CITY OF BELMONT
MEMORANDUM

TO: Planning Commission

FROM: Damon DiDonato, Senior Planner

VIA: Carlos de Melo, Community Development Director

SUBJECT: August 4, 2014 Planning Commission Meeting - Agenda Item 4C
Single Family Design Review – Request for Extension of Approval;
Address: 1971 Bishop Road; APN: 043-010-710; Appl. No. 2014-0027

SUMMARY

The property owners, Rodney K. Young & Kristin S. McAlister-Young, request an extension of the Planning Commission approval of a Single Family Design Review to construct a new 3,540 square-foot single-family residence at 1971 Bishop Road. The maximum size home that could be constructed on the subject property is 4,500 square feet.

BACKGROUND

June 18, 2013 - The Planning Commission approved (by a vote of 7-0) the subject Single Family Design Review request.

August 23, 2013 – The applicant submitted a Grading Permit application for construction of the approved home.

September 3, 2013 - The Planning Commission approved a final landscape, grading/hardscape plan for the project.

SITE CONDITIONS

The subject property has an average slope of 24.4 %, and is located on the northwest portion of Bishop Road, along a loop created north of this road and its intersection with Marsten and Roberts Avenues. The property was previously developed with a church, a residence, several accessory buildings, and associated landscaping improvements that were constructed on a large, relatively flat, knoll located adjacent to the site's roadway frontage. A rolled curb and gravel driveway served as access to the church and home. A steeply sloping area to the northeast of the site was not developed, and remains in its natural state.

The surrounding single family neighborhood is developed with one and two-story single-family homes with a mixture of styles and exterior finishes.

PROJECT DESCRIPTION

The approved project consists of the construction of a 4,458 square foot, single-family home on site. The project would consist of the following:

The applicant proposes to construct a 2,825 square-foot single-family residence, and a 715 square-foot, two car garage and storage area (attached via a roofed breezeway).

Floor Plans

The 3,540 square-foot single-family dwelling would include a living room, dining room, kitchen, foyer, laundry area, five bedrooms, two and one-half bathrooms, garage, storage area and enclosed breezeway.

Layout/Exterior Design

The proposed one-story, modern style home, would include a semicircular layout of living space, connected to a side-entry garage via an enclosed breezeway. Patios, lawn, courtyard and terraced outdoor eating areas would be accessed from the common living areas within the home (i.e., kitchen, living room, dining room, hallways, etc.). Stone walls are proposed adjacent to the garage, lawn area, and guest parking. A small address sign is proposed adjacent to the driveway apron.

Materials/Colors

The proposed home would utilize horizontal cement board and cedar board siding, fixed-panel metal framed windows, and a fire-retardant, energy-star compliant cool roof. Photovoltaic panels would be installed on a portion of the roof facing south.

The proposed exterior materials and color palette would include:

Stone walls: (tan and brown)

Exterior Walls: Cement Board (pale green)

Exterior Walls: Wood Siding (dark brown stain)

Garage Doors, Trim & Trellis: Wood (dark brown stain)

Window Frame: (muted green)

Roof: Fire Retardant Cap (white) – “Cool Roof”

Access and Parking

Access to the side-entry garage on site would be provided from Bishop Road via an approximately 80-foot long driveway. A two-car garage connects to the residence via a roofed breezeway. A back-up and guest parking area is proposed on the right side of the project site.

Final Landscape Plan (approved 9/3/13)

The landscape plan retains the large California native trees and the existing vegetation at the front of the site for screening, and indicates the planting of a wide variety of trees, shrubs, and groundcover. The plan includes the use of California native species (oak trees, parry manzanita trees, coyote brush, wild lilac, purple needle grass, etc.). The approved plan also includes a small vegetable garden behind the garage, permeable paving patio areas, and window box planters along the exterior of the home, and a 944 sq. ft., rectangular shaped lawn in front of the home. The final landscape plan also includes a one-to-one ratio of replanted trees for the fifteen trees proposed for removal.

Post Approval Actions

Since the Planning Commission approved the project on June 18, 2013, the applicant has submitted a grading plan. The applicant has indicated that a building permit application is expected to be submitted by the end of the summer/early fall.

The property owners have indicated that the original timing for construction of the home was delayed for a variety of reasons. However, it is staff's understanding that the primary reason was financial.

The one-year deadline for taking a building permit (and vesting the approval) expired on June 18, 2013. However, the applicant submitted an application requesting an extension of the Single Family Design Review entitlement. The applicable Zoning Ordinance statutes for extension approvals are as follows:

Section 10.5 APPLICATIONS - EXTENSION OF TIME

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

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

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

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

Section 10.5 allows the Planning Commission to extend planning approvals it originally granted. Such extension is not required to be requested before, or granted prior to the one-year deadline.

CONCLUSION

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

- Applicable statutes have not changed via establishment of different findings, standards, or general evaluation criteria.

- The applicants have provided a reasonable explanation for the delay. Staff further believes the applicant shows intent to obtain project permits and complete construction within the next year. The applicant has worked closely with staff to prepare project plans for building permit submittal.

- There have been no significant changes to the surrounding neighborhood in the past year. One new single family home was constructed at 1951 Bishop Road (final building permit inspection occurred on 3/27/14). There have been no other new Planning Commission approvals for projects in the general vicinity on the subject property. No other recent building permits (for significant additions/modifications) or zoning entitlements within the last year have been issued for properties within 300 feet of the subject site (i.e., there would be no other substantial construction occurring within the neighborhood at the same time as the subject property). There have also been no changes to the characteristics of the project site.

Staff believes an extension is warranted. Should the Commission grant the extension, the entitlements would be valid until June 18, 2015 (or less time as deemed appropriate by the Commission), unless a building permit has been issued before then. In conclusion, staff believes the findings for granting an extension (Section 10.5.1. a-c) can be made in the affirmative.

ATTACHMENTS

I. Resolution approving extension of Single Family Design Review
II. Conditions of Approval
III. June 18, 2013 Planning Commission staff report (attachments deleted)
IV. Letter from applicant

RESOLUTION NO.

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELMONT APPROVING AN EXTENSION OF A SINGLE FAMILY DESIGN REVIEW FOR A 1971 BISHOP ROAD (APN: 043-010-710; APPL. NO. 2014-0027)

WHEREAS, Rodney K. Young & Kristin S. McAlister-Young, property owners, request an extension of the Planning Commission approval of a Single Family Design Review to construct a new 3,540 square-foot single-family residence at 1971 Bishop Road; and,

WHEREAS, Environmental Review was required and a Mitigated Negative Declaration (MND) was published for a 30-day comment period, prior to Planning Commission approval of the project on June 18, 2013; and,

WHEREAS, the Planning Commission hereby adopts the staff memorandum dated August 4, 2014 and the facts contained therein pertinent to the project as its own findings of facts; and,

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

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

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

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

The applicants have provided a reasonable explanation for the delay. Staff further believes the applicant shows intent to obtain project permits and complete construction within the next year. The applicant has worked closely with staff to prepare project plans for building permit submittal. Approval of this time extension request would enable the applicant to build the home after the winter grading moratorium (April 15th). This finding is affirmed.

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

There have been no significant changes to the surrounding neighborhood in the past year. One new single family home was constructed at 1951 Bishop Road (final building permit inspection

occurred on 3/27/14). There have been no other new Planning Commission approvals for projects in the general vicinity on the subject property. No other recent building permits (for significant additions/modifications) or zoning entitlements within the last year have been issued for properties within 300 feet of the subject site (i.e., there would be no other substantial construction occurring within the neighborhood at the same time as the subject property). There have also been no changes to the characteristics of the project site. This finding is affirmed.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Belmont hereby extends the Single Family Design Review approval to construct a new 3,540 sq. ft. single family home to June 18, 2015, subject to the conditions in the attached Exhibit "A".

* * * * * * * * * * * * * *

I hereby certify that the foregoing resolution was duly and regularly passed and adopted by the Planning Commission of the City of Belmont at a regular meeting held on August 4, 2014.

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 & EXTENSION
1971 BISHOP ROAD
(APPL. NO.2013-0002 & 2014-0027)

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. 2013-0002, inclusive of the location of improvements as delineated on Sheet A1.0 (*Site Plan/Construction Staging Plan*). The steeply-sloped northern portion of the project site shall remain in its natural state, as delineated on the project plans. The Director of Community Development may approve minor modifications to the plans.

2. All construction and related activities which require a City building permit shall be allowed only during the hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, and 10:00 a.m. to 5:00 p.m. on Saturdays. No construction activity or related activities shall be allowed outside of the aforementioned hours or on Sundays and the following holidays: New Year's Day, President's Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day and Christmas Day. All gasoline powered construction equipment shall be equipped with an operating muffler or baffling system as originally provided by the manufacturer, and no modification to these systems is permitted.

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 on June 18, 2015. 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 lighting plan shall be submitted for review and approval by the Community Development Director. Said plan shall include cut sheets of lighting fixtures. No flood lighting shall be allowed on site, and lighting shall be designed to prevent off-site glare impacts as seen from public vantage points.

7. The applicant shall pay City Arborist monitoring fees in the amount of $2,600, and implement the tree protection recommendations on pages 11 through 19 of the City Arborist's Report. The recommendations shall be included (printed) on the building permit plans. All tree protection requirements and payment of removal/inspection/bond fees shall occur prior to tree removal or issuance of building/grading permit, whichever comes first.

8. A specific tree protection plan for tree number 28 (redwood tree) shall be submitted with the final hardscape plan, for review and approval by the Community Development Director in consultation with the City Arborist.

9. The applicant shall submit a tree bond to cover the potential cost of site plan impacts in an amount equal to the City Arborist's assessed value plus in-lieu replanting fees for Tree numbers 27, 28, 29, and 30. Said bond shall be released upon approval of a final inspection by the City Arborist. Should impacts to the identified trees or any protected trees on site occur, removal / tree impact fees and in-lieu replanting fees shall be charged against the bond, at final inspection. Any remaining bond fees shall be returned to the applicant.

10. The applicant shall pay tree removal fees ($26,606) and in-lieu replanting fees ($0). These fee amounts were calculated in accordance with the Planning Commission's requirement for 1:1 tree replacement for the project, and the City Council's determination that tree removal fees shall be $75/tree for three specific tree species (Eucalyptus Globulus, Acacia, and Monterey Pine). Payment of removal fees and in-lieu replanting fees shall occur prior to tree removal or issuance of building or grading permits, whichever comes first.

11. 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, Department of Public Works, Police department and City Geologist.

12. 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) A statement of the published haul route for the cut/fill work.
(b) A description of the staging area(s) for all equipment involved with the project cut/fill work.
(c) The dates or a timeframe in which the cut/fill work for the project is expected to take place.
(d) Contact Information for the project construction manager.

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

- Geotechnical Plan Review – The applicant's geotechnical consultant shall review and approve all geotechnical aspects of the project building and grading plans (i.e., site preparation and grading, site drainage improvements and design parameters for foundations, retaining walls and driveway) to ensure that the geotechnical reports' recommendations have been properly incorporated. The results of the plan review shall be summarized by the geotechnical consultant in a letter and submitted to the City Engineer for review and approval prior to issuance of building permits.

- Geotechnical Field Inspection – The 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 final project drainage improvements to verify conformance with geotechnical standards. 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.

- Steel bars used to support the lower timbers of the lower stacked timbers along the project frontage shall include a durable corrosion protective coating (i.e., rust-inhibiting paint, polyethylene coating and/or concrete casing). The method of protection shall be reflected on the building permit plans, and reviewed and approved by the project geotechnical engineer.

14. Prior to issuance of a building permit, the applicant shall submit line-of-sight sections of the proposed home as seen from Sugar Loaf Mountain Open Space Area and public vantage points along Bishop Road, for review and approval by the Community Development Director. Said sections shall include proposed landscaping at initial planting, five years from installation, and full maturity. Should the roof be visible, the applicant shall modify the roof color to an earth-tone color (i.e., tan or gray). The final roof color shall be reviewed and approved by the Community Development Director.

15. Pursuant to *Mitigation Measure IV.a.b.1*, the following is required, prior to issuance of building/ grading permits or tree removal:

Dusky-footed Woodrat

a. A qualified biologist shall perform a pre-construction survey no more than 30 days prior to ground-clearing and tree removal activities to search for woodrat nests or other sign of this species. The entire impact area, including a 50-foot buffer zone outside the limits of construction, should be inspected for nests. This buffer is based on the average size of the home range for the species (Carraway and Verts 1991). If no nests are detected, or if a nest is present that can be avoided, no additional field studies are necessary. The biologist shall prepare and submit a letter-report to the City with his/her conclusions.

b. If the project biologist considers any ground survey inadequate to effectively determine absence of the species due to dense vegetation or extensive debris, which may inhibit view, then a qualified biologist should monitor the removal of vegetation and debris.

c. When feasible, site clearing should be performed during the non-breeding season for woodrats (e.g., September 1 through November 30). During the non-breeding season, all middens (i.e., nests) to be impacted should be disassembled by hand and the midden materials (e.g., sticks) should be removed and disposed of off-site. All trees scheduled for removal should be cut during the non-breeding season as well. To discourage woodrats from rebuilding middens in the work area, the entire work area should be cleared of all brush and herbaceous plants as well as downed wood and twigs that could be used to rebuild nests; provided this work would not disturb middens, site clearing may occur at any time of the year.

d. If additional middens are found within the breeding season (December 1 to August 31), the biologist should direct the contractor in placing orange barrier fencing a minimum of five feet away from and along the construction side of the middens to protect them from construction activities. If additional middens are found during the non-breeding season (September 1 through December 1), they should be disassembled as described above.

e. If a midden is reconstructed in a previously cleared area that would be impacted by construction during the breeding season (e.g., December 1 to August 31), a qualified biologist should be retained to humanely trap and relocate woodrats out of the construction area prior to the start of construction. The project site should be saturated with live-traps (minimum 12 inches in length; Sherman or a comparable brand) such that at least three traps are set next to each nest and several other traps are placed throughout the proposed work area. Traps should be baited, opened before dark, and checked the following morning. If approved by CDFG, captured woodrats should be released out of the impact area but within

suitable habitat. The trapping effort should continue a minimum of three consecutive nights and until no woodrats are captured. Other native small mammals should also be released in adjacent suitable habitat. Middens should then be disassembled and midden materials distributed in the same location where the woodrats are released. The location for release of woodrats and placement of midden materials shall be determined in consultation with CDFG.

Migratory Birds

f. If tree removal, pruning, or grubbing activities are schedule to occur outside of the bird breeding season (e.g., August 16 through January 31), a pre-construction survey by a qualified biologist is not necessary.

g. If project construction begins during the breeding season (e.g., February 1 to August 15), pre-construction surveys should be conducted by a qualified biologist no more than two weeks prior to pruning/grubbing or surface disturbing activities. The preconstruction survey should include the entire work area and surrounding lands extending up to 300 feet from the project site, as feasible, depending on access and sight-lines. If no active nests are found, no further monitoring is necessary if work proceeds promptly. Delays in the beginning of work may warrant repeating the nest survey.

h. If active nests (i.e. nests with eggs or young birds) are found, non-disturbance buffers should be established at a distance sufficient to minimize disturbance based on the nest location, topography, lines of sight, species and the type/duration of disturbance. No work should occur within the non-disturbance buffers until the young have fledged. Typical buffer zones are 300 feet for raptors (birds of prey) and 50 feet for passerines (perching birds), depending on the species. The project biologist should determination as to whether or not construction activities might impact the active nest or disrupt reproductive behavior. If it is determined that construction would not affect an active nest or disrupt nesting behavior, construction may proceed without any restriction.

i. If it is determined that construction is likely to have an adverse effect on breeding of a migratory or special-status bird species, then avoidance is the only mitigation available; this usually means delaying work until young birds have fledged.

j. If active nests are found within 300 feet of the project area, a qualified biologist shall be on site to monitor the nests for signs of nest disturbance. If it is determined that construction activity is resulting in nest disturbance, work shall cease immediately and the CDFG and the USFWS Division of Migratory Bird Management shall be contacted.

k. Once young birds have fledged (left the nest), as determined by the project biologist, work may proceed without restriction.

Hoary Bats

l. Preconstruction surveys should be conducted to identify suitable bat roosting habitat including snags, rotten stumps, and decadent trees with broken limbs, exfoliating bark, cavities, etc. Sensitive habitat areas and roost sites should be avoided to the maximum extent practicable. If no suitable roost sites or evidence of bat roosting are identified, no further minimization measures are necessary.

m. If suitable roosting habitat is identified, the following measures should be conducted: 1. A qualified biologist should survey suitable roost sites. 2. Removal of suitable tree roost sites should be conducted by first removing limbs smaller than three inches in diameter and peeling away loose bark. The tree should then be left overnight to allow any bats using the tree/snag to find another roost during their nocturnal activity period. 3. A qualified biologist should survey the trees/snags a second time the following morning prior to felling and removal. 4. Trees should be removed during the non-breeding season (e.g., September 1 and February 1) to avoid disturbing maternal colonies or individuals.

16. Pursuant to *Mitigation Measure V.b.c.d.1,* the following is required prior to issuance of grading/building permits:

a. If archeological or cultural resources are discovered during construction activities, all construction activity shall stop until the resource can be evaluated by a qualified archaeologist and a determination can be made of the resource's significance and need/method for its recovery.

b. If human remains are discovered during excavation or site preparation the applicant shall stop work immediately and contact the San Mateo County Coroner. After being notified by the person responsible for the excavation, the Coroner shall examine the remains. If the remains are Native American, the Coroner has 24 hours after the examination to notify the Native American Heritage Commission.

c. Prior to issuance of building permits, the applicant shall ensure that construction crews have proper training for the discovery, handling and retention methods for archeological and/or cultural resources found at the project site. Project personnel should not collect cultural resources. Prehistoric resources include: chert, or obsidian flakes, projectile points, mortars and pestles, dark, friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources include: stone or adobe foundations or walls, structures and remains with square nails, and refuse deposits or bottle dumps.

Building Division

1. The Building Permit plans shall be in conformance with approved planning plans.

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. This project is subject to the Green Building Ordinance. Based upon the scope of work, the project is required to achieve a compliance level of 70 Build it Green points using the New Home Checklist.

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. 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

7. Pursuant to the Belmont Department Ordinance #2011-1, Section 1003.2.9.2(A), the building will receive a fire sprinkler system and the plan will be a deferred submittal.

8. Project retaining walls shall be engineered pursuant to City of Belmont requirements.

9. The applicant shall provide a record of survey with the building permit plans.

10. The applicant shall amend the plans to show the location of all transformers, fire standpipes, and back flow preventers.

11. The applicant shall post hours of operation and phone numbers for noise complaints.

12. The applicant shall provide space for recycling containers.

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

14. Contractors and subcontractors shall be required to make good faith effort to contact construction and demolition recycling providers.

15. The applicant shall notify all contractors and subcontractors of Belmont expectations of maximizing diversion of solid waste.

16. The applicant shall investigate opportunities for salvaging material for reuse.

17. The submitted building plans shall specify that the 2009 IBC, 2009 UPC, 2009 UMC and 2008 NEC as amended by the State of California and all applicable City of Belmont ordinances will be employed during this project.

18. Class 2 ignition-resistant construction shall be in accordance with Sections 505.2 through 505.11of the 2006 Wildland-Urban Interface Code.

19. Roofs shall have at least a Class B roof covering, Class B roof assembly or an approved noncombustible roof covering. For roof coverings where the profile allows a space between the roof covering and roof decking, the space at the eave ends shall be fire-stopped to preclude entry of flames or embers.

20. Combustible eaves, fascias and soffits shall be enclosed with solid materials with a minimum thickness of ¾ inch (19 mm). No exposed rafter tails shall be permitted unless constructed of heavy timber materials.

21. Gutters and downspouts shall be constructed of noncombustible material.

22. Exterior walls of buildings or structures shall be constructed with materials approved for a minimum of 1-hour fire-resistance-rated construction on the exterior side or constructed with approved noncombustible materials. Exception: Heavy timber or log wall construction. Such material shall extend from the top of the foundation to the underside of the roof sheathing.

23. Buildings or structures shall have all under-floor areas enclosed to the ground, with exterior walls in accordance with Section 505.5. Exception: Complete enclosure may be omitted where the underside of all exposed floors and all exposed structural columns, beams and supporting walls are protected as required for exterior 1-hour fire-resistance-rated construction or heavy timber construction.

24. Unenclosed accessory structures attached to buildings with habitable spaces and projections, such as decks, shall be a minimum of 1-hour fire resistance-rated

construction, heavy timber construction or constructed of approved noncombustible materials or fire retardant-treated wood identified for exterior use and meeting the requirements of Section 2303.2 of the *2006 International Building Code*. When the attached structure is located and constructed so that the structure or any portion thereof projects over a descending slope surface greater than 10 percent, the area below the structure shall have all under-floor areas enclosed to within *8-10 inches* (152 mm) of the ground, with exterior wall construction in accordance with Section 505.5. *Height has been modified to comply with geographical needs.*

25. Exterior windows, window walls and glazed doors, windows within exterior doors, and skylights shall be tempered glass, multi-layered glazed panels, and glass block or have a fire-protection rating of not less than 20 minutes.

26. Exterior doors shall be approved noncombustible construction, solid core wood not less than 1-3/4-inches thick (45 mm), or have a fire protection rating of not less than 20 minutes. Windows within doors and glazed doors shall be in accordance with Section 505.8.

27. Attic ventilation openings, foundation or under-floor vents or other ventilation openings in vertical exterior walls and vents through roofs shall not exceed 144 square inches (0.0929 m2) each. Such vents shall be covered with noncombustible corrosion-resistant mesh with openings not to exceed ¼ inch (6.4 mm) or shall be designed and approved to prevent flame or ember penetration into the structure. Attic ventilation openings shall not be located in soffits, in eave overhangs, between rafters at eaves, or in other overhang areas. Gable end and dormer vents shall be located at least 10 feet (3048 mm) from property lines.

COMPLY WITH THE FOLLOWING CONDITIONS OF THE PUBLIC WORKS DEPARTMENT:

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

   1. Streets, sidewalks and curbs in need of repair within and bordering the project shall be repaired and/or removed and replaced in accordance with the Department of Public Works approved standards. Photographs or video of before condition are recommended.

2. The unused driveway shall be removed and replaced with curb and gutter in accordance with Department of Public Works approved standards.
3. A residential driveway approach shall be installed in accordance with Department of Public Works approved standards.
4. Interior level parking garage floor drains, and any other interior floor drains, shall be connected to the sanitary sewer system, subject to the local sanitary sewer agency's authority and standards.
5. Efficient irrigation systems shall be used throughout all landscaped areas in accordance with the Model Water Efficient Landscape Ordinance [or comparable local ordinance].
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. Projects subject to Provision C.3.i (individual single family home projects that create and/or replace 2,500 square feet or more of impervious surface, and other projects that create and/or replace at least 2,500 square feet of impervious surface but are not C.3 Regulated Projects) shall implement at least one of the six site design measures listed below:

    a. Direct roof runoff into cisterns or rain barrels and use rainwater for irrigation or other non-potable use.

    b. Direct roof runoff onto vegetated areas.

    c. Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas.

    d. Direct runoff from driveways and/or uncovered parking lots onto vegetated areas.

    e. Construct sidewalks, walkways, and/or patios with permeable surfaces.

f. Construct bike lanes, driveways, and/or uncovered parking lots with permeable surfaces.

8. Direct roof runoff onto vegetated areas.

9. Minimize land disturbance and impervious surface (especially parking lots).

10. Maximize permeability by clustering development and preserving open space.

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

12. Provide analysis prior to issuance of Building Permit for curb drains flow and its impact for downstream that they shall not cause flooding problems for neighbors.

13. Provide details for treatment facilities prior to issuance of Building Permit.

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

1. The property owner/applicant shall apply for and obtain temporary encroachment permits from the Department of Public Works for work in the City public right-of-way, easements or property in which the City holds an interest, including driveway, sidewalk, sewer connections, sewer clean-outs, curb drains, storm drain connections, placement of a debris box.
2. Property owner/applicant shall apply for and obtain a grading permit from the Department of Public Works. The grading permit fee is based on the total amount of earth moved including cut and fill.
3. Verify location of utility meters, valves, back flow preventers, and hydrants with appropriate utility company. Show relationship of each to site improvements, such as retaining walls.
4. The owner/applicant shall submit a grading plan prepared by a California-registered Civil Engineer in accordance with City Grading Ordinance, Chapter 9, Section 3 of the City Code, with a grading permit application, for approval by the Department of Public Works and Building Division prior to any grading or clearing being performed on-site.
   a. The applicant should note that if the proposed grading meets one or more of the criteria outlined in Section 9-23 of the City Code, a Planning Commission review will be required. Caution: If the total grading quantity changes after Planning Commission approval, a new grading approval may be required. The applicant may choose to complete the grading plan and calculations early in the planning process to limit delays in scheduling this review. (See Section 9-28 of City Code for review process). The plan shall incorporate the following restrictions:

b. All soils stockpiled on the site during construction shall be covered or otherwise protected from wind and water erosion.

c. During construction, erosion and sedimentation control plans shall be implemented in order to retain sediments on-site.

d. Site grading and finished construction shall be designed and executed in such a manner as to avoid diverting runoff onto other properties.

e. Restrictions and recommendation of the Geologic and Soils report as approved by the City's Geologist.

5. 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.

6. 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.

7. A written report prepared by a Geotechnical Engineer shall be submitted in accordance with Section 9-36 of the City Code.

8. The owner/applicant shall perform a video inspection of the sewer lateral from the house/building to the sewer main, submit the inspection to the Department of Public Works for review and make any necessary repairs to the lateral. This condition is required for: a) any remodeling/addition project with a cost of $50,000 or more; b) addition of bedroom, bathroom, faucet/drain/sink in regardless of the total cost.

9. 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.
The applicant shall submit an erosion and sedimentation control plan describing Best ManagementPractices (BMPs) to be used to prevent soil, dirt, and debris from entering the storm drain system. The plan shall include the following items:

a) A site plan showing the property lines, existing and proposed topography, and slopes; areas to be disturbed, locations of cut/fill and soil storage/disposal area; areas with existing vegetation to be protected; existing and proposed drainage patterns and structures; watercourses or sensitive areas on-site or immediately downstream of project; and designated construction access routes, staging areas and washout areas.

b) Erosion and sediment controls to be used during construction, selected as appropriate from the California Regional Water Quality Control Board, San Francisco Bay Region Erosion and Sedimentation Control Field Manual (available from: Friends of the San Francisco Estuary, P.O. Box 791, Oakland, CA 94604-0791.

c) Methods and procedures to stabilize denuded areas and install and maintain temporary erosion and sediment control continuously until permanent erosion controls have been established.

d) Provision for preventing erosion and trapping sediment on-site, such as sediment basins or traps, earthen dikes or berms, fiber rolls, silt fence, check dams, storm drain inlet protection, soil blankets or mats, covers for soil stock piles and/or other measures.

e) Provisions for installing vegetative cover in disturbed areas, including areas to be seeded, planted, and/or mulched, and types of vegetation proposed.

f) Provision for diverting on-site runoff around exposed areas and diverting off-site runoff around the project site (e.g., swales and dikes).

g) Notes, specifications, and/or attachments describing the construction, operation and maintenance of erosion and sediment control measures, including inspection frequency; methods and schedule for grading, excavation, filling clearing of vegetation and storage and disposal of excavated or cleared material; types of vegetative cover and mulch, including methods and schedules for planting and fertilization; and provisions for temporary and permanent irrigation.

10. All plans shall conform to the requirements of the City NPDES stormwater discharge permit and the San Mateo Stormwater Pollution Prevention Plan (STOPPP). The project plans shall include permanent storm water quality protection measures. The project plans shall identify Best Management Practices (BMPs) appropriate to the uses to be conducted on-site to effectively prohibit the discharge of pollutants with storm water run-off. A Maintenance and Operation Agreement shall be prepared by applicant incorporating the conditions of this section.

11. 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.

12. 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.

13. 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. After the City permits are approved but before beginning construction, the owner/applicant shall hold a preconstruction conference with Building and Public Works Department staff and other interested parties. The developer shall arrange for the attendance of the construction manager, contractor, and all subcontractors who are responsible for grading and erosion and sedimentation protection controls.

2. Failure to comply with any permit condition may result in a “Stop Work” order or other penalty.

3. Grading shall be performed in accordance with the City Grading Ordinance, Chapter 9 of the City Code. Soil or other construction materials shall not be stockpiled in the public right-of-way unless an encroachment permit is obtained from the Department of Public Works. Grading shall neither be initiated nor continued between November 15 and April 15. Grading shall be done between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday unless otherwise specifically authorized by the Director of Public Works. The Stormwater Pollution Prevention Program Best Management Practices (BMPs) for construction shall be implemented to protect water quality.

4. The owner/applicant shall ensure that applicable Best Management Practices (BMPs) from the San Mateo Stormwater Pollution Prevention Program (STOPPP) are followed to prevent discharge of soil or any construction material into the gutter, stormdrain system or creek.

5. The owner/applicant shall ensure that all construction personnel follow standard BMPs for stormwater quality protection during construction of project. These includes, but are not limited to, the following:

   (a) Store, handle and dispose of construction materials and wastes properly, so as to prevent their contact with stormwater.

   (b) Control and prevent the discharge of all potential pollutants, including solid wastes, paints, concrete, petroleum products, chemicals, washwater or sediment, and non-stormwater discharges to storm drains and watercourses.

   (c) Use sediment controls, filtration, or settling to remove sediment from dewatering effluent.

   (d) Do not clean, fuel, or maintain vehicles on-site, except in a designated area in which runoff is contained and treated.

   (e) Delineate clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses with field markers or fencing.

   (f) Protect adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching or other measures as appropriate.

   (g) Perform clearing and earth moving activities only during dry weather (April 15 through November 14).

   (h) Limit and time applications of pesticides and fertilizers to prevent polluted runoff.

   (i) Limit construction access routes and stabilize designated access points.

   (j) Do not track dirt or other materials off-site; clean off-site paved areas and sidewalks using dry sweeping methods.

6. If construction is not complete by the start of the wet season (November 15 through April 15), prior to November 15 the developer shall implement a winterization program to minimize the potential for erosion and sedimentation. As appropriate to

the site and status of construction, winterization requirements shall include inspecting/maintaining/cleaning all soil erosion and sedimentation controls prior to, during, and immediately after each storm event; stabilizing disturbed soils through temporary or permanent seeding, mulching, matting, tarping or other physical means; rocking unpaved vehicle access to limit dispersion of mud onto public right-of-way; covering/tarping stored construction materials, fuels, and other chemicals. Plans to include proposed measures to prevent erosion and polluted runoff from all site conditions. As site conditions warrant, the Department of Public Works may direct the developer to implement additional winterization requirements.

7. 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 .

8. 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.

COMPLY WITH THE FOLLOWING CONDITIONS OF THE BELMONT FIRE DEPARTMENT:

1. An approved automatic fire sprinkler system meeting the current ordinance requirements of the Belmont Fire Department shall be provided. A separate application and permit are required (submitted by a registered engineer or licensed fire sprinkle contractor). The system shall be designed in accordance with 2010 Edition of NFPA13D.

2. The building is located within a High Fire Hazard Zone. The applicant shall submit a Vegetation Management Plan for review and approval by the Belmont Fire Department, prior to issuance of a building permit.

3. Address numbers shall be illuminated and visible on all new buildings. Size of lettering and illumination shall meet Belmont Fire Department Standards.

4. Smoke detectors and carbon monoxide detectors shall be provided in accordance with California Residential Building Code Section 314.4, and all Belmont Fire Department Requirements.

COMPLY WITH THE FOLLOWING CONDITIONS OF THE POLICE DEPARTMENT

1. All activities shall be subject to the requirements of the Belmont Noise Ordinance.

2. No debris boxes or building materials shall be stored on the street.

3. Flag persons shall be positioned at both ends of blocked traffic lanes.

4. 24-hour written notice to the Police Department is required before any lane closure.

5. Construction vehicles shall be parked so as not to block any lanes of traffic.

Certification of Approved Final Conditions:

_____ _____

Damon DiDonato Date
Senior Planner

MEETING OF JUNE 18, 2013

AGENDA ITEM NO. __

Application I.D.:	2013-0002
Application Type:	Single Family Design Review
Location:	1971 Bishop Road
Applicant:	William Leddy, LMS Architects
Owners:	Rodney K. Young & Kristin S. McAlister-Young
APN:	043-010-710
Zoning:	HRO-1 Hillside Residential and Open Space - Unsubdivided
General Plan Designation:	HROP – Hillside Residential Open Space
Environmental Determination:	Mitigated Negative Declaration

PROJECT DESCRIPTION

The applicant requests Single Family Design Review (SFDR) approval to construct a new 3,540 square-foot single-family residence on a vacant 86,254 sq. ft. lot that is below the maximum permitted 4,500 square feet for the site.

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[1].

ZONING/GENERAL PLAN DESIGNATION

The proposed single-family residence is a permitted use in the HRO-1 (Hillside Residential and Open Space) zoning district, and is conforming to the General Plan Designation HROP - Residential and Open Space.

PRIOR ACTIONS

The project site was previously developed with a 2,853 square residence and a 2,003 square foot church, and several accessory buildings, which were constructed in the late 1960's. The church, the residence, and the other structures were demolished in 2006.

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

The subject property (Lot 3) was created by a three-lot subdivision, which was approved by the Planning Commission in October of 2005. An environmental review, Mitigated Negative Declaration, (MND) conducted for the subdivision of the property identified portions of the site that may contain sensitive plant and animal species (steep portion of Lot 3). The MND included mitigation measures that required additional surveys for Dusky-footed woodrats and nesting birds, prior to development of the site. The MND indicated that the steep portion of Lot 3 (coastal scrub area) should not be developed without further environmental analysis so as to avoid potential impacts to wildlife that may occupy that area.

On October 7, 2008, the Planning Commission approved a Single Family Design Review request to construct a 4,490 sq. ft. home on site. The Commission also recommended that the City Council grant an Exception for the requirements to install a sidewalk along the property frontage.

On April 28, 2009, the City Council approved an Exception for the requirements to install a sidewalk along the property frontage of the subject property, and the other two lots within the three-lot subdivision.

The Planning Commission extended the subject Single Family Design Review (SFDR) entitlement for one year in October 2009 and September 2010. No Building permit was issued, and the SFDR entitlement expired in October 2011.

The current SFDR application was submitted on January 17, 2013. The Department of Public Works identified minor surface soil erosion along the project site's frontage, and required the applicant address the issue as part of the project (i.e., cut back the slope and construct a retaining wall along the project site's roadway frontage). However, potential tree removal impacts of frontage improvements were identified with construction of a retaining wall. An alternative solution that addressed erosion along the project site frontage and retained existing trees was proposed after an onsite meeting with the project applicant, City Arborist, and Planning and Public Works staff. The alternate solution was subsequently reviewed and found acceptable by the City Arborist, City Geologist and Department of Public Works.

Environmental Review was required for the project, and a Mitigated Negative Declaration (MND) was published for a 30-day comment period. No comments were received.

SITE CONDITIONS

The subject property has an average slope of 24.4 %, and is located on the northwest portion of Bishop Road, along a loop created north of this road and its intersection with Marsten and Roberts Avenues. The property was previously developed with a church, a residence, several accessory buildings, and associated landscaping improvements that were constructed on a large, relatively flat, knoll located adjacent to the site's roadway frontage. A rolled curb and gravel driveway served as access to the church and home. A steeply sloping area to the northeast of the site was not developed, and remains in its natural state.

The property is bounded to the north by the vacant lots (zoned HRO-2) that have no road access, to the west by vacant undeveloped property (Lots 1 and 2 of the three-lot subdivision), to the east by a

large, vacant lot zoned HRO-1, and single family homes, and to the south by single family homes along Bishop Road. The surrounding single family neighborhood is developed with one and two-story single-family homes with a mixture of styles and exterior finishes.

PROJECT ANALYSIS

The applicant proposes to construct a 2,825 square-foot single-family residence, and a 715 square-foot, two car garage and storage area (attached via a roofed breezeway).

Floor Plans

The 3,540 square-foot single-family dwelling would include a living room, dining room, kitchen, foyer, laundry area, five bedrooms, two and one-half bathrooms, garage, storage area and enclosed breezeway.

Layout/Exterior Design

The proposed one-story, modern style home, would include a semicircular layout of living space, connected to a side-entry garage via an enclosed breezeway. Patios, lawn, courtyard and terraced outdoor eating areas would be accessed from the common living areas within the home (i.e., kitchen, living room, dining room, hallways, etc.). Stone walls are proposed adjacent to the garage, lawn area, and guest parking. A small address sign is proposed adjacent to the driveway apron.

Materials/Colors

The proposed home would utilize horizontal cement board and cedar board siding, fixed-panel metal framed windows, and a fire-retardant, energy-star compliant cool roof. Photovoltaic panels would be installed on a portion of the roof facing south.

The proposed exterior materials and color palette would include:

Stone walls: (tan and brown)

Exterior Walls: Cement Board (pale green)

Exterior Walls: Wood Siding (dark brown stain)

Garage Doors, Trim & Trellis: Wood (dark brown stain)

Window Frame: (muted green)

Roof: Fire Retardant Cap (white) – "Cool Roof"

Cool Roofs are roofs consisting of materials that effectively reflect the sun's energy from the roof surface (reducing energy costs, improving occupant comfort, cutting maintenance costs, increasing the life cycle of the roof, and contributing to the reduction of urban heat islands and associated smog). Cool materials for low-slope roofs are mainly bright white in color; non-white colors (i.e., tan, gray) are available, but they lower the roof's solar reflectivity and emissivity.

The proposed project would mostly utilize natural materials and muted earth tone colors (greens and tans) that would blend with site and surrounding area (i.e., wood and stone in muted tan and green colors). However, as noted above, the applicant is proposing a fire-retardant, energy-star compliant "Cool Roof," which would be white in color.

Staff reviewed topographic maps and conducted site investigations to determine if the proposed cool roof would be visible from the adjacent Sugar Loaf Mountain Open Space Area and public vantage points along Bishop Road. Given the small difference in elevation (approximately 112 feet), the horizontal distance between the project site and the top of Sugar Loaf Mountain (approximately 1,584 feet), and the proposed tilt of the roof toward the south, staff believes that it is unlikely that the roof of the home would be visible from the Sugar Loaf Mountain Open Space Area (see attached picture). In addition, given the topography of the site in relation to Bishop Road, and the location of existing and proposed vegetation, it is unlikely that the roof would be visible from public vantage points along Bishop Road.

However, in order to ensure that the proposed project would be consistent with the project site and surrounding area, staff is recommending the following condition of project approval:

- *Prior to issuance of a building permit, the applicant shall submit line-of-sight sections of the proposed home as seen from the Sugar Loaf Mountain Open Space Area and public vantage points along Bishop Road, for review and approval by the Community Development Director. Said sections shall include proposed landscaping at initial planting, five years from installation, and full maturity. Should the roof be visible, the applicant shall modify the roof color to an earth-tone color (i.e., tan or gray). The final roof color shall be reviewed and approved by the Community Development Director.*

Access and Parking

Access to the side-entry garage on site would be provided from Bishop Road via an approximately 80-foot long driveway. A two-car garage connects to the residence via a roofed breezeway. An approximately 50' long by 20' wide back-up and guest parking area is proposed on the right side of the project site.

Grading

Approximately 1,091 cubic yards of grading (781 cubic yards of cut and 310 cubic yards of fill), would be required to accommodate the project. Thus, approximately 471 cubic yards of soil would be removed from the site (47 loads with a 10-yard truck).

Hardscape/Drainage

Approximately 9,566 sq. ft. of hardscape would be created on site (11% of the site area). A Hardscape/Preliminary Storm Water Treatment Plan was prepared for this project in accordance with the San Mateo Countywide Water Pollution Prevention Program (C-3 Storm water Technical Guidance). Stormwater from impervious surfaces (roof area and driveway, etc.) would be directed

to landscape/natural state and bio-retention areas for treatment. The bio-treatment areas have been designed (sized) in accordance with the Storm Treatment Design requirements of the County.

The following table lists hardscape elements on the property:

Feature	Area (sq. ft.)	Permeable	Lot %[1]	Hardscape %[2]
Residence/garage	5,337	No	6.2	6.2
Concrete Driveway	4,229	No	4.9	11.1
Paver Patio	790	Yes	0.9	11.1
Gravel Pathways	715	Yes	0.8	11.1
Total	**11,071**		**12.8**	**11.1**
	[1]Percentage of total lot area (86,254 sq. ft.) of all hardscape features; [2]Running tally of impermeable hardscape features; permeable hardscape features calculated at 0% hardscape pursuant to San Mateo Countywide Water Pollution Prevention Program (C-3 Storm water Technical Guidance.			

As indicated in the table above, the proposed project does not add a substantial amount of impervious hardscape to the site, being measured as a percentage of total lot area. However, a large, non-permeable driveway area is proposed for the project. The portion of the driveway directly in front of the garage is sloped at approximately 18%, and would be considered unsuitable for pervious surface treatment; however, the 24-foot wide sloped area directly in front of the garage could be narrowed, and the driveway access from Bishop Road and uncovered parking area could be narrowed and could potentially include a pervious surface treatment. As such, staff is recommending the following condition of approval for the project:

- *Prior to issuance of a building permit, the applicant shall submit a final hardscape plan for review and approval by the Community Development Director, in consultation with the Department of Public Works and the City Arborist. Said plan shall only include the minimum driveway access and parking areas necessary to allow for safe site circulation and uncovered off street parking. If feasible, the surface of driveway and uncovered parking areas shall be pervious.*

Tree Removal & Replanting Plan

There are 37 protected trees on site. The City Arborist reviewed the proposed project in April 2013, and determined that 20 trees would be removed and 4 trees would be impacted by the construction of the residence, garage, and accessory spaces. The Arborist made recommendations for retaining trees and avoiding tree impacts.

The applicant agreed to the avoidance measures recommended by the City Arborist, and revised the project such that fifteen trees are now proposed for removal (eucalyptus-4, acacia-5, Italian Pine-1, cedar-2, bottle brush-1, myoporum-1, Oriental Arborvitae-1). The applicant is proposing to plant

eleven trees as part of the project (three 24" box Parry Manzanita, two 48" box coast live oak, and six 15 gallon fruit trees).

The tree removal table below identifies the trees that would be removed due to the Project, and summarizes the applicant's justification for their removal.

Tree Removal Table			
Species	**Tag #**	**Reason Identified for Removal**	**Condition**
Eucalyptus	1	Hazard of limbs dropping in guest parking	Fair
Eucalyptus	2	Hazard of limbs dropping in guest parking	Good
Eucalyptus	3	Poor condition 45% – Limb dropping hazard	Poor
Acacia	4	Very Poor 10% - Arborist supports removal	Very poor
Acacia	7	Non-native – obstructs view	Fair
Acacia	11	Very poor 20% - crowding 22" pine # 9	Very poor
Acacia	12	Poor 37% - crowding 22" pine # 9	Poor
Eucalyptus	13	Highly combustible – too close to home	Fair
Privet	31	Privet – non-native shrub	Fair
Cedar	32	11" non-native – too close to home	Good
Italian Pine	33	Non-native Pine – too close to home	Good
Cedar	34	Non-native – too close to home	Fair
Bottlebrush	35	Non-native shrub	Fair
Myoporum	36	Very poor 20% - Not worthwhile landscape tree	Very poor
Oriental Arborvitae	37	Poor – 48% non-native – too close to home	Poor

The applicant indicates that their landscape design would generally remove the non-native trees in poor condition, particularly those trees that would present a fire hazard, and/or would crowd the existing oaks, pines, and redwoods. Of the fifteen trees proposed for removal, six are in poor or very poor condition, six are in fair condition, and three are in good condition. Eleven of the fifteen trees proposed for removal are non-native. Of the native trees proposed for removal (Acacias), two are in very poor condition, one is in poor condition, and one is in fair condition. No trees proposed for removal are fire resistant.

The applicant's tree removal plan is consistent with the goals identified in Section 25.2 (c) of the Belmont Tree Ordinance, and staff is recommending conditions of project approval that would require adherence to the tree protection measures identified in the City Arborist's Report. In addition, tree removal and in-lieu replanting fees would be required as part of the project.

Landscaping & Vegetation Management

The applicant has provided landscape and irrigation plans for the project (Sheets LC-1, LI-1, and LP-1). The landscape plan retains the large California native trees on site, the existing vegetation at the front of the site for screening, and indicates the planting of a wide variety of trees, shrubs, and groundcover. The plan includes the use of Californian native species (oak trees, parry manzanita

trees, coyote brush, wild lilac, purple needle grass, etc.). The proposed plan also includes a small vegetable garden behind the garage, permeable paving patio areas, window box planters along the exterior of the home, and a 944 sq. ft., rectangular shaped lawn in front of the home.

Groundwork and Geotechnical Recommendations

The applicant has submitted geotechnical investigations for the project. Reports have been submitted from Romig Engineers Inc., dated October 2012 and March 2013. An additional report was prepared Geoforensics, Inc., in 2004 related to subdivision of the larger parent parcel and anticipated development of three single family residential lots. The 2012 and 2013 reports augment that initial investigation and analyze the specific proposed residential development. The City's geotechnical consultant, Cotton Shires Associates (CSA), has conducted a peer review of the submitted reports in January and April 2013. A copy of the reports and letters are included as an attachment to this report.

There are no known geological hazards in the immediate neighborhood of the subject property; the site is designated as Sbr on the City's Ground Movement Potential and Geologic Hazard Map (development and road expansion permitted). The geotechnical report concluded that the proposed residential development is constrained by existing fill materials and the susceptibility of the site to strong seismic ground shaking. The City Geologist does not have feasibility objections to the layout of the proposed site improvements, but does recommend that rebar stakes supporting erosion control timbers along the Bishop Road frontage include a corrosion protective coating. 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.

PROJECT DATA

Criteria	Proposed	Minimum Required or Max. Allowed
Lot Size[1]	86,254 sq. ft.	85,748 sq. ft.
Slope	24.4%	N/A
FAR	0.041	0.052 (corresponds to 4,500 sq. ft. max)
Square Footage[2]	3,540 sq. ft.	4,500 sq. ft.
Parking	Two-car garage (20' by 20') Two uncovered	Two-car garage (20' x 20') Two uncovered
Setbacks:		
Front	18 ft.	15 ft.
Right Side (east)	88 ft.	7 ft.
Left Side (west)	25 ft.	7 ft.
Rear	124 ft.	15 ft.
Height	13 ft.	28 ft.

[1] The minimum lot size was determined by slope as part of the 2005 subdivision that created the subject lot. [2] The maximum allowable floor area is 4,500 sq. ft. on parcels 20,000 sq. ft. and larger;

GENERAL PLAN CONFORMANCE

The subject property is located in the HRO-1 (Hillside Residential and Open Space) zoning district. According to Section 4.7 of the City of Belmont Zoning Code, one-family residences are permitted in the HRO-1 District. The Belmont General Plan identifies the land use on the subject property as Hillside Residential and Open Space (HROP). According to the General Plan, low-density residential development in the San Juan Hills area is appropriate only when it has been demonstrated that safe development can take place consistent with the policies of the General Plan and that adequate access, utilities, fire services and other essential services are available. The property is located within the purview of the San Juan Hills Area Plan and is designated at Hillside Residential and Open Space (HROP).

The proposed single-family residence is a permitted use within the Hillside Residential and Open Space General Plan designation. In addition, the project has received geotechnical clearance, and Public Works and Fire Department review, consistent with *Goals 1015.6 (Ensure that residential development occurs in areas of low-risk from geologic and hydrologic hazards, and), and 1015.8 (Protect persons and property from unreasonable exposure to natural hazards, such as floods, fire, unstable ground, erosion, and earthquakes).* The project would also avoid steep slopes and sensitive species on site by adherence to an established buildable area, and would replace the previous institutional use with a residential use, consistent with General Plan Goal 1015.1 (*Preserve, and, where needed, enhance the present character of established residential areas), and* Goal 1015.3 (*Preserve significant open spaces, trees, views, waterways, wildlife habitats, and other features, of the natural environment*).

General Plan Policies

1016.2. Intensity of the use of land as measured by such factors as parcel size, population density, building coverage, extent of impervious surfaces, public service requirement parking requirements, and traffic movements should be based on the following general principles:

- *Intensity of use of individual parcels and buildings should be governed by considerations of existing development patterns, water and air quality, accessibility, traffic generation, parking, noise, fire safety, drainage, natural hazards, resource conservation and aesthetics.*

- *Intensity of land use should be regulated according to the availability of community facilities and services.*

1016.4. The following standards shall apply to all new development:

a. Sewage disposal shall be by sanitary sewers.
b. Storm drainage facilities shall be provided.
c. Erosion shall be minimized through such measures as runoff retention and revegetation.
d. Grading and new impervious surfaces shall be kept to the minimum necessary to permit development of land in a manner compatible with its characteristics and designated use.

e. Land, water and energy shall be used efficiently.
f. Structures shall be clustered, where possible, to maximize open space and minimize costs of providing public services.
g. Safe access to the public road system of the community shall be provided.
h. Fire and police protection shall be adequately provided.
i. Slopes exceeding 30 percent shall be avoided whenever possible.

The project has been designed to meet the above the development standards and the above development standards are also addressed as standard conditions of project approval. All utility services will be provided to the site. The Belmont Police Department and Fire Department have reviewed the project and with their identified conditions of approval there are adequate emergency services for the project. The project would balance grading on site and avoid slopes in excess of 30%, as the steep portions of the project site to the north would remain in their natural state. Impervious surfaces would be 11% of the site area. A geotechnical report is proposed as part of the project. The City's geotechnical consultant has peer reviewed the report and found that it adequately addresses the conditions on the site. Adherence to erosion control measures would be required and incorporated for the project as standard conditions of approval. As proposed and conditioned, safe site access would be provided to the site, and traffic resulting from the new residential dwelling unit would be less than the previous institutional use and consistent with the residential traffic in the surrounding neighborhood.

SAN JUAN HILLS AREA PLAN

The subject property is located within the purview of the San Juan Hills Area Plan. Pertinent goals and policies of the San Juan Hills Plan include the following:

Geologic Hazards

Goal 1 (Geologic stability)
Ensure a high level of geologic stability for building sites, structures and infrastructure.

Goal 2 (Information on Geologic Hazards)
Improve the City of Belmont decision making process pertaining to geologic hazards in the San Juan area.

Policy 1 (Adoption of Geologic Maps)
a. Use the Engineering Geologic Hap and Ground Movement Potential Map prepared by William Cotton and Associates in April, 1985 as the official geologic maps of the City. These maps will be used for the purpose of determining the relative geologic stability of land when reviewing development applications.

Policy 2 (Required Geotechnical Investigations)
Require the following geotechnical reports to accompany applications for development and assessment districts: a. On slopes steeper than 10%, soil and foundation engineering investigation by a registered civil engineer; b. On lands shown in Figure 4, except those stable areas categorized

as Sbr or Sun, engineering geologic investigation by a certified engineering geologist. The investigation shall evaluate the natural slope conditions and provide recommendations for mitigating and/or correcting any unstable conditions that will assure the safety of the proposed development: (1) The city will develop standards for these reports; (2) The results of these investigations will be reviewed and approved by a Geologist hired by the City; (3) The recommendations for mitigation and/or correction will become conditions of approval

The applicant has submitted a Geotechnical Investigations, which were peer-reviewed by the City's Consulting Geologist, Cotton, Shires & Associates, Inc. There are no known geological hazards in the immediate neighborhood of the subject property; the site is designated as Sbr on the City's Ground Movement Potential and Geologic Hazard Map (development and road expansion permitted). The City Geologist does not have feasibility objections to the layout of the proposed site improvements. The City Geologist has 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.

Natural Resources and Public Views

Goal 4 (Preserve Natural Resource)
Preserve vegetation and other natural resources in the San Juan Hills Area.

Goal 5 (Preserve Public Views)
Preserve public views into, within and from the San Juan area, particularly public views of natural areas.

Policy 8 (Protect Vegetation)
Ensure that development will: a). minimize the removal of vegetation, b). protect and restore vegetation which stabilizes soils and reduces surface water runoff, erosion and sedimentation, c). protect historic and scenic trees, and d). provide revegetation of all significant tree cover, e). promote the use of native trees and plants in new landscaping.

Policy 10 (Protect Wildlife Habitat)
Protect wildlife habitat by siting and designing new development to maintain portions of existing habitats in undeveloped areas.

Policy 11 (Grading Design Standards)
Establish design standards for all grading, including grading for geologic mitigation and the development of roads and houses, to ensure that: a. changes from natural grade are minimized, b. stabilization planting for grading areas is provided prior to the normal rainy season, and c. standards to minimize erosion from grading operations are developed, d) site preparation and grading is harmonious with surrounding land.

Policy 13 (Protect Public Views)

a). Site and design new development and landscaping to protect public views, particularly from Ralston Avenue to Laurel Creek Canyon, Sugarloaf and San Francisco Bay; b). Site and design structures to maximize public view preservation.

As previously discussed, an Environmental Review (Mitigated Negative Declaration) was conducted for the subdivision of the property that identified portions of the site that may contain sensitive plant and animal species. A subsequent Mitigated Negative Declaration (MND) was prepared for the proposed project. The MND includes mitigation measures that required surveys for dusky-footed wood rats, nesting birds, and bats, prior to development of the site. In addition, development of the site is proposed in the previously disturbed area, leaving the most sensitive coastal scrub habitat undisturbed.

The proposed home would be visible from Sugar Loaf Mountain; however, the one-story home would utilize natural materials and muted earth tone colors (greens and tans) that would blend with site and surrounding area (i.e., wood and stone in muted tan and green colors). The roof material would be a fire-retardant, energy-star compliant "Cool Roof," which would be white in color.

Given the small difference in elevation (approximately 112 feet), the horizontal distance between the project site and the top of Sugar Loaf Mountain (approximately 1,584 feet), and the proposed tilt of the roof toward the south, staff believes that it is unlikely that the roof of the home would be visible from the Sugar Loaf Mountain Open Space Area. In addition, given the topography of the site in relation to Bishop Road, and the location of existing and proposed vegetation, it is unlikely that the roof would be visible from public vantage points along Bishop Road.

However, staff is recommending a condition of project approval addressing the roof design. The condition would require the applicant to submit line-of-sight sections of the proposed home as seen from Sugar Loaf Mountain Open Space Area and public vantage points along Bishop Road, for review and approval by the Community Development Director. Should the roof be visible, the applicant would be required to modify the roof color to an earth-tone color (i.e., tan or gray). The final roof color would require the Community Development Director's review and approval. As proposed and conditioned, the project would protect sensitive habitat on site, without adversely affecting public views.

ZONING CONFORMANCE

The subject property is zoned Hillside Residential and Open Space (HRO-1) District. Section 4.7.1 of the Zoning Ordinance indicates that Hillside areas of the City provide unique terrain features and add substantially to the character of the area, that the location and visibility of development therein will affect the visual quality of the environment, and that hillside development should preserve the natural terrain while providing a density of residential development compatible with the limitations of slope on the development site. It is further noted that there are geologic and soils hazards in the area, steep slopes, and inadequate roadways making it necessary to reduce density in portions of the San Juan Hills Area to protect the public safety and to reduce significant and cumulative traffic

impacts to the Ralston Avenue corridor. The objectives of the HRO regulations include encouraging minimal grading and the reduction of the public's exposure to hazardous slopes.

The proposed single-family residence is in conformance with the permitted uses set out in Section 4.7.2 (a) *Permitted Uses – HRO-1 District*.

The proposed home would meet all required setback, height, FAR, and permitted use regulations of the HRO-1 Zoning District.

NEIGHBORHOOD OUTREACH

The applicant reports performing neighborhood outreach as detailed in the Neighborhood Outreach Strategy attached to this report. The property owner sent letters to all residents within 300 feet of the subject property. The applicant described the project and invited neighbors to comment to the architect, engineer or owner at an on-site meeting. The applicant reports that one neighbor expressed concern about the potential for vegetation debris to erode into the street. The applicant has addressed this concern as part of the project submittal. Another neighbor expressed concern about the design of the screening walls, and indicated that the project design would be energy inefficient (see attached letter). As of the writing of this report, the applicant has not provided a formal response to the neighbor. Staff has not received any public comments regarding this project as of the writing of this report. The applicant appears to have achieved the outreach strategy tasks.

ENVIRONMENTAL CLEARANCE (CEQA)

The proposed project is subject to environmental review under the provisions of the California Environmental Quality Act (CEQA). An Initial Study (IS) was prepared for the project. The Initial Study Checklist is included as an attachment to this staff report. Although the Initial Study identified potentially significant impacts in the areas of Biological and Cultural Resources, there will not be a significant effect in this instance because mitigation measures required for the project and agreed to by the applicant will reduce the effects to less-than-significant levels.

Based upon the findings of the IS, staff prepared a draft Mitigated Negative Declaration (MND). A Mitigated Negative Declaration (MND) was published for a 30-day comment period from May 17, 2013 through June 17, 2013. The City also noticed the availability of the IS/MND along with the *Notice of Intent to Adopt a Mitigated Negative Declaration* in the San Mateo Times. The same noticing was mailed to property owners within a 300 foot radius of the site.

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FINDINGS

The Initial Study (IS) evaluated the project in light of state mandated environmental categories.

The evaluation resulted in finding that there are no potential impacts associated with environmental categories for Agriculture Resources, Aesthetic Resources, Utilities, Mineral Resources, Population and Housing, and Land Use and Planning as identified in the IS.

The evaluation resulted in finding that there are no potential impacts or less-than-significant impacts associated with the environmental categories for Air Quality, Geology/Soils, Hazards and Hazardous Materials, Transportation/Traffic, Noise, Public Services, Recreation, and Hydrology/Water Quality. Mitigation measures were not necessary to reduce impacts in these categories to less-than-significant, because the City identifies measures that reduce project impacts which are already required as a matter of law. These measures are implemented by the City either through conditions of approval or as a requirement of obtaining a grading, hauling or building permit. These measures are not additional measures that are identified through the CEQA process, but rather measures that the City requires as a standard practice, and as such are not identified as mitigation measures.

As an example, the City through its General Plan and Grading and Subdivision Ordinances requires the preparation of a site specific geologic study to be submitted as part of a project application. Peer review of that report is also a requirement of the grading and subdivision ordinances. Therefore, as noted in the Geology and Soils discussion of the IS, there is a discussion of the applicant's geotechnical study as well as the peer review conducted by Cotton Shires Associates on behalf of the City. The geotechnical report and its peer review are not identified as mitigation measures because they are already required as a matter of law by the City.

The evaluation resulted in finding that two environmental categories: Biological Resources and Cultural Resources could potentially be impacted by the proposed project. The IS identifies mitigation measures that would reduce project related impacts to less than significant levels. A full discussion of the regulatory framework, and potential project impacts for these categories is provided in the attached IS/MND. A brief discussion of the potential impacts and the recommended mitigation measures for these categories is provided below:

Biological Resources

The project site is located in an urban-wildland transition area with adjoining residential uses to the west and south, and a physical connection to Sugarloaf Mountain to the northeast. The site contains numerous large mature trees that have high potential to provide habitat for nesting birds. Nesting birds, if present on site could be impacted during the nesting season which is from February 1-August 31.

In addition, the Dusky-footed woodrat is presumed to occur on the subject property, due to the presence of stick nests, primarily below the steep project cut-slope to the north. While the locations of the stick nests are outside of the proposed grading envelope, there is still potential for impacts to Dusky-footed woodrat.

Implementation of the following mitigation measure would avoid impacts to nesting Dusky-footed woodrats, nesting birds, and bats, resulting in a less-than-significant impact:

Mitigation Measure IV.a.b.1

Dusky Footed Wood-Rats

a. A qualified biologist shall perform a pre-construction survey no more than 30 days prior to ground-clearing and tree removal activities to search for woodrat nests or other sign of this species. The entire impact area, including a 50-foot buffer zone outside the limits of construction, should be inspected for nests. This buffer is based on the average size of the home range for the species (Carraway and Verts 1991). If no nests are detected, or if a nest is present that can be avoided, no additional field studies are necessary. The biologist shall prepare and submit a letter-report to the City with his/her conclusions.

b. If the project biologist considers any ground survey inadequate to effectively determine absence of the species due to dense vegetation or extensive debris, which may inhibit view, then a qualified biologist should monitor the removal of vegetation and debris.

c. When feasible, site clearing should be performed during the non-breeding season for woodrats (e.g., September 1 through November 30). During the non-breeding season, all middens (i.e., nests) to be impacted should be disassembled by hand and the midden materials (e.g., sticks) should be removed and disposed of off-site. All trees scheduled for removal should be cut during the non-breeding season as well. To discourage woodrats from rebuilding middens in the work area, the entire work area should be cleared of all brush and herbaceous plants as well as downed wood and twigs that could be used to rebuild nests; provided this work would not disturb middens, site clearing may occur at any time of the year.

d. If additional middens are found within the breeding season (December 1 to August 31), the biologist should direct the contractor in placing orange barrier fencing a minimum of five feet away from and along the construction side of the middens to protect them from construction activities. If additional middens are found during the non-breeding season (September 1 through December 1), they should be disassembled as described above.

e. If a midden is reconstructed in a previously cleared area that would be impacted by construction during the breeding season (e.g., December 1 to August 31), a qualified biologist should be retained to humanely trap and relocate woodrats out of the construction area prior to the start of construction. The project site should be saturated with live-traps (minimum 12 inches in length; Sherman or a comparable brand) such that at least three traps are set next to each nest and several other traps are placed throughout the proposed work area. Traps should be baited, opened before dark, and checked the following morning. If approved by CDFG, captured woodrats should be released out of the impact area but within suitable habitat. The trapping effort should continue a minimum of three consecutive nights and until no woodrats are captured. Other native small mammals should also be released in adjacent suitable habitat. Middens should then be disassembled and midden materials distributed in the same location where the woodrats are released. The location for release of woodrats and placement of midden materials shall be determined in consultation with CDFG.

Migratory Birds

f. If tree removal, pruning, or grubbing activities are schedule to occur outside of the bird breeding season (e.g., August 16 through January 31), a pre-construction survey by a qualified biologist is not necessary.

g. If project construction begins during the breeding season (e.g., February 1 to August 15), pre-construction surveys should be conducted by a qualified biologist no more than two weeks prior to pruning/grubbing or surface disturbing activities. The preconstruction survey should include the entire work area and surrounding lands extending up to 300 feet from the project site, as feasible, depending on access and sight-lines. If no active nests are found, no further monitoring is necessary if work proceeds promptly. Delays in the beginning of work may warrant repeating the nest survey.

h. If active nests (i.e. nests with eggs or young birds) are found, non-disturbance buffers should be established at a distance sufficient to minimize disturbance based on the nest location, topography, lines of sight, species and the type/duration of disturbance. No work should occur within the non-disturbance buffers until the young have fledged. Typical buffer zones are 300 feet for raptors (birds of prey) and 50 feet for passerines (perching birds), depending on the species. The project biologist should determination as to whether or not construction activities might impact the active nest or disrupt reproductive behavior. If it is determined that construction would not affect an active nest or disrupt nesting behavior, construction may proceed without any restriction.

i. If it is determined that construction is likely to have an adverse effect on breeding of a migratory or special-status bird species, then avoidance is the only mitigation available; this usually means delaying work until young birds have fledged.

j. If active nests are found within 300 feet of the project area, a qualified biologist shall be on site to monitor the nests for signs of nest disturbance. If it is determined that construction activity is resulting in nest disturbance, work shall cease immediately and the CDFG and the USFWS Division of Migratory Bird Management shall be contacted.

k. Once young birds have fledged (left the nest), as determined by the project biologist, work may proceed without restriction.

Hoary Bats

l. Preconstruction surveys should be conducted to identify suitable bat roosting habitat including snags, rotten stumps, and decadent trees with broken limbs, exfoliating bark, cavities, etc. Sensitive habitat areas and roost sites should be avoided to the maximum extent practicable. If no suitable roost sites or evidence of bat roosting are identified, no further minimization measures are necessary.

m. If suitable roosting habitat is identified, the following measures should be conducted: 1. A qualified biologist should survey suitable roost sites. 2. Removal of suitable tree roost sites should be conducted by first removing limbs smaller than three inches in diameter and peeling away loose bark. The tree should then be left overnight to allow any bats using the tree/snag to find another roost during their nocturnal activity period. 3. A qualified biologist should survey the trees/snags a second time the following morning prior to felling and removal. 4. Trees should be removed during the non-breeding season (e.g., September 1 and February 1) to avoid disturbing maternal colonies or individuals.

Cultural Resources

The vacant project site is located adjacent to developed urbanized area with paved streets, residential development and landscaping. There are no archaeological sites recorded on the project site, and no known unique paleontological resources or sites located at or in proximity to the subject property. In addition, there are no formal cemeteries on the site. However, given the subject property's moderate archaeological sensitivity rating, and the fact that the City of Belmont was once inhabited by Native Americans, excavation activities associated with the projects could potentially disturb cultural resources. As such, the following mitigation measures are required to ensure that impacts to cultural resources would be less than significant:

Mitigation Measure V.b.c.d.1

1. *If archeological or cultural resources are discovered during construction activities, all construction activity shall stop until the resource can be evaluated by a qualified archaeologist and a determination can be made of the resource's significance and need/method for its recovery.*

2. *If human remains are discovered during excavation or site preparation the applicant shall stop work immediately and contact the San Mateo County Coroner. After being notified by the person responsible for the excavation, the Coroner shall examine the remains. If the remains are Native American, the Coroner has 24 hours after the examination to notify the Native American Heritage Commission.*

3. *Prior to issuance of building permits, the applicant shall ensure that construction crews have proper training for the discovery, handling and retention methods for archeological and/or cultural resources found at the project site. Project personnel should not collect cultural resources. Prehistoric resources include: chert, or obsidian flakes, projectile points, mortars and pestles, dark, friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources include: stone or adobe foundations or walls, structures and remains with square nails, and refuse deposits or bottle dumps.*

Staff is recommending compliance with these mitigations measures through conditions of project approval, which would avoid significant impacts to Biological and Cultural Resources.

Mitigation Monitoring and Reporting Program

CEQA Guidelines (Section 15074.d) require that when a Lead Agency adopts a MND that they also adopt a program for reporting on or monitoring the changes that it has required in the project or made a condition of approval to mitigate or avoid significant environmental effects. The program is referred to a Mitigation Monitoring and Reporting Program (MMRP). The MMRP for the project is included as an attachment to this report.

SINGLE FAMILY DESIGN REVIEW EVALUATION

The Belmont Zoning Ordinance establishes the following findings for review of single-family residential projects (Section 13A.5 (A-I)). Each finding is listed below with staff's analysis of whether this project meets each finding in the affirmative.

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 one-story residence would be located on the moderately sloped portion of the lot (the knoll), rather than the steeper, heavily vegetated portion of the lot where sensitive species may occur. The proposed home would be visible from Sugar Loaf Mountain; however, the one-story home would utilize natural materials and muted earth tone colors (greens and tans) that would blend with the site and surrounding area (i.e., wood and stone in muted tan and green colors). The roof material would be a fire-retardant, energy-star compliant "Cool Roof," which would be white in color.

Given the small difference in elevation (approximately 112 feet), the horizontal distance between the project site and the top of Sugar Loaf Mountain (approximately 1,584 feet), and the proposed tilt of the roof toward the south, it is unlikely that the roof of the home would be visible from the Sugar Loaf Mountain Open Space Area. In addition, given the topography of the site in relation to Bishop Road, and the location of existing and proposed vegetation, it is unlikely that the roof would be visible from public vantage points along Bishop Road.

However, a condition of project approval that would require the applicant to submit line-of-sight sections of the proposed home as seen from Sugar Loaf Mountain Open Space Area and public vantage points along Bishop Road. Should the roof be visible, the applicant would be required to modify the roof color to an earth-tone color (i.e., tan or gray). Thus, as proposed and conditioned, the project would protect sensitive habitat on site, without adversely affecting public views.

This finding can be made in the affirmative.

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

Building bulk

The proposed one-story home would be thirteen feet in height from the finished grade. The home would utilize natural materials and muted earth tone colors (greens and tans) that would blend with site and surrounding area (i.e., wood and stone in muted tan and green colors). In addition, existing and proposed landscaping would soften and screen the home as seen from the surrounding area.

Grading/Hardscape

The site would be re-graded to accommodate the driveway and create a relatively level footprint for the new house. Approximately 1,091 cubic yards of grading (781 cubic yards of cut and 310 cubic yards of fill), would be required to accommodate the project. Thus, approximately 471 cubic yards of soil would be removed from the site (47 loads with a 10-yard truck).

Approximately 9,566 sq. ft. of hardscape would be created on site (11% of the site area). Property hardscape features include the footprint of the home, driveway, patios, and walkways. A majority of the remaining site would be landscaped with a variety of native or drought resistant shrubs. A Hardscape/Preliminary Storm Water Treatment Plan was prepared for this project in accordance with the San Mateo Countywide Water Pollution Prevention Program (C-3 Storm water Technical Guidance). Stormwater from impervious surfaces (roof area and driveway, etc.) would be directed to landscape/natural state and bio-retention areas for treatment. The bio-treatment areas have been designed (sized) in accordance with the Storm Treatment Design requirements of the County.

The proposed project does not substantially add to the hardscape on site as a percentage of lot area. In addition, a condition of project approval requires the submittal of a final hardscape plan that would reduce impermeable hardscape areas within the proposed driveway and uncovered parking area. Therefore, as proposed and conditioned, grading and hardscape elements are not excessive for development of a new single family home and are appropriate in the neighborhood context.

Tree Removal

There are 37 protected trees on site. The City Arborist reviewed the proposed project in April 2013, and determined that 20 trees would be removed and 4 trees would be impacted by the construction of the residence, garage, and accessory spaces. The Arborist made recommendations for retaining trees/avoiding tree impacts.

The applicant agreed to the avoidance measures recommended by the City Arborist, and revised the project such that fifteen trees are now proposed for removal (eucalyptus-4, acacia-5, Italian Pine-1, cedar-2, bottle brush-1, myoporum-1, Oriental Arborvitae-1). The applicant is proposing to plant eleven trees as part of the project (three 24” box Parry Manzanita, two 48” box coast live oak, and six 15 gallon fruit trees).

The applicant's plan would generally remove the non-native trees in poor condition, particularly those trees that would present a fire hazard, and/or would crowd the existing oaks, pines, and redwoods. Of the fifteen trees proposed for removal, six are in poor or very poor condition, six are in fair condition, and three are in good condition. Eleven of the fifteen trees proposed for removal are non-native. Of the native trees proposed for removal (Acacias), two are in very poor condition, one is in poor condition, and one is in fair condition. No trees proposed for removal are fire resistant.

The applicant's tree removal plan is consistent with the goals identified in Section 25.2 (c) of the Belmont Tree Ordinance, and staff is recommending conditions of project approval that would require adherence to the tree protection measures identified in the City Arborist's Report. In addition, tree removal and in-lieu replanting fees would be required as part of the project. Therefore, as proposed and conditioned, tree removal and replanting would be consistent with the City's Tree Ordinance.

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 can be made in the affirmative.

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.

The proposed driveway has clear access to/from Bishop Road. This driveway has sufficient back-up space, and a vehicle turn-around is provided on site. This finding can be made in the affirmative.

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.

A final grading plan will be reviewed and approved by the Public Works Department, prior to building permit issuance. The City's Consulting Geologist has provided several recommendations that have been included in the Conditions of Approval. There are no known geological hazards in the immediate neighborhood of the subject property; the site is designated as Sbr on the City's Ground Movement Potential and Geologic Hazard Map (development and road expansion permitted).

The Project Site would be graded in compliance with the City's grading ordinance and standard conditions of approval to assure that project construction and operation 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. Controls such as waddles and storm water filtration prior to water entering the storm drain system prevents 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.

An environmental review, Mitigated Negative Declaration, (MND) was conducted for the original subdivision of the parent property, and the subject Single Family Design Review project. The proposed project would maintain the steepest area of the site (coastal scrub area) in its natural state avoiding potential impacts to wildlife that may occupy that area. In addition, conditions of approval require surveys for dusky-footed woodrats, nesting birds, and bats prior to development (construction, grading, and/or tree removal)of the previously disturbed area of the site. Thus as proposed and conditioned, this finding can be made in the affirmative.

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.

A driveway is proposed that would provide safe vehicular access to/from Bishop Road. The proposed exterior patios and walkways are not excessive and are appropriately integrated into the overall site design. Retaining walls and garden walls are proposed along the front of the home and parking area that comply with height restrictions in the Zoning Ordinance. This finding can be made in the affirmative.

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 applicant has provided landscape and irrigation plans that retains the large California native trees on site, and the existing vegetation at the front of the site for screening; a wide variety of trees, shrubs, and groundcover plantings are proposed. The plan includes the use of California native species (oak trees, parry manzanita trees, coyote brush, wild lilac, purple needle grass, etc.). The proposed plan also includes a small vegetable garden behind the garage, a permeable paving patio areas, window box planters along the exterior of the home, and a 944 sq. ft., rectangular shaped lawn in front of the home.

The plan would also need to address the City Arborist's recommendations for the retention of existing mature trees. Staff would note that, as proposed and conditioned, the existing and proposed landscaping would assist in mitigating the bulk, and screen and soften the home as seen from surrounding public vantage points. This finding can be made in the affirmative.

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.

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. The City

Arborist has reviewed construction impacts to protected trees and recommended specific tree protection measures that also have been included as conditions of project approval. All construction would be completed in compliance with the Uniform Building Code and NPDES standards as administered by the City of Belmont. This finding can be made in the affirmative.

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 can be made in the affirmative.

I. Substantial compliance with the Residential Design Guidelines.

The buildings and structures shown on the site plan are consistent with the one and two story residences in the neighborhood; no public views or prominent ridgelines would be obstructed with construction of the proposed project. As proposed and conditioned, there is an acceptable balance of building bulk, grading (including disturbed surface area and total cubic yards, cut and fill), hardscape, and tree removal. There would be no obstruction of vehicular and pedestrian accessways shown on the site plan and topographical map.

All accessory and support features are integrated into the overall project design. As proposed and conditioned, the landscape plan will retain mature trees. There will be no new structural encroachments into the public right-of-way associated with construction of the project. As such, the project is in substantial compliance with the Residential Design Guidelines. This finding can be made in the affirmative.

CONCLUSION AND RECOMMENDATION

Based on the analysis and required findings, staff recommends adoption of the Initial Study/Mitigated Negative Declaration (IS/MND), and approval of the Single-Family Design Review application, subject to the Conditions of Approval in Attachment IV.

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. Resolution adopting IS/MND and MMRP
IV. Conditions of Approval
V. Neighborhood Outreach Materials & Correspondence
VI. Arborist Report & Applicant Response
VII. Geotechnical Investigation and letters and Peer Reviews by Cotton Shires & Associates
VIII. IS/MND & MMRP
IX. Applicant's plans, materials board, and photos

Respectfully submitted,

_____	_____
Damon DiDonato	Carlos de Melo
Senior Planner	Community Development Director

CC: Applicant/Owners

memo

To:	Belmont Planning Commission
From:	Rodney Young
CC:	William Leddy, LMS Architects Jasen Bohlander, LMS Architects
Date:	6/16/2014
Re:	Extension of Approval

Comments: I am applying for an extension of the entitlements for 1971 Bishop Road. The original timing envisioned for construction was delayed by a number of unforeseen circumstances.

The anticipated timing for the project is still moving, but my current expectation is that we will aim to begin construction by end of summer or early fall.

Please contact me if you have any questions.