigation for the proposed residential development at Parcel A (APN 044-054-230), which is one of the three parcels (namely Parcels A, B and C) at the Miller Avenue site in Belmont, California. The site is located on the west side of Miller Avenue, between Monroe Avenue and Lyon Avenue, as shown on the Vicinity Map, Plate 1.

Based on our discussions with you, we understand that a single family home is being proposed at Parcel A. Details of the house construction are not available at this time. The house will be two-story high and of wood-frame construction similar to the nearby existing houses. Site grading is expected to be moderate and may require the construction of retaining walls.

**PURPOSE AND SCOPE OF SERVICES**

The purpose of this investigation was to evaluate the proposed residential development with respect to the site soil, bedrock and groundwater conditions, and to provide geotechnical recommendations for the design and construction of the development. The scope of our services included a review of reports and maps in the area, field exploration, engineering analyses based on the field data, and preparation of this report.

**SEISMICITY AND FAULTING**

The site is situated in the Coast Range geomorphic province of California which is seismically dominated by the presence of the active San Andreas Fault system. The San Andreas Fault system is the general boundary between the northward moving Pacific Plate and the southward moving North American Plate. In the San Francisco Bay Area, relative plate movement is distributed across a complex system of generally strike-slip, right-lateral, parallel, and sub-parallel faults. The site is not located within a State of California Earthquake Fault Zone for active faults. The major active faults in the vicinity of the site are summarized in the table below.

Fault	Approximate Distance from Site (miles)	Direction from Site	Moment Magnitude
San Andreas	3	SW	7.9
Monte Vista-Shannon	11	SE	6.8
San Gregorio	10½	SW	7.3
Hayward	15½	NE	7.1
Calaveras	23	NE	7.0

The 2008 Working Group for California Earthquake Probabilities (WGCEP) at the U.S. Geological Survey (USGS) predicted a 63 percent probability for one or more magnitude 6.7 or greater earthquakes in 30 years (from 2007 to 2036). Based on the USGS 2008 Probabilistic Seismic Hazards Assessment (PSHA) Interactive Deaggregation, the horizontal peak ground acceleration at the site is 0.52g for a 10 percent probability of exceedance in 50 years.

### **FIELD EXPLORATION**

Our field exploration was performed for the 3 parcels together on October 14, 2013 and consisted of drilling and logging 3 borings (Borings B-1, B-2 and B-3 for Parcels A, B and C, respectively) at the approximate locations shown on the Site Plan, Plate 2. The borings were drilled to a depth of about 4½ feet below the existing ground surface using a portable drill rig. Materials encountered in each boring were visually classified in the field and a log was recorded. The boring logs showing description and classification of soil and bedrock, and blow counts are presented on Plates 3 through 5. A Key to Boring Log Symbols is included on Plate 6. The borehole was backfilled after drilling and sampling.

### **SITE CONDITIONS**

#### **SURFACE CONDITIONS**

The irregular-shaped site that comprises Parcels A, B and C encompasses about 0.43 acres of land. At present, there is an existing house at Parcel B and a detached garage at Parcel A. The existing house and garage would be demolished to make room for the new houses. The areas surrounding the existing house and garage are covered with some mature trees.

The existing ground surface of the site generally slopes gently downward from north to south. Based on the topographic survey information provided to us, the existing elevations generally range from approximately 453 feet at the northern end of the site to approximately 432 feet at the southern end of the site.

#### **SUBSURFACE CONDITIONS**

In Borings B-1 and B-2 located at the approximate locations as shown on the Site Plan, we encountered approximately 2½ to 3 feet of surficial soil, which was underlain by chert. The soil encountered above the chert was generally dense silty sand with some clay and some small gravel. The chert encountered in Borings B-1 and B-2 was primarily highly weathered, highly fractured and hard to the maximum depth explored, about 4 to 4½ feet below the existing ground surface, where drilling refusal was encountered. In Boring B-3 near the southern site boundary, we encountered approximately 4 feet of soil cover (consisting of approximately 2 feet of surficial soil over approximately 2 feet of dense residual soil) overlying highly weathered, highly fractured and soft siltstone.

No free water was encountered in the boreholes. It should be anticipated that the actual groundwater level may fluctuate depending on factors such as seasonal rainfall, time of the year and local irrigation.

The above is a general description of soil, bedrock and groundwater conditions encountered at the site. For a more detailed description of the soil, bedrock and groundwater conditions encountered, please see the boring logs shown on Plates 3 through 5.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **GENERAL**

We conclude that, from a geotechnical engineering standpoint, the proposed residential development can generally be constructed as planned, provided that the conclusions and recommendations contained in this report are incorporated into the project design and construction.

### **BEDROCK RIPPABILITY**

As discussed above, chert and siltstone bedrock materials were encountered in our borings at depths varying from approximately 2½ to 4 feet below the existing ground surface. At the time of this report, no grading plans are available to indicate the depths of proposed cuts and utility trenches. Based on the bedrock conditions encountered in our borings that were drilled using a portable drill rig to depths of about 4 to 4½ feet, it appears that it would generally be feasible to rip most of the shallow bedrock materials (generally less than about 4 to 4½ feet from the existing ground surface) with heavy-duty grading equipment. However, bedrock at greater depths may become very difficult or impractical to excavate. When the grading plans are available, additional field exploration including test pit excavations may be required to further investigate the bedrock rippability.

### **SITE PREPARATION AND GRADING**

Our general site preparation and grading recommendations are as follows:

1. The areas to be graded should be cleared of debris, abandoned foundation/underground utilities, and any significant surface vegetation.
2. The existing fill and soil disturbed during demolition should be removed and replaced with engineered fill.
3. If encountered in the building and improvement areas, un-compacted fill should be reworked; moisture conditioned to at least 3 percent over optimum moisture content; and re-compacted to at least 90 percent relative compaction per ASTM D-1557.
4. The root system of the removed trees should be removed. The removal of the tree roots could disturb up to about 18 to 30 inches of the soils. If these disturbed soils are not being removed by design cuts, the disturbed soils should be reworked by over-excavating up to about 18 inches of the disturbed soils, preparing the exposed subgrade as discussed below, and placement of engineered fill.
5. If zones of soft or saturated soils are encountered during excavation and compaction, deeper excavations may be required to expose firm soils. This should be determined in the field by the soil engineer.
6. In the areas where engineered fill is planned, the subgrade should be scarified to a depth of about 12 inches; moisture conditioned to at least 3 percent above optimum moisture content; and re-compacted to at least 90 percent relative compaction per ASTM D-1557.

7. In the areas where engineered fill is not planned, the building, pavement and exterior flatwork areas should be scarified to a depth of at least 12 inches; moisture conditioned to at least 3 percent above optimum moisture content; and re-compacted to at least 90 percent relative compaction.
8. The on-site soils are generally suitable for engineered fill, provided that they are clean of debris, vegetation, rock greater than 4 inches in largest dimension and other deleterious matter. All fill materials should be subject to the evaluation by this office prior to their use.
9. All fill and backfill should be placed in thin lifts (normally 6 to 8 inches depending on the compaction equipment), properly moisture conditioned to at least 3 percent above optimum moisture content and compacted to at least 90 percent relative compaction.
10. Cut and fill slopes should be constructed at gradients of not steeper than 2 horizontal to 1 vertical (2H:1V). All cut and fill slopes should be planted with deep-rooted, fast growing grasses before the first winter to reduce erosion.
11. Observations and soil density tests should be carried out during grading to assist the contractor in obtaining the required degree of compaction and proper moisture content. Where the compaction is outside the range required, additional compactive effort should be made and adjustment of moisture content until the specified compaction and moisture conditioning are achieved.
12. The soil engineer should be notified at least 48 hours prior to any grading operations. The procedure and methods of grading may then be discussed between the contractor and the soil engineer.

## FOUNDATIONS

From a geotechnical engineering standpoint, the proposed building (including the house retaining walls) can be supported on footing foundations founded on firm native soils, engineered fill and/or firm bedrock. We recommend that the footings be designed using the following criteria:

Allowable Bearing Capacity (may be increased by 1/3 for seismic and wind loads)	3,000 psf
Passive pressure (neglect the upper one foot if the ground surface is not confined by slabs or pavement)	350 pcf
Friction Coefficient	0.35
Minimum Footing Width	
Continuous Footing	18 inches
Isolated Footing	24 inches
Minimum Footing Embedment below Lowest Adjacent Finish Grade	18 inches

## HOUSE RETAINING WALLS

The house retaining walls should be waterproofed and be designed to resist the following lateral pressures presented as equivalent fluid weights (triangular distribution). The waterproofing is to be designed by others.

Static At-Rest Conditions	65 pcf
Seismic Conditions	85 pcf

The above-recommended lateral pressures are based on drained condition and backfill, and do not include any surcharges. Therefore, the designer should include the appropriate surcharge loads to the house retaining wall design.

To reduce hydrostatic pressure build-up, house retaining walls should be provided with permanent backdrains. The backdrain should consist of a blanket of Class 2 permeable material and a 4-inch diameter perforated PVC pipe (SDR 35). The permeable materials should be in conformance with Section 68-1.025 of the 2010 Caltrans "Standard Specifications." The permeable material blanket should be at least 12 inches thick and should be placed from at least 12 inches below the top of the building slab to about 1 foot below the finished grade behind the house retaining wall. Alternatively, a geo-composite drain, such as Miradrain 6200 or an approved equivalent, may be used in lieu of the Class 2 permeable material blanket. The top of the perforated pipe should be placed at least 6 inches below the top of the building slab to carry collected water to a suitable gravity discharge or to a nearby storm drain system.

To enhance the waterproofing, considerations should be given to place the perforated PVC pipe with the top of the pipe located below the bottom of adjacent slab and to provide water-stops at the cold joints between the house retaining walls and perimeter footings.

## FOUNDATION PERIMETER DRAINAGE

Grading around the house should be performed to provide a positive drainage away from the building foundation. The rainwater collected on the roof should be piped away from the house to prevent water from perching adjacent to the foundation.

## CONCRETE SLAB-ON-GRADE

During utility trench excavation and backfilling, previously compacted subgrade soils may be disturbed. These soils should be uniformly moisture conditioned to at least 3 percent above optimum moisture content and recompact to at least 90 percent relative compaction.

Where moisture vapor through the interior slab would be objectionable, the use of a vapor barrier and capillary moisture break should be considered by the designer of the slab and floor covering. The slab designer should determine the thicknesses of the slab, vapor barrier, rock cushion and sand cushion.

Exterior flatwork, such as patio and walk paths, can be placed directly on the compacted subgrade. Where subgrade materials have been disturbed, they should be moisture conditioned to at least 3 percent above optimum moisture content and re-compacted to the requirements contained in the "Site

Preparation and Grading" section to provide a smooth, unyielding surface. For more uniform support, 4 inches of aggregate base can be used beneath the exterior flatwork. Construction joints in these elements should be considered by the designer to allow for some shrinkage and movement of concrete resulting from soil movements.

## TEMPORARY EXCAVATION

Where space is available, side slopes of the temporary excavation for the house retaining wall construction can generally be constructed at gradients of not steeper than 1H:1V. All excavations should conform to applicable State and Federal industry safety requirements.

## SITE RETAINING WALLS

Site retaining walls may be required for the site grading and can be of cast-in-place concrete, masonry or mechanically stabilized earth (MSE) construction.

### CAST-IN-PLACE CONCRETE OR MASONRY WALLS

The cast-in-place concrete or masonry retaining wall can be supported on a footing foundation. We recommend that the following geotechnical criteria be incorporated in the cast-in-place concrete or masonry retaining wall design:

Active Equivalent Fluid Pressure	
Level backfill	45 pcf
3H:1V backfill	60 pcf
2H:1V backfill	70 pcf
Uniform Traffic Load	100 psf for the upper 10 feet
Allowable Bearing Capacity (may be increased by one-third for seismic and wind loads)	3,000 psf
Passive Equivalent Fluid Pressure (neglect the upper 1 foot if the ground surface is not confined by slabs or pavement)	350 pcf
Base Friction Coefficient	0.35
Minimum Footing Width	18 inches
Minimum Footing Depth Below the Low Adjacent Grade	18 inches

The above recommended lateral pressures are based on drained condition and backfill, and do not include any surcharges other than the traffic load. Therefore, the designer should include the appropriate surcharge loads to the retaining wall design.

To reduce hydrostatic pressure build-up, the retaining wall should be provided with a permanent backdrain. The backdrain should consist of a blanket of Class 2 permeable material and a 4-inch diameter perforated PVC pipe (SDR 35). The permeable material blanket should be at least 12 inches thick and should be placed from the bottom of the wall to about 1 foot below the finished grade behind the wall. Alternatively, a geo-composite drain, such as Miradrain 6200 or an approved equivalent, may be used in lieu of the Class 2 permeable material blanket. The perforated pipe should be placed near the bottom of the wall to carry collected water to a suitable gravity discharge.

## MECHANICALLY STABILIZED EARTH (MSE) WALLS

We recommend that the following geotechnical criteria be incorporated in the MSE wall design:

415 Boulder Court, Suite 400, Pleasanton, CA 94566; Cell: (925) 639-3836; Email: [paulslai1@gmail.com](mailto:paulslai1@gmail.com)

Traffic Load	Equivalent to 2 feet of fill
Allowable Bearing Capacity (may be increased by one-third for seismic and wind loads)	3,000 psf
Engineered Fill Unit weight Friction angle Cohesion	125 pcf 32 degrees 0
Retained Soil Unit weight Friction angle Cohesion	125 pcf 32 degrees 0
Foundation Materials Unit weight Friction angle Cohesion	125 pcf 32 degrees 0 psf

The above recommended lateral pressures are based on drained condition and backfill, and do not include any surcharges other than traffic load. Therefore, the designer should include the appropriate surcharge loads to the MSE wall design.

To reduce hydrostatic pressure build-up, MSE walls of more 3 feet high should be provided with a permanent backdrain. The backdrain should consist of a blanket of Class 2 permeable material and a 4-inch diameter perforated PVC pipe (SDR 35). The permeable material blanket should be at least 12 inches thick and should be placed behind the geo-grid, from the base of the wall to about 1 foot below the finished grade behind the wall. The perforated pipe should be placed near the bottom of the wall to carry collected water to a suitable gravity discharge.

#### **UTILITY TRENCH EXCAVATION AND BACKFILL**

Where trench excavations are more than 5 feet deep, they should be sloped and/ or shored. Temporary walls should be sloped no steeper than 1 horizontal to 1 vertical (1H:1V). Flatter trench slopes may be required if seepage is encountered during construction or if exposed subsurface conditions differ from those encountered by the borings. All excavations should conform to applicable State and Federal industrial safety requirements.

Material quality, placement procedures, and compaction requirements for utility bedding and shading material should meet the City of Belmont and/or other applicable agency requirements. Utility trench backfill above the shading materials may consist of on-site soils, provided that they are free of rubble, rock fragments over 4 inches in largest dimension, rubbish, vegetation, and deleterious material. Backfill materials should be placed in lifts not exceeding 8 inches in loose thickness, moisture conditioned and compacted to requirements outlined in the "Site Preparation and Grading" section.

#### **DRIVEWAY PAVEMENT SECTION**

We suggest that the driveway pavement be consisted of 2½ inches of asphalt concrete over at least 9 inches of Class 2 aggregate base. Alternatively, paving stones (80-mm thick) may be used in lieu of the 2½-inch asphalt concrete. The paving stone should be placed in conformance with the manufacturer's recommendations. Prior to subgrade preparation, all utility trench backfill should be properly placed and compacted. Subgrade soils should be rolled to at least 95 percent relative compaction to provide a

smooth, unyielding surface. Subgrade soils should be maintained in a moist and compacted condition until covered with the complete pavement section.

Class 2 aggregate base should conform to the requirements in Section 26, Caltrans "Standard Specifications," (2010). The aggregate base should be placed in thin lifts in a manner to prevent segregation; uniformly moisture conditioned; and compacted to at least 95 percent relative compaction to provide a smooth, unyielding surface.

## SEISMIC CONSIDERATIONS

### SURFACE FAULT RUPTURE

The site is not located within a State of California designated Earthquake Fault Zone for active faults (Davis, 1982). We did not encounter any evidence of active fault crossing or trending toward the site. Therefore, the risk of surface fault rupture at the site is judged very low.

### GROUND SHAKING

Due to the proximity of the site to the San Andreas and other active faults, it is likely that the site will experience strong ground shaking from at least one moderate to severe earthquake during the life span of the project. Using the USGS 2008 model, the peak horizontal ground acceleration (10% exceedence in 50 years) of 0.52g is estimated at the site. Ground shaking is a hazard that cannot be eliminated but can be partially mitigated through proper attention to seismic structural design and observance of good construction practices. According to the 2013 California Building Code (CBC), the following seismic parameters should be used in the structural design of the proposed buildings and structures:

Site Latitude	37.5242 degrees
Site Longitude	- 122.2966 degrees
Site Class	C
Mapped Spectral Acceleration for Short Periods, $S_s$	2.015g
Mapped Spectral Acceleration for 1-Second Period, $S_1$	0.949g
Acceleration Parameter, $S_{MS}$ (adjusted for Site Class C)	2.015g
Acceleration Parameter, $S_{M1}$ (adjusted for Site Class C)	1.234g
Design Acceleration Parameter, $S_{DS}$	1.344g
Design Acceleration Parameter, $S_{D1}$	0.823g

It is our opinion that the structural integrity of the proposed building and structures is a primary factor in determining possible seismic damage and that the level of seismic damage would be only nominally influenced by the foundation system selected. We recommend that, at a minimum, the structure be designed in conformance with the current edition of the CBC.

### LIQUEFACTION

Liquefaction is the temporary transformation of saturated cohesionless soil into a viscous liquid during strong ground shaking from a major earthquake. Bedrock was encountered at shallow depths. Therefore, the risk of liquefaction at the site is considered to be low.

## **ADDITIONAL SOIL ENGINEERING SERVICES**

Prior to construction, our firm should be provided the opportunity to review the plans and specifications to determine if the recommendations of this report have been implemented in those documents.

To a degree, the performance of the proposed project is dependent on the procedures and quality of the construction. Therefore, we should provide observations of the contractor's procedures and the exposed soil and bedrock conditions, and field and laboratory testing during site preparation and grading, placement and compaction of fill, retaining wall construction, underground utility installation, and foundation and pavement construction. These observations will allow us to check the contractor's work for conformance with the intent of our recommendations and to observe any unanticipated subsurface conditions that could require modification of our recommendations.

### **LIMITATIONS**


The conclusions and recommendations of this report are based upon the information provided to us regarding the proposed development, subsurface conditions encountered at the boring locations, and professional judgment. This study has been conducted in accordance with current professional geotechnical engineering standards; no other warranty is expressed or implied.

The locations of the borings were paced from the existing surface features. Site conditions described in the text are those exist at the time of our field exploration in October 2013, and are not necessarily representative of such conditions at other locations and times.

In the event that changes in nature, design and location of the proposed development are planned, or if it is found during construction that subsurface conditions differ from those described above, then the conclusions and recommendations in this report shall be considered invalid, unless the changes are reviewed, and the conclusions and recommendations are modified or approved in writing.

Respectfully submitted,

### **LAI & ASSOCIATES**

  
Steve K. Tsang  
Principal Engineer  
GE 2162



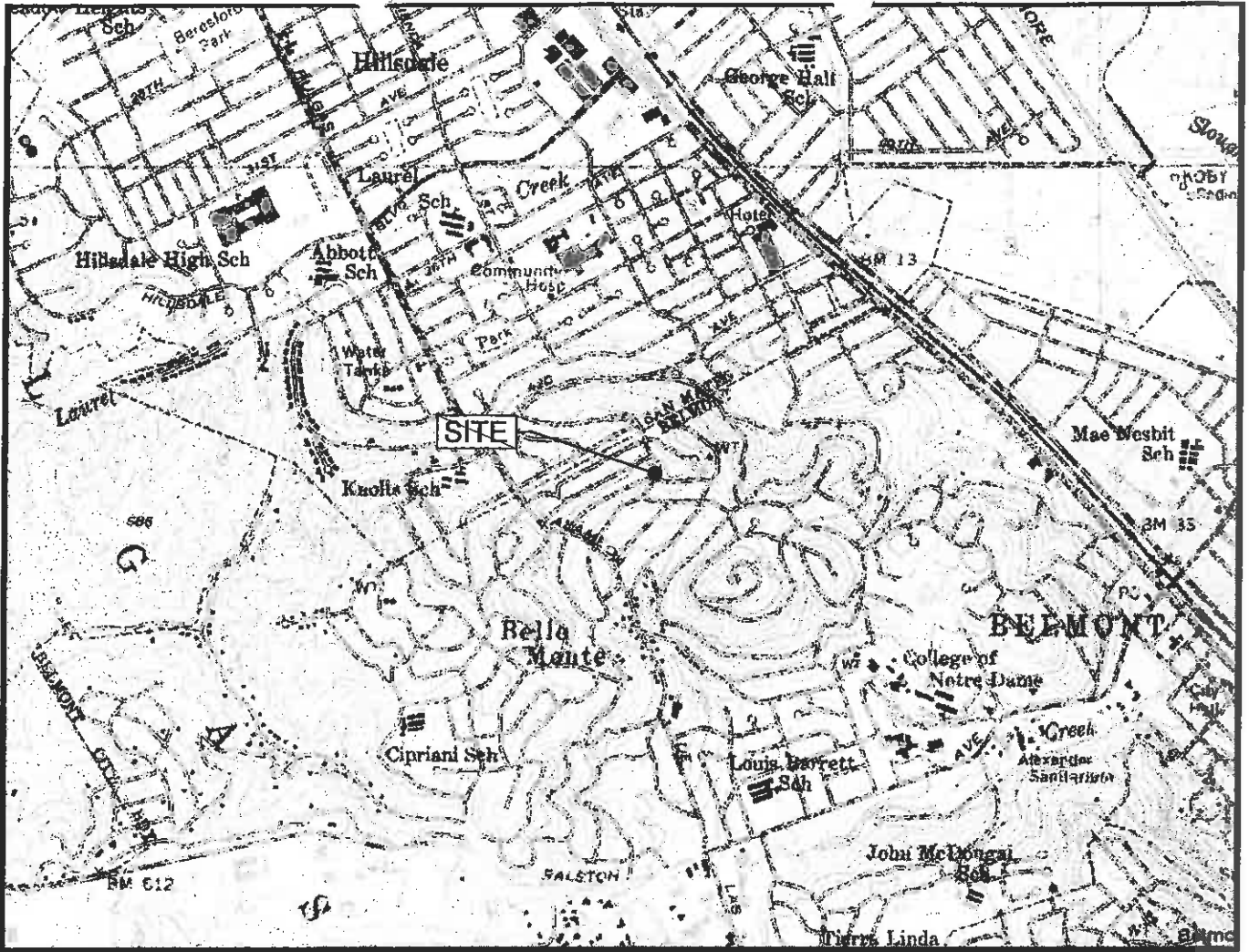
SKT/MILLER REPORT (PARCEL A)

#### **Attachments:**

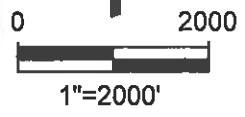
- Plate 1 – Vicinity Map
- Plate 2 – Site Plan
- Plates 3 through 5 - Boring Logs
- Plate 6 – Key to Boring Log Symbols

DATE: 11-18-13

JOB NUMBER: 196.100



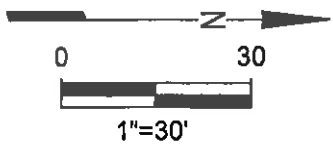
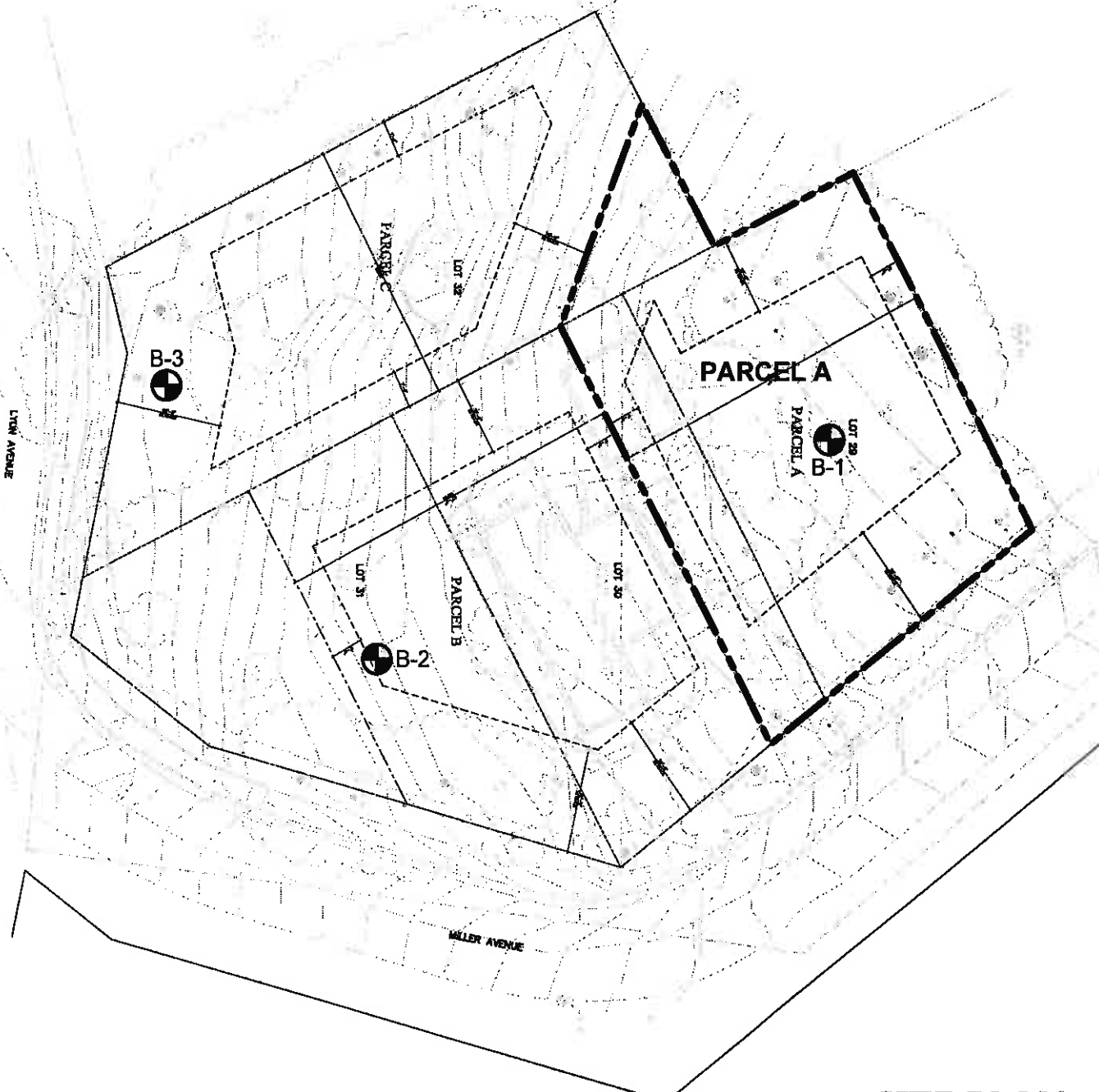
**VICINITY MAP**  
**RESIDENTIAL DEVELOPMENT PARCEL A**  
MILLER AVENUE  
BELMONT, CALIFORNIA  
FOR  
PACIFIC STATES CAPITAL



BASE: PORTIONS OF U.S.G.S. 7.5 MINUTE TOPOGRAPHIC QUADRANGLES, SAN MATEO, CALIFORNIA AT A SCALE OF 1:24,000.

DATE: 11-18-13

JOB NUMBER: 196.10



**EXPLANATION**

**B-3**  
BORING LOCATION  
(THIS STUDY)

**SITE PLAN  
RESIDENTIAL  
DEVELOPMENT  
PARCEL A**

MILLER AVENUE  
BELMONT, CALIFORNIA  
FOR  
PACIFIC STATES CAPITAL  
Lai & Associates

<b>Project No.:</b> 196.100	<b>Client:</b> Pacific States Capital	<b>Date Drilled:</b> 10-14-13
<b>Project Name:</b> Miller Avenue	<b>Drilling Method:</b> Solid-Flight Auger	<b>Elevation:</b> 451 feet

<b>SAMPLER TYPE:</b>	<b>DRIVE WEIGHT (LBS.)</b>	<b>HEIGHT OF FALL (IN.)</b>
<input checked="" type="checkbox"/> Standard Penetration Test	140	30

Moisture Content (%)	Dry Unit Weight (PCF)	Penetration Resistance (blows/foot)	Depth (feet)	Sample Symbol	USCS Classification	MATERIAL DESCRIPTION AND REMARKS
			0			<b>SURFACE CONDITIONS:</b> Bare Soil
-	-	45	-		SM	SILTY SAND, brown, dry to moist, dense, some gravel, some clay
-	-	90/7"	-			CHERT, reddish-brown, highly weathered, highly fractured, hard (refusal)
			5			Boring terminated at 4 feet No groundwater encountered
			10			
			15			
			20			















DATE: 10-14-13

MAJOR DIVISIONS			CLASSIFICATION SYMBOL	TYPICAL NAMES
<b>COARSE GRAINED SOILS</b>  MORE THAN HALF OF THE MATERIAL IS LARGER THAN NO. 200 SIEVE	<b>GRAVELS</b> MORE THAN HALF COARSE FRACTION IS LARGER THAN NO. 4 SIEVE	CLEAN GRAVELS WITH LITTLE TO NO FINES	GW	WELL GRADED GRAVELS, GRAVEL/SAND MIXTURES
			GP	POORLY GRADED GRAVELS, GRAVEL/SAND MIXTURES
		GRAVEL WITH OVER 12% FINES	GM	SILTY GRAVELS, POORLY GRADED GRAVEL/SAND/SILT MIXTURES
			GC	CLAYEY GRAVELS, POORLY GRADED GRAVEL/SAND/CLAY MIXTURES
	<b>SANDS</b> MORE THAN HALF COARSE FRACTION IS SMALLER THAN NO. 4 SIEVE	CLEAN SANDS WITH LITTLE TO NO FINES	SW	WELL GRADED SANDS, GRAVELLY SANDS
			SP	POORLY GRADED SANDS, GRAVELLY SANDS
		SANDS WITH OVER 12% FINES	SM	SILTY SANDS, POORLY GRADED SAND/SILT MIXTURES
			SC	CLAYEY SANDS, POORLY GRADED SAND/CLAY MIXTURES
<b>FINE GRAINED SOILS</b>  MORE THAN HALF OF THE MATERIAL IS SMALLER THAN NO. 200 SIEVE	<b>SILTS AND CLAYS</b> LIQUID LIMIT LESS THAN 50		ML	INORGANIC SILTS AND VERY FINE SANDS, ROCK FLOUR, SILTY OR CLAYEY FINE SANDS, OR CLAYEY SILTS WITH SLIGHT PLASTICITY
			CL	INORGANIC CLAYS OF LOW TO MEDIUM PLASTICITY, GRAVELLY CLAYS, SANDY CLAYS, SILTY CLAYS, LEAN CLAYS
			OL	ORGANIC CLAYS AND ORGANIC SILTY CLAYS OF LOW PLASTICITY
	<b>SILTS AND CLAYS</b> LIQUID LIMIT GREATER THAN 50		MH	INORGANIC SILTS, MICACEOUS OR DIATOMACEOUS FINE SANDY OR SILTY SOILS, ELASTIC SILTS
			CH	INORGANIC CLAYS OF HIGH PLASTICITY, FAT CLAYS
			OH	ORGANIC CLAYS OF MEDIUM TO HIGH PLASTICITY, ORGANIC SILTS
<b>HIGHLY ORGANIC SOILS</b>			Pt	PEAT AND OTHER HIGHLY ORGANIC SILTS

## KEY TO BORING LOG SYMBOLS

JOB NUMBER: 196.100

Depth in Feet	Moisture Content (%)	Dry Unit Weight (pcf)	Blows per foot	Unified Soil Classification System	
					Bulk Sample
					2.5-inch I.D. Split Barrel Sample
					2.8-inch I.D. Shelby Tube Sample
					No Sample recovered
					Standard Penetration Test interval
					Well-defined stratum change
					Gradual stratum change
					Interpreted stratum change
					Apparent ground water level measured at date noted; seasonal weather conditions, site topography, etc., may cause fluctuations in water level indicated on boring logs
					Stabilized ground water level measured at date noted

Note: Soils described as dry, moist, and wet are estimated to be dry of optimum, near optimum, and more wet than optimum moisture content, respectively. Saturated soils are estimated to be within areas of free groundwater.

**Attachment VII**

**RDG Review Table  
&  
RDG Index to SFDR**



# REVIEW TABLE

## RESIDENTIAL DESIGN GUIDELINES

The following review table summarizes development guidelines from the Residential Design Guidelines (RDG). The Design Guidelines are intended to assist applicants in preparing plans for Design Review submittal. The sections of the guidelines correspond the key issues (findings) that the Planning Commission considers when reviewing a Design Review application. See the appropriate section of the RDG for a complete explanation of the item.

The Design Guidelines are not intended to constitute *additions* to the existing provisions of the Belmont Zoning Ordinance, but only to be *illustrative* of them. The review table is intended as a tool to assist applicants in preparing a Design Review application, but not as a compliance checklist. Full compliance with each of these guidelines is not required for Single Family Design Review approval. Conversely, full compliance with each of these guidelines does not guarantee approval of a Design Review application; Planning Commission affirmation of each of the Single Family Design Review findings is necessary for a Design Review approval.

### BZO Section 13.A.5 (a) - Neighborhood Compatibility

#### Section A - Neighborhood Compatibility

<b>Guideline A-1 - Design for Compatibility with Neighborhood Character</b>	
<b>a.</b>	Use compatible arrangement/placement/massing of major building forms.
<b>b.</b>	Make new buildings/additions proportionate in scale to adjacent structures.
<b>c.</b>	Use compatible design features and exterior materials.
<b>Guideline A-2 - Minimize Disruptions to Public Views &amp; Retain Profile of Existing Ridgelines</b>	
<b>a.</b>	Locate the building below or to the side of public views as seen from surrounding public property (streets, sidewalks, etc.).
<b>b.</b>	Increase the front yard setbacks on downward sloping lots.
<b>c.</b>	Increase step backs of upper-story additions and lower the height of the dwelling.
<b>Guideline A-3 - Design Building with a Consistent Overall Style</b>	
<b>a.</b>	Include features (window, roofing, windows, details, etc.) consistent with the style of the home.
<b>b.</b>	Do not mix architectural forms from one style to another.

## Section A - Neighborhood Compatibility

### Guideline A-4 – Ensure Upper Story Additions Blend with the Existing Home’s Design.

- a. Incorporate the same building style.
- b. Use the same roof pitch.
- c. Use identical exterior materials, trim details and window treatments.

### Guideline A-5 – Ensure Upper Story Additions have a Balanced Presentation

- a. Locate the mass of the addition over the center of the home if possible.
- b. Upper floors should be proportionately smaller and shorter than the ground floor.
- c. Avoid cantilevering the addition over the existing foundation of the home.

### Guideline A-6 – Design façades to create visual interest

- a. Add architectural features to emphasize the front facade (i.e., bay windows, columns, porches, wood doors, substantial window framing and sills, brick or stone veneer, varied roof forms, etc.).
- b. Ensure entry features are proportionate to the building height, and have a human scale so that they are welcoming, not overpowering.
- c. Avoid large flat walls by projecting and recessing sections.

### Guideline A-7 – Provide greater visual emphasis for buildings on corner lots

- a. Design both street facades to be finished (windows, doors, etc.) as “front” facades.
- b. Design with more complex building features (i.e., projecting façade elements and special building enhancements such as towers, cupolas, wrap-around bay windows, balconies, or other architectural embellishments).

## BZO Section 13.A.5 (b) - Site Planning

### Section B - Site Planning

#### Guideline B-1 - Reduce Bulk

- a. Avoid two-story, un-articulated building walls.
- b. Lower eave lines and vary height of roof elements.
- c. Incorporate portions of upper stories into attic space.
- d. Increase step backs of upper-story additions & project/recess building walls.

## Section B - Site Planning

<b>Guideline B-2 - Reduce Perceived Bulk by Using Exterior Finishes and Ornamentation</b>
a. Incorporate a prominent front porch/entry feature and substantial window framing.
b. Vary materials and colors and landscaping elements that break-up or obscure building planes.
c. Include decorative elements such as brackets, belly bands, rafter tails, ironwork, ornamental doors and divided light windows, etc.
<b>Guideline B-3 - Reduce Bulk by Designing Homes to Conform with the Slope of the Lot</b>
a. Step homes up with the slope of the existing terrain.
b. Avoid tall support columns and cantilevers.
c. Follow natural slope with roof slopes and retaining walls.
d. Break large masses into smaller elements on different levels.
<b>Guideline B-4 - Reduce Grading by Developing the Project Site to Conform to the Existing Terrain</b>
a. Avoid large flat building pads on sloped properties
b. Step homes with the slope of the existing terrain
c. Keep yard areas with their existing slope to the maximum extent feasible
d. Balance grading on site when possible; use necessary cut as fill where needed
<b>Guideline B-5 – Reduce Hardscape by Eliminating Unnecessary Impervious Features</b>
a. Minimize driveways and curb-cut widths (within Zoning Code requirements)
b. Use pervious surfaces (pavers, pervious concrete, etc.) for driveways whenever feasible
c. Use stepping stones, pavers, or decomposed granite over a pervious base for pathways and patios
<b>Guideline B-6 – Reduce Tree Removal/Tree Damage Impacts by Site Planning</b>
a. Locate homes on site to avoid removing trees.
b. Consider tree root locations when designing building foundations, retaining walls and other soil disturbing features such as trenches for utilities and drainage.
c. Avoid disturbing the natural grade within the drip line of mature trees.
d. Plant new trees to replace tree removals & landscape with California native, and/or locally acclimated drought-tolerant species.

**BZO Section 13.A.5 (c) – Access**

Access requires technical review for which there are no corresponding Design Guidelines. The City of Belmont requires that safe vehicular and pedestrian access be provided to all buildings and structures. The City's Planning Division and Public Works Department review proposed driveways to ensure that there is sufficient back-up space and adequate sight distance for vehicles entering/exiting the property. Pedestrian access is also reviewed to ensure that there are clear unobstructed walkways from the driveway or sidewalk/public right-of-way to the living areas of the home. These technical reviews have no corresponding Design Guidelines. See attached access standards, and driveway plan and profile submittal requirements.

**BZO Section 13.A.5 (d) – Grading**

Grading requires technical review for which there are no corresponding Design Guidelines. The City of Belmont requires preliminary grading and drainage plans, and geotechnical reports for all new homes and substantial additions. The City's Building Division and Public Works Department review and condition project grading plans to address site stability, ground movement hazards, erosion, flooding potential, and habitat and stream degradation. As appropriate, the City requires the submittal of a site specific geotechnical analysis, independent peer review of the investigation, and incorporation of the findings of the independent peer review into project design. These technical reviews have no corresponding Design Guidelines. See attached grading plan, drainage plan, and geotechnical report submittal requirements.

**BZO Section 13.A.5 (e) - Accessory and Support Structures**

**Section E – Accessory and Support Structures**

<b>Guideline E-1 – Integrate accessory and support features into project design and landscaping</b>
a. Incorporate the same colors/materials for walls/fences that were used for the home.
b. Break retaining walls into several smaller segments, and provide plantings between the segments
c. Vary retaining walls heights/setbacks - add plants in front of the wall or in planters
d. Use earth tone colors and natural materials with a rough texture for retaining walls (i.e., natural stone, brick veneer, wood, etc.)
e. Match the colors and design elements of sheds and other non-habitable structures to the home whenever possible.

## **BZO Section 13.A.5 (f) – Landscape Plan**

### **Section F – Landscape Plan**

<b>Guideline F-1 – Use Landscaping to Blend the Built and Natural Environments</b>
<b>a.</b> Use native and/or locally acclimated plants that will succeed in the site’s microclimate (i.e., deer-resistant, plants which are suitable to the site’s soil type, moisture, and wind and sun exposure).
<b>b.</b> Arrange plants to have a natural appearance and a clear relationship to the buildings on site.
<b>c.</b> Provide a watering system for all landscaping (an irrigation plan).

<b>Guideline F-2 – Use Landscaping to Compliment Building Architecture and to Mitigate for Bulk</b>
<b>a.</b> Use ground cover and small shrubs along walkways, borders and property frontages
<b>b.</b> Use larger shrubs, vines and trellis features along building foundations
<b>c.</b> Plant trees to screen the home and to break up the appearance of large/tall walls

## **BZO Section 13.A.5 (g) – Construction Impacts**

Construction impacts require technical review for which there are no corresponding Design Guidelines. The City of Belmont routinely requires the submittal of construction management plans for new homes and substantial remodels, in order to minimize potential noise, dust, and construction traffic impacts on surrounding property owners. The plans are typically reviewed and approved by the Community Development Department in consultation with the Department of Public Works and the Police Department, prior to issuance of grading/building permits.

The plans usually include notice to surrounding property owners/properties along the haul route prior to grading, and identification of a staging areas and haul routes for the project. Review of staging areas, recycling and disposal procedures and adequacy of erosion control measures are also be reviewed by the Building Division as part of the structural plan check. In addition, the City Arborist reviews construction impacts to protected trees and recommends specific tree protection measures as conditions of project approval. These technical reviews have no corresponding Design Guidelines.

### **BZO Section 13.A.5 (h) – Encroachments**

Encroachments require technical review for which there are no corresponding Design Guidelines. The Belmont Municipal Code requires encroachment permits for nearly all right-of-way improvements. Permanent encroachments associated with a Design Review application (i.e., driveway bridge, retaining walls, fences, etc.) require recommendations by the Director of Public Works and the Planning Commission, prior to consideration by the City Council. A key provision within the Municipal Code requires that there is some public benefit to the encroachment. These technical reviews have no corresponding Design Guidelines. See Section 22, Article 1 (Encroachments) of the Belmont Municipal Code.

<b>RDG Section Design Guideline</b>	<b>Applicable Planning Commission Finding Belmont Zoning Code 13.A.5</b>
<b>Section A – Neighborhood Compatibility Guideline A-1 – A7</b>	a) The Buildings and structures shown on the site plan are located to be consistent with the character of existing development on the site and in the neighborhood, as defined; minimize disruptions of existing public views; protect the profile of prominent ridgelines.
<b>Section B – Site Planning Guideline B-1 – B6</b>	b) The overall site and building plans achieve an acceptable balance amount the following factors: 1) building bulk; 2) grading, including (a) disturbed surface area, and (b) total cubic yards of cut and fill; 3) hardscape; and, 4) tree removal.
<b>Section C - Access</b> Technical review only. No corresponding Design Guidelines.	c) All access ways shown on the site plan and on the topographic map are arranged to provide safe vehicular and pedestrian access to all buildings and structures.
<b>Section D - Grading</b> Technical review only. No corresponding Design Guidelines.	d) All proposed grading and site preparation have been adequately reviewed to protect against site stability and ground movement hazards, erosion and flooding potential, and habitat and stream degradation.
<b>Section E – Accessory/Support Features Guideline E-1</b>	e) All accessory and support features, including driveway and parking surfaces, under-floor areas, retaining walls, utility services and other accessory structures are integrated into the overall project design.
<b>Section F – Landscape Plan Guideline F-1 – F-2</b>	f) The landscape plan incorporates: 1. Native plants appropriate to the site’s environmental setting and microclimate, and 2. Appropriate landscape screening of accessory and support structures, and 3. Replacement trees in sufficient quantity to comply with the standards of Sec. 25 (Trees) of Belmont Code.
<b>Section G – Construction Impacts</b> Technical review - No corresponding Design Guidelines.	g) Adequate measures have been developed for construction-related impacts, such as haul routes, material storage, erosion control, tree protection, waste recycling and disposal, and other potential hazards.
<b>Section H – Encroachments</b> Technical review - No corresponding Design Guidelines.	h) Structural encroachments into the public right-of-way associated with the project comply with the standards of Section 22, Article 1 (Encroachments) of the Belmont City Code.

# **Attachment VIII**

## **Tree Ordinance & Fee Schedule – Trees**

**Belmont, California, Code of Ordinances >> - CITY CODE >> Chapter 25 TREES >>****Chapter 25 TREES <sup>[1]</sup>**

Sec. 25-1. Findings, purpose, and goals.

Sec. 25-2. Definitions.

Sec. 25-3. Regulations governing tree preservation and tree management.

Sec. 25-4. Exemptions governing tree removal.

Sec. 25-5. Administration of tree ordinance.

Sec. 25-6. Permit application.

Sec. 25-7. Conditions attached to permits.

Sec. 25-8. Permit issuance.

Sec. 25-9. Appeals to tree board.

Sec. 25-10. Appeal of permit to city council.

Sec. 25-11. Enforcement.

Sec. 25-12. Public nuisance.

**Sec. 25-1. Findings, purpose, and goals.**

- (a) It is the established policy of the State of California to provide and maintain a high quality environment that at all times is healthful and pleasing to the senses and intellect of all persons, and that all action necessary be taken to provide the people of the State of California with clean air and water, enjoyment of aesthetic, natural, scenic and historic environmental qualities and freedom from excessive noise. All agencies of the government of the State of California which regulate the activities of private individuals, corporations and public agencies have been directed to regulate such activities so that major consideration is given to preventing environmental damage. The California Urban Forestry Act of 1978 was updated in 2008 and as part of this Act the California legislature has found that (California Public Resources Code sections 4799.06—4799.12):
1. *Trees are a vital resource in the urban environment and as an important psychological link with nature for the urban dweller.*
  2. *Trees are a valuable economic asset in our cities. They help maintain or increase property values and attract business and new residents in urban areas.*
  3. *Trees play an important role in energy conservation by modifying temperature extremes with shade and humidity, and by influencing wind direction and velocity. This role is particularly important in reducing the amount of energy consumed in heating and cooling buildings and homes, and potentially in producing a local fuel and energy source.*
  4. *Trees directly reduce air pollution by removing airborne particulates from the atmosphere and helping to purify the air.*
  5. *Trees also help reduce noise, provide habitat for songbirds and other wildlife, reduce surface runoff, protect urban water resources, and enhance the aesthetic quality of life in urban communities.*
  6. *Trees planted in urban settings play a significant role in meeting the state's greenhouse gas emission reduction targets by sequestering carbon as well as reducing energy consumption.*

7. *Maximizing the benefits of trees through multiple-objective projects that provide environmental services can provide cost-effective solutions to the needs of urban communities and local agencies, including, but not limited to, increased water supply, clean air and water, reduced energy use, flood and stormwater management, recreation, and urban revitalization.*
  8. *Growing conditions in urban areas for trees and associated plants have worsened so that many of California's urban communities are now losing more trees than are replaced.*
- (b) The City of Belmont is forested by trees indigenous to the San Francisco Peninsula, as well as non-native species introduced to the area. Many of these trees are large mature trees providing a tree canopy and natural environment which contribute to the uniqueness of our community. Residents benefit from trees economically through energy conservation, air purification, and noise and wind mitigation. The majority of real property within the city is on hillside and sloping terrain, where trees perform the function of preventing erosion and lessening the danger of floods and landslides. Trees help prevent property damage and injuries caused by landslides, and reduce the burden of excess runoff on drainage systems, thereby reducing the need for costly maintenance to these systems. Trees enhance the aesthetic quality of life, as well as the property values of residents.
- (c) For these reasons the city council finds it in the public interest, convenience, necessity and welfare to enact regulations promoting the healthy growth of trees, and controlling the removal of trees within the city. This chapter is intended to promote the following specific goals:
- (1) Optimize and appropriately manage the overall tree canopy.
  - (2) Promote the growth and maintenance of healthy trees, with emphasis on native, drought tolerant, and locally adapted species.
  - (3) Encourage the replacement of trees removed by necessity.
  - (4) Develop and sustain the age and species diversity of the city's tree population.
  - (5) Maintain an efficient and cost effective tree removal permit process for unsafe or unhealthy trees.
  - (6) Create public awareness of the tree ordinance, the role of trees in our environment, and best practices for tree management.

(Ord. No. 1060, § 1, 8-23-2011)

## **Sec. 25-2. Definitions.**

Where used in this chapter the following terms are herein defined as:

*Certified arborist* means an ASCA (American Society of Consulting Arborists) registered consulting arborist, or an arborist certified by the International Society of Arboriculture.

*City* means the City of Belmont, California.

*City tree* means any woody, perennial plant, regardless of size, located in the city right-of-way, a city park, a designated open space, or on any other city property. A single or multi-stemmed shrub or bush is not a city tree.

*Damage* means any action undertaken which causes or may cause injury, death, disfigurement or substantial size reduction to a tree. This includes, but is not limited to:

- (1) Cutting—Detaching or separating from a tree any limb, branch or root above, at or below ground level, including pruning as herein defined;

- (2) Topping (top)—Cutting off the main trunk (or one (1) of the main trunks) of a tree at any point above grade, in such a manner that normal upward growth of the tree is impaired;
- (3) Trenching, excavating, grading, paving or other harmful incursion within the root system or canopy drip-line;
- (4) Inappropriate or excessive pruning (see prune/pruning);
- (5) Poisoning, or leaching of construction related or other damaging materials into the canopy dripline;
- (6) Overwatering or withholding of water or nutrition.

*DBH* means the diameter of the tree at breast height; measured across the widest face of the tree trunk, at four and one-half (4½) feet above natural grade. On a slope, the four and one-half-foot height is measured from the center of the trunk, halfway between the uphill and downhill side. In the case of multiple stemmed trees, the measurement shall be the sum of the diameters of all the stems measured at four and one-half (4½) feet above natural grade.

*Director* means the director of the parks and recreation department.

*Dripline (canopy dripline)* means the diameter of the existing tree canopy, or the estimated diameter of the root system (calculated as DBH inches × two (2) feet) whichever is greater.

*Person* means any natural person, property owner, partnership, firm, corporation, governmental agency or other legal entity.

*Protected tree* means any woody, perennial plant characterized by having a single main stem or trunk of ten (10) inches or more DBH at four and one-half (4½) feet above natural grade, or multiple secondary stems totaling ten (10) inches or more DBH at four and one-half (4½) feet above natural grade, regardless of species. A DBH of ten (10) inches is approximately equivalent to a circumference of 31 (thirty-one) inches. A single or multi-stemmed shrub or bush is not a protected tree.

*Pruning* means selectively cutting or trimming to enhance the health and structure of a tree, improve balance and aesthetics, promote healthy growth, and prevent damage. For purposes of interpreting this term, the city shall refer to the current American National Standards Institute (ANSI) A300 (Part 1) *American National Standard for Tree Care Operations—Tree, Shrub, and Other Woody Plant Maintenance—Standard Practices (Pruning)*, or *Best Management Practices—Tree Pruning* published by the International Society of Arboriculture (ISA) as a companion publication to the ANSI A300 pruning standards.

*Replacement tree* means any tree, regardless of size, which has been planted as required mitigation for the previous removal of another tree at the same site or elsewhere in the city.

(Ord. No. 1060, § 1, 8-23-2011)

### **Sec. 25-3. Regulations governing tree preservation and tree management.**

- (a) It is unlawful for any person to:
  - (1) Damage, or cause to be damaged, any protected tree, city tree, or required replacement tree;
  - (2) Remove, or cause to be removed, any protected tree, city tree, or required replacement tree without a permit.
- (b) A permit is not required for pruning when done consistent with guidelines of the current American National Standards Institute (ANSI) A300 (Part 1) *American National Standard for Tree Care Operations—Tree, Shrub, and Other Woody Plant Maintenance—Standard Practices*

(*Pruning*), or *Best Management Practices—Tree Pruning* published by the International Society of Arboriculture (ISA) as a companion publication to the ANSI A300 pruning standards (see section 25-2 of this chapter, Definitions; *Pruning*).

(Ord. No. 1060, § 1, 8-23-2011)

#### **Sec. 25-4. Exemptions governing tree removal.**

A permit is not required to remove trees under the following circumstances:

- (1) *Non-protected trees.* Trees on privately owned property with a diameter less than ten (10) inches at breast height (DBH) at four and one-half (4½) feet above natural grade.
- (2) *Emergency.* Protected tree(s), city tree(s), or required replacement tree(s) damaged by storms, floods, earthquakes, fires or natural disasters or in any instance where it is determined to pose an imminent danger to property or persons by a peace officer, firefighter or other city official acting in their official capacity. The director of parks and recreation shall be promptly notified of the nature of the emergency action taken.
- (3) *Fire.* When the cutting or removal is determined necessary by fire department personnel actively engaged in fighting a fire.
- (4) *Public utilities.* Protected trees(s), city trees(s), or required replacement tree(s) determined to be hazardous to public utilities for which no alternative action is possible. This determination will be made by city officials. Prompt notification of this determination shall be made to the director of parks and recreation.
- (5) *Nursery.* Trees planted, grown and/or held for sale as part of a licensed nursery business.

(Ord. No. 1060, § 1, 8-23-2011)

#### **Sec. 25-5. Administration of tree ordinance.**

- (a) *Community development.* The community development department shall administer the tree removal permit(s) when the removal is associated with an application for a building permit, variance, design review, or any other development entitlement.
- (b) *Parks and recreation.* The parks and recreation department shall administer all tree removal permit(s) when not associated with a building permit, variance, design review, or any other development entitlement that is required.
- (c) *City tree board.*
  - (1) The tree board's scope of responsibilities are: hearing and ruling on appeals of denied administrative permits, establishing a community forest work plan, recommending public tree care policies, maintaining a list of recommended tree species and undesirable tree species, and promoting public awareness of trees and of this city tree ordinance.
  - (2) Tree board has the authority to monitor administrative permits and provide a list of tree species for which staff can grant administrative removal permits provided the other considerations identified in subsection 25-6(d) are satisfied.
  - (3) The tree board shall consist of two (2) currently seated parks and recreation commissioners, and two (2) currently seated planning commissioners, each appointed by their respective commissions for a term of one (1) year, plus one (1) member from the community at large, appointed by the city council to a term of three (3) years. The tree board shall elect a chair annually.
  - (4) The tree board shall convene in a public meeting bi-monthly (once every two (2) months), or more often as needed.

(Ord. No. 1060, § 1, 8-23-2011)

## Sec. 25-6. Permit application.

- (a) Any person desiring to remove, or cause to be removed, a protected tree(s) or city tree(s), or required replacement tree(s) within the city shall apply for a permit as provided herein prior to such action.
- (b) *Application form.* The application for a permit shall be made on the appropriate form provided by the city, and shall include the number, location, size and type(s) of protected tree(s) or city tree(s), or required replacement tree(s) to be removed, or caused to be removed, and the reason for such action. The applicant may submit an arborist's report or other expert evidence for consideration.
- (c) *Tree removals in conjunction with development permits.* Applications for tree removal associated with an application for a development entitlement, variance, design review, or any other development permit, shall be processed by the community development department.
- (d) *Tree removals not associated with development permits.* When no building or development entitlements are required, the application shall be processed by the parks and recreation department.
  - (1) Administrative permit. The parks and recreation director or designee may, following a site inspection, grant an administrative permit under any of the following circumstances:
    - a. The application is not associated with any other building and/or development permit (see subsection 25-6(c)).
    - b. The tree(s) are determined by the city to be irreparably diseased or irreparably damaged.
    - c. The tree(s) are on the tree board approved list of tree species for which staff can grant administrative removal permits.
    - d. Tree removal is part of an infrastructure repair such as sewer lateral replacement.
    - e. The condition of the tree(s) is creating a danger to persons or damaging real/personal property.
    - f. The tree(s) meets any of the exemption criteria included in section 25-4 of this chapter.
    - g. Removal of the following ten-inch DBH-sized (at four and one-half (4½) feet above natural grade) or greater species:
      - 1. Acacia—All species.
      - 2. Eucalyptus—Eucalyptus globulus, Eucalyptus globulus "Compacta."
      - 3. Monterey Pine—Pinus radiata.
  - (2) When an administrative permit is denied, appeal may be made to the tree board, per section 25-9 of this chapter. Notice of the appeal shall be sent to all properties within three hundred (300) feet of the subject property.
  - (3) An administrative permit that has been granted cannot be appealed.
- (e) Before processing an application, the city may require the applicant to explore alternatives to the tree removal proposed in the application.

(Ord. No. 1060, § 1, 8-23-2011)

## Sec. 25-7. Conditions attached to permits.

The city, tree board, or planning commission may impose any or all of the following as conditional requirements for granting a permit:

- (1) If replacement plantings are required, they may consist of up to a three (3) to one (1) basis with approved fifteen-gallon or twenty-four-inch box trees on the subject property

or an alternative site approved by the permitting authority thus offsetting the impacts associated with the permitted action.

The size and number of required replacement trees will be based upon the size, number, and species of the tree(s) removed. In addition, replacement requirements will consider the number and density of trees on the subject property including evidence of trees that have been planted in anticipation of the requested removal(s). The intent of replacement plantings is to facilitate a bio-mass and tree canopy equivalent to that lost with the tree removal.

- a. Notwithstanding the replacement requirements as outlined above, no more than one (1) replacement tree at either a fifteen-gallon or twenty-four-inch box size shall be required for any Acacia, Eucalyptus globulus/compacta, or Monterey Pine tree removed.
- (2) Payment of any required fees, as established by the city master fee schedule.
- (3) All trees required to be planted with a development project or as required replacement or mitigation shall be maintained in a manner that will insure their proper growth.
- (4) When five (5) or more protected trees or city trees are removed, a security deposit will be provided to the city in an amount equal to the value of the trees being planted. The purpose of the security deposit is to insure the availability of funds to be drawn on by the city to replace the trees if they do not survive. The security deposit shall not be released until the owner calls for, and the city completes, an inspection of the trees to insure their continued survival after two (2) years. The city may charge a fee, pursuant to its adopted fee schedule for administering the security deposit.

(Ord. No. 1060, § 1, 8-23-2011)

### **Sec. 25-8. Permit issuance.**

- (a) *Permit approval—Parks and recreation department/tree board.* Permits approved by the parks and recreation department or the tree board shall be issued in writing and remain valid for a period of sixty (60) days from issuance. Permits approved by the tree board shall be issued not less than ten (10) days following approval by the board. If the work to be done under the terms of the permit is not commenced prior to expiration, the permit shall become null and void.
- (b) *Permit approval—Community development department/planning commission.* Permits approved by the community development department or the planning commission for tree removals in conjunction with development shall be valid for one (1) year from the date of issuance. Permits issued in conjunction with grading and/or building permits will become valid simultaneously with the issuance of such other permits and the time for completion of the work will commence at that time unless otherwise provided in the permit.
- (c) *Payment of fees.* Payment of any required fee, as set in the current city master fee schedule, shall be made prior to issuance of any removal permit. Provision of any conditionally required security deposit shall be made prior to issuance of any permit.
- (d) *Posting of permit.* A valid permit must be posted on the subject property in a location visible from, and not more than twenty (20) feet from, the public right-of-way.
  - (1) The permit shall be posted no less than forty-eight (48) hours in advance of any work and remain posted for not less than one (1) week following completion of all work.
  - (2) For emergency tree removal, the parks and recreation director has the authority to waive the forty-eight-hour posting of permit requirement to allow for immediate removal if the tree is creating a danger to persons or damaging real/personal property.

(Ord. No. 1060, § 1, 8-23-2011)

### **Sec. 25-9. Appeals to tree board.**

- (a) When an administrative permit application is denied, an appeal may be made to the city tree board.
  - (1) The request for appeal shall be submitted in writing to the director of parks and recreation.
  - (2) The board shall consider the matter at a regularly scheduled tree board meeting not more than sixty (60) days thereafter.
- (b) Factors considered by tree board. The following factors shall be considered by the tree board in the decision to issue or deny a permit:
  - (1) The removal of the protected tree(s) or city tree(s) is consistent with the goals of subsection 25-1(c) of this chapter.
  - (2) The condition of the protected tree(s) or city tree(s) with respect to disease, danger of falling, proximity to existing or proposed structures, interference with utility services, or posing a safety hazard.
  - (3) There are no reasonable alternatives to the proposed application that would preserve the trees under consideration.
  - (4) The topography of the land and the effect of the proposed action on erosion, soil retention, diversion or increased flow of surface waters, and storm drainage requirements.
  - (5) The number of trees existing in the vicinity, and possible interdependencies of trees within a stand or a grove.
  - (6) The number of trees which the particular parcel can adequately support according to accepted arboricultural practice.
- (c) Permits approved by the tree board shall be issued not less than ten (10) days following approval by the board.

*(Ord. No. 1060, § 1, 8-23-2011)*

### **Sec. 25-10. Appeal of permit to city council.**

Decisions of the planning commission or the tree board may be appealed to the city council. Such appeals must be submitted in writing to the city clerk within ten (10) days of the planning commission's or tree board's action, and shall be accompanied by payment of any required administrative fees. The city council shall schedule the matter for consideration on a regularly scheduled council meeting not more than forty-five (45) days thereafter.

*(Ord. No. 1060, § 1, 8-23-2011)*

### **Sec. 25-11. Enforcement.**

- (a) Any person who removes or damages a protected tree, city tree, or required replacement tree within the city in violation of this chapter, or the terms of any permit granted under this chapter, is guilty of a misdemeanor and upon conviction shall be subject to a fine not to exceed one thousand dollars (\$1,000.00) or by imprisonment for six (6) months or by both such fine and imprisonment. Each and every tree removed or damaged will be considered a separate violation of this chapter subject to misdemeanor penalty. The city reserves the right to prosecute such violations as an infraction.
- (b) In addition to any penalties provided for in this section, any person who removes or damages a protected tree, city tree, or required replacement tree in violation of this chapter shall be responsible for:

- (1) Payment of any applicable tree removal fee as provided in the city's master fee schedule; and
  - (2) Replacement of the protected tree(s), city trees, or required replacement tree(s) removed or damaged, with trees of reasonably equivalent size and/or value to the original tree(s). The number, size and location of such replacement trees shall be determined by the director of parks and recreation or their designee.
  - (3) Where replacement is not feasible, payment of a tree planting in lieu fee as determined by the city's master fee schedule, to the city tree planting and establishment fund.
- (c) The city may issue a stop work order on a project, pending submittal of an acceptable mitigation plan providing for replacement trees, or payment of an in lieu fee as determined by the city's master fee schedule, to the city tree planting and establishment fund.
- (d) The city shall, for all trees replaced per this section, require a security deposit to be provided for two (2) years. The value shall be equal to the value of the work being done. The security deposit shall be released only after an inspection by a city official, performed at the request of the property owner.

(Ord. No. 1060, § 1, 8-23-2011)

### **Sec. 25-12. Public nuisance.**

In addition to the penalties provided in section 25-11 the violation of the provisions of this chapter is a public nuisance. The city attorney may commence the necessary action or proceedings for the abatement, removal and enjoinder thereof in the manner prescribed by law in the courts which have jurisdiction to grant such relief as will accomplish such abatement and restraint. The remedies provided for in this section shall be in addition to any other remedy or remedies or penalties provided in the chapter or any other law or ordinance.

(Ord. No. 1060, § 1, 8-23-2011)

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#### **FOOTNOTE(S):**

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**Editor's note**— Ord. No. 1060, § 1, adopted Aug. 23, 2011, amended Ch. 25 in its entirety to read as herein set out. Former Ch. 25, §§ 25-1—25-12, pertained to similar subject matter, and derived from Ord. No. 926, § 1, 4-14-98; Ord. No. 997, § 1, 2-24-04; as previously derived from Ord. No. 819, § 1, 9-26-89. ([Back](#))

**Cross reference**— Large tree protection, § 9-44; trimming trees along route of house moving, § 22-46. ([Back](#))

**CITY OF BELMONT  
MASTER REVENUE SCHEDULE**

**Effective 9/1/13**

**TREE REMOVAL FEES<sup>1</sup>**

Tree removal fees are assessed for the removal of trees associated with development of property. Fees are collected to mitigate the loss of trees from the City’s tree population. Fees are deposited in the City Tree Planting and Establishment Fund.

**FEE BASIS:**

1. Development Projects Requiring Planning Commission Review

Tree Size (DBH) <sup>2</sup>	Protected Trees <sup>3</sup>	Acacia, Monterey Pine, Eucalyptus Globulus
24" or greater	\$4,968	\$75
18" but less than 24"	\$3,725	\$75
10" but less than 18"	\$2,484	\$75
Less than 10"	No Fee	No Fee

2. General Property Maintenance Tree Removal Permit

Tree Size (DBH)	Protected Trees
10" or greater	\$75

<sup>1</sup> Payment shall be made prior to the issuance of a grading permit for development projects. If no grading permit is required, payment shall be made prior to the issuance of a building permit. If no building permit is required, payment shall be made prior to removal of any protected tree.

<sup>2</sup> DBH = the diameter of the tree at breast height; measured across the widest face of the tree trunk, at 4½ feet above natural grade. On a slope, the 4½ foot height is measured from the center of the trunk, halfway between the uphill and downhill side. In the case of multiple stemmed trees, the measurement shall be the sum of the diameters of all stems measured at 4½ feet above natural grade.

<sup>3</sup> Protected Trees as defined in Chapter 25 of the City Code

**TREE PLANTING IN-LIEU FEES**

When a requirement to plant trees on the subject property cannot be met, the applicant shall pay a Tree Planting In-Lieu Fee to the City Tree Planting and Establishment Fund.

Per each non-replaced tree \$497

**APPEAL OF DENIED TREE PERMIT**

\$950

**PUBLIC NOTICE FEE**

\$285

**NOTES**

- All fees to be paid at time of filing an application.
- Fees are additive; multiple applications require multiple fees.
- Each parcel requires separate Use Permit or Variance Fee.
- City geologist services will be charged at full cost to City. If deposit does not cover costs, applicant will be notified and billed for the additional work. Unused funds deposited for geologic services will be refunded to the applicant.
- City projects are subject to the fee schedule.
- For Development Review applications requiring Engineering review, but with no fee specified in the fee schedule, the MASTER REVENUE SCHEDULE allows the Engineering Division to collect up to 10 hours staff time as deposit and at an hourly rate of \$212/hr plus 130% of actual consultant costs.