

**EXHIBIT B  
CONDITIONS OF APPROVAL**

**PA 11-087, 2090 S. Delaware St. Apartments  
2090 S. Delaware St.  
APN 035-320-450**

**Approved by the Planning Commission on July 10, 2012**

**A. THE FOLLOWING CONDITIONS SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS SUBMITTED FOR ANY DEMOLITION PERMIT, BUILDING PERMIT, AND/OR SITE DEVELOPMENT PERMIT, AND SHALL BE MET PRIOR TO THE ISSUANCE OF SAID PERMIT(S).**

- A1.0 CONFORMANCE WITH APPROVED PLANNING APPLICATION - All building permit drawings and subsequent construction shall substantially conform with the approved planning application, including: drawings, materials samples, building colors, and other items submitted as part of the approved planning application. **Any proposed modifications to the approved planning application must be reviewed and approved by the Chief of Planning and/or Zoning Administrator.** The Chief of Planning and/or Zoning Administrator shall determine whether the proposed modifications substantially conform with the approved planning application, or whether a new planning application must be submitted to permit the proposed project modifications. A new planning application shall be subject to review by the Zoning Administrator, Planning Commission, and/or City Council. (PLANNING)
- A1.1 CONDITIONS OF APPROVAL – Final plans shall include all the Conditions of Approval on sheet 2 of the plans. (PLANNING)
- A1.2 PAYMENT OF OUTSTANDING PLANNING APPLICATION FEES – The building permit applicant shall check with the Project Planner to determine whether any outstanding planning applications fees exist and those fees shall be paid prior to issuance of any building permits. (PLANNING)
- A1.3 NOTICE OF PROJECT RESTRICTIONS – The property owner shall record a Notice of Project Restrictions in the official records of the County of San Mateo and provide proof of such recordation to the City prior to issuance of any City permit, allowed special use of the property, or Final Map, as applicable. The Notice of Project Restrictions shall provide a description of the subject property, shall identify the Planning Application name and number and any accompanying subdivision or parcel map, including book and page and recorded document number, if any, and be signed and notarized by each property owner of record and shall state the following:

“This Notice of Project Restrictions is for the purpose of informing interested persons of the fact that development approvals have been given by the City of San Mateo regarding the herein described property and that such approvals are conditioned upon compliance with certain restrictions that run with the land and are binding upon subsequent owners of the property. For more information about the restrictions applicable to this property, contact the

Planning Division of the City of San Mateo regarding *PA11-087-2090 S. Delaware St Apartments.*”

For purposes of determining the record owner of the property, the applicant shall provide the City with evidence in the form of a report from a title insurance company indicating that the record owner(s) are the person(s) who have signed the Notice of Project Restrictions. (PLANNING)

- A1.4 BELOW MARKET RATE (BMR) UNITS – Applicant agrees to provide BMR units in conformance with Municipal Code Section 27.16.050 and Resolution 135 (2010). (PLANNING)
- A1.5 HOLD HARMLESS - Subdivider agrees, on behalf of himself, his successors in interest and assigns, to defend, indemnify, and hold harmless the City of San Mateo, its agents, officers and employees from any claim, action or proceeding against the City of San Mateo, its agents, officers, and employees to attack, set aside, void, or annul an approval by the City of San Mateo concerning the subdivision involved in this planning application. Pursuant to Government Code Section 66474.9, the City shall promptly notify the owner of any claim, action, or proceeding and shall cooperate fully in the defense. Subdivider shall record an agreement to this condition in a form satisfactory to the City Attorney's Office. (PLANNING)
- A2.0 SITE SURVEY - Provide site survey of entire parcel stamped and signed by a Land Surveyor licensed by the State of California. The survey shall include, but not be limited, to the following: location and dimensions of property line, location of streets and easements, existing buildings, topographic contour lines, trees/landscape, miscellaneous structures, etc. The purpose of the site survey is to accurately verify compliance with items such as setback dimensions, heights of buildings from established contours, compliance with heritage tree ordinance, etc. (BUILDING)
- A2.1 GREEN BUILDING - This building is considered a covered project as defined in Section 23.70 of the San Mateo Municipal Code. Please provide the Green Building Project Checklist onto a separate plan sheet that is prepared by a Qualified Green Building Professional for review.(BUILDING)
- A2.3 SHORING/SCAFFOLDING - A separate building permit shall be required for all shoring and scaffolding work. Shoring /scaffolding plans, calculations, etc., shall be reviewed and approved by Building Division. The applicant will be required to obtain an encroachment permit from the Public Works Department for scaffolding erected within the public right-of-way. (BUILDING)
- A2.4 SOILS REPORT - A soil investigation report satisfactory to the Building Official shall be submitted containing design recommendations. The classification shall be based on observation and any necessary tests of materials disclosed by boring or excavations made in appropriate locations. Additional studies may be necessary to evaluate soil strength, the effect of moisture variation on soil-bearing capacity, compressibility, liquefaction, seismically induced soil liquefaction, soil instability, and expansiveness. Additionally submit a letter from the Geotechnical Engineer or Civil Engineer who prepared

the soil investigation stating the following (signed and stamped):

- a) The plans and specifications substantially conform to the recommendations in the soil investigation.
- b) The Geotechnical Engineer or Civil Engineer who prepare the soil investigation has been retained to provide soil site observation and provide periodic and final reports to the City of San Mateo.

Prior to final inspection for any building or structure, the Geotechnical Engineer or Civil Engineer who prepared the soil investigation shall issue a final report stating the completed pad, foundation, finish grading and associated site work substantially conform to the approved plans, specifications and investigations. (BUILDING)

- A2.5 DEMOLITION - Demolition permits shall be issued in accordance with California Building Code Chapter 33. Prior to permit issuance, a completed Worksheet/Application and a Demolition Plan must be submitted and approved by the Building Official. This form is available at the Building Division Counter. (BUILDING)
- A2.6 MECHANICAL VENTILATION FILTRATION-Install, operate and maintain in good working order a central heating, air conditioning, and ventilation HV system or other air intake system in the building, or in each individual residential unit that meets or exceeds an efficiency standard of MERV 13. The HV system--shall include the following features: Installation of a high efficiency filter and/or carbon filter to filter particulates and other chemical matter from entering the building. Either HEPA filters or ASHRAE 85% supply filters shall be used. Retain a qualified HV consultant or HERS rater during the design phase of the project to locate the HV system based on exposure modeling from the pollutant sources. The Building Division shall review and approve the mechanical ventilation filtration systems prior to the issuance of any building permit. In addition, the Building Division shall review, inspect and monitor the installation and operation of these filters prior to the issuance of Certificate of Occupancy. (BUILDING)
- A2.7 GEOTECHNICAL ENGINEER -A Geotechnical Engineer will be retained to observe site grading and foundation installation and to observe compliance with the design concepts, specifications and recommendations in the Geotechnical report. The Building Division shall be review and approve this work prior to issuance of a final inspection. (BUILDING)\*
- A2.8 HAZARDOUS MATERIALS- All measures identified in the Phase I report for the project site will be implemented as part of the project. This will be verified as part of a final report and will be submitted to the building division prior to issuance of a building permit. The Building Division shall be review and approve this work prior to issuance of a final inspection. (BUILDING)\*
- A2.9 ASBESTOS/LEAD BASED PAINT-As required by state law, an asbestos and lead paint abatement scope of work will be developed and submitted for approval by the City prior to issuance of a demolition permit for the structure on the project site. All measures outlined in this scope of work will implemented as part of the project. This scope of work will outline the performance parameters for hazardous remediation standards and regulatory compliance

criteria. In addition, any asbestos abatement contractors performing work on the site will be licensed by the State. The Building Division shall review and approve this work prior to issuance of a building permit.\* (BUILDING)

- A2.10 HAZARDOUS MATERIALS-A scope of work to test equipment in the existing structures for mercury or encapsulated PCBs shall be developed and submitted for approval by the City prior to issuance of a demolition permit for the structures on the Project site. Measures outlined in this scope of work shall be implemented as part of the Project. This scope of work shall outline the performance parameters for hazardous remediation standards and regulatory compliance criteria in accordance with applicable U.S. EPA regulations. The scope of work shall be reviewed and approved by the Building Division and Public Works Department prior to the issuance of any building permit. In addition, the applicant shall provide written documentation regarding the implementation of this work subject to the review and approval of the Building Division and Public Works Department prior to issuance of a Certificate of Occupancy.\* (PUBLIC WORKS/PLANNING/BUILDING)
- A2.11 SOIL AND GROUNDWATER MANAGEMENT PLAN- A Soils and Groundwater Management Plan shall be submitted to the City of San Mateo. This plan shall describe the methodologies for handling, storing, characterizing, and eventual disposal or reuse of the soil and or groundwater excavated and extracted from the site during redevelopment. It should include various contingencies to deal with a wide range of potential conditions encountered during excavation and extraction. This plan shall be submitted for the review and approval by the County Health Department Groundwater Protection Program prior to the issuance of a grading permit.\* (PUBLIC WORKS/PLANNING/BUILDING)
- A2.12 SOILS REPORT MEASURES-All measures identified in the Geotechnical report for the project site will be incorporated as part of the project. This will be verified as part of a final geotechnical report and will be submitted to the building division prior to issuance of a building permit. (BUILDING)\*
- A2.13 STC RATED WINDOWS-Maintain closed at all times all glass windows and glass doors of living spaces with a direct or side view of the rail line or North San Mateo Drive. Install windows and doors with STC rating of 30-36, depending on building location and floor of the building. Mechanical ventilation will also be required, as these windows would need to be in a closed position to provide the required transmission loss. With the implementation of these measures, the project will meet the city and state noise level requirement of  $L_{dn}$  of 45 dB or less. The project will incorporate all the mitigation measures identified in the *Noise Study for the 2090 South Delaware Apartments –Wilson Ihrig & Associates, May 25, 2012*. The project will also comply with the requirements of the state of California Title 24 of the Uniform Building Code in effect at the time the project applies for a building permit. The Building Division shall review and determine that the measures meet the required attenuation prior to issuance of any building permit (PLANNING/BUILDING)\*
- A4.0 FIRE STANDPIPE SYSTEM: Provide a wet standpipe outlet at the north end of the water feature plaza between the Amenity buildings. (FIRE)
- A4.1 FIRE EVACUATION SYSTEM: A fire evacuation system shall be installed and comply with NFPA 72. (FIRE)

- A4.2 FIRE SPRINKLER SYSTEM: Install an N.F.P.A. 13 fire sprinkler system complying with local amendments. Submit under separate fire plan check and permit. Separate plan check permit is required for the underground fire service. (FIRE)
- A4.3 COMBINATION SPRINKLER/STANDPIPE: Install a combination fire sprinkler/standpipe system on each level with 2½" x 1½" reducer caps. Submit under separate fire plan check and permit. Use installation standard NFPA 14 and local amendments. (FIRE)
- A4.4 FIRE ALARM SYSTEM: Install a fire alarm system per CFC Chapter 9 and complying with local amendments. Submit under separate fire plan check and permit. Use installation standard NFPA 72. (FIRE)
- A4.5 PUBLIC HYDRANT: Install public hydrant at 300 ft spacing for commercial, industrial, multi-residential and single-family development. All fire hydrants in vicinity to the project site shall be upgraded to a Clow model 960 or equivalent consisting of (2) 2½ inch and (1) 4½ inch outlet. Each hydrant shall be capable of providing a minimum fire flow of 1500 gpm at 20 psi residual pressure. Water supply for fire protection is required to be installed in accordance with California Water Service specifications. The water supply shall be tested, flushed and approved operable PRIOR to any combustible construction materials being placed on the site. Staged construction should insure that the necessary water supply is maintained from stage to stage in the construction planning. (Provide one fire hydrant at the north end of the west side guest parking area. Fire hydrants shall be spaced 300 feet apart. (FIRE)
- A4.6 FIRE HYDRANTS (GENERAL): Install fire hydrants at 300 ft spacing. Each hydrant shall be capable of providing a minimum fire flow of 1500 gpm at 20 psi residual pressure and shall be equipped with (1) 4 ½" x (2) 2 ½" connections. Water supply for fire protection is required to be installed in accordance with the San Mateo Fire Department and the California Water Service specifications. The water supply shall be operable PRIOR any combustible construction materials being placed on the site. Staged construction should insure that the necessary water supply is maintained from stage to stage in the construction planning (FIRE).
- A4.7 DRIVEWAY ACCESS: A Fire Department driveway access serving dwelling/structures 30 ft or less in height shall have a minimum 20 foot unobstructed linear width. A Fire Department driveway access serving dwelling/structures over 35 ft in height shall have a minimum 26 foot unobstructed linear width. These driveways/access roads shall be designated as Fire Lanes with no parking. Driveway/access road shall meet Fire Department standards for surface type concrete or asphalt), distance, weight loads (68,000 LBS), turn radius (inside turn radius 39 ft and outside turn diameter of 105 ft), grades, and vertical clearance (13ft-6in). The applicant shall provide red curbs, curb lettering or fire lane signs in accordance with local amendments. (FIRE)
- A4.8 FIRE STANDPIPE SYSTEM: Install an N.F.P.A. 14 Standpipe system and local amendments. Submit under separate fire plan check and permit. (FIRE)

A5.0

**EXTERIOR SECURITY LIGHTING:** The project shall comply with the City of San Mateo Security Ordinance (Section 23.54.060 of the Municipal Code)

The police department would like to review a proposed exterior photometric lighting plan. A minimum of 1 foot candle at ground level is required.

(a) Parking lots, driveways, circulation areas, aisles, passageways, recesses, and grounds contiguous to all commercial and multifamily residential buildings shall be provided with lighting sufficient to provide adequate illumination to make clearly visible the presence of any person on or about the premises during the hours of darkness and provide a safe, secure environment for all persons, property, and vehicles on site. Such lighting shall be equipped with vandal-resistant covers.

(1) All exterior doors shall be provided with their own light source and shall be adequately illuminated at all hours to make clearly visible the presence of any person on or about the premises and provide adequate illumination for persons exiting the building.

(2) Business premises, while closed after dark, must be sufficiently lighted by use of interior night lights equipped with motion detectors to make clearly visible the presence of any person within the premises.

(3) Exterior door, perimeter, parking area and canopy lights shall be controlled by photocell or timer and shall be left on during hours of darkness or diminished lighting.

(b) The lighting required in subsection (a) of this section shall be installed according to project specific illumination levels prescribed and a lighting plan reviewed and approved by the Police Department and the Building Official. Review and approval shall be based upon criteria including but not limited to:

(1) The nature and use of the area within the development;

(2) The type of area in which the development is located;

(3) The hours of use of the area to be lighted;

(4) The frequency of use of the area to be lighted;

(5) Existing lighting in the area;

(6) Past Criminal or crime related incidents in the area;

(7) Physical characteristics of the structure and/or development under proposed construction.

(c) Lighting levels shall comply with current Energy Code requirements.

(d) The lighting system shall be so designed as to limit light spill beyond property lines and to shield the light source from view from off site. (POLICE, BUILDING)

***Any open areas and footpaths open to potential public access are subject to scrutiny and review for the potential for criminal activity. Such environments will be reviewed for Crime Prevention Through Environmental Design (CPTED), and may call for further conditions of approval.***

**B. THE FOLLOWING CONDITIONS SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS SUBMITTED FOR ANY BUILDING PERMIT AND/OR SITE DEVELOPMENT PERMIT AND/OR SHALL BE MET PRIOR TO THE ISSUANCE OF SAID PERMIT(S).**

*(OR IF TO HAVE PHASED BUILDING PERMITS – FOUNDATION/SUPERSTRUCTURE)*

- B1.0 PERMIT FOR REMOVAL OF MAJOR VEGETATION - The applicant shall obtain a Site Development Permit from the Planning Division for removal of major vegetation (trees 6" diameter or larger) prior to the issuance of a grading or building permit. Fees for tree removal shall be based on the number of trees to be removed in accordance with City regulations. (PLANNING)
- B1.1 VECTOR CONTROL PLAN - Prior to the issuance of grading and construction permits, the applicant shall provide a plan for the control and removal of rodents and other pests to prevent infestation of adjacent land uses and surrounding neighborhoods. This plan shall include pest control measures required during all phases of construction, and also for a period of six months after the completion of construction. The applicant shall be required to conform to the plan, which is subject to review and approval by the Zoning Administrator. (PLANNING)
- B1.2 PALEONTOLOGICAL RESOURCES - Should any potentially unique paleontological resources (fossils) be encountered during development activities, work shall be halted immediately within 50 feet of the discovery. The City of San Mateo Planning Division shall be immediately notified, and the applicant shall be responsible for retaining the services of a qualified paleontologist to determine the significance of the discovery. The paleontologist shall evaluate the uniqueness of the find, and prepare a written report documenting the find and recommending further courses of action. Based on the significance of the discovery, the actions may include avoidance, preservation in place, excavation, documentation, recovery, or other appropriate measures as determined by the paleontologist. (PLANNING)
- B1.3 REQUIRED SIGN PERMIT - All on-site signage will require a separate permit that is issued through the Building Division. All signs shall conform to the standards delineated in the Sign Code. The applicant will be responsible for obtaining separate permits for signage through the Building Division. (PLANNING)
- B1.4 MECHANICAL VENTILATION - All mechanical ventilation for subterranean garages shall be incorporated into the building architecture, structure, or landscape areas as delineated on the approved planning application drawings. (PLANNING)
- B1.5 ABOVE GROUND UTILITIES, EQUIPMENT, AND DEVICES - All ground level utilities, equipment, and other project related operational devices shall be designed and located as delineated on the approved planning application drawings. These project utilities shall be incorporated into the design of the project and screened from public view by a solid wall or solid fence, and/or perimeter landscaping. Final location and screening shall be reviewed and approved by the Zoning Administrator before installation. (PLANNING)
- B1.6 TRANSFORMERS, UTILITIES, BACK FLOW PREVENTOR DEVICES - Final plans shall indicate the location of all PG&E transformers, meter boxes, and back flow preventor

devices. These structures shall not be located in any street frontage or private yard area. Locations shall be setback as far as possible from street frontages and shall be fully screened with landscaping or other screening material. (PLANNING)

B1.7 TRASH AND RECYCLING ENCLOSURES - All ground level trash and recycling enclosures must be screened from public view by a solid wall or solid fence, and/or perimeter landscaping. These facilities shall be designed and located as delineated on the approved planning application drawings. (PLANNING)

B1.8 SCREENING OF ROOFTOP MECHANICAL EQUIPMENT – All rooftop mechanical equipment must be screened by a solid enclosure or parapet wall, in conformance with the approved planning application. Rooftop screening shall be constructed with the same building materials as the building exterior, or other compatible materials as approved by the Chief of Planning and/or Zoning Administrator.  
(PLANNING)

B1.9 LANDSCAPE IMPROVEMENTS - All landscape plans shall comply with Chapter 27.71 of the Municipal Code. In addition, the following items shall be shown on project plans:

1. All planting areas shall be protected from common vehicular traffic with an approved barrier designed to withstand reasonable impact from vehicles.
2. The applicant shall install 16 24-inch box Ginko Biloba trees along public streets in accordance with City Standards and the City Street Tree Master Plan. Street trees that are located in sidewalk areas shall be constructed per City Standard Drawings 3-1-847, Tree Planting Details. The applicant and its successors shall irrigate these street trees at all times that the use permitted under this approval occupies the property. A street tree maintenance easement shall be required if the street trees are to be located on private property and no such easement exists.
3. An automatic irrigation system shall be provided to adequately water all proposed plantings. Backflow prevention devices shall be located in areas approved as part of the planning application, screened by landscaping and/or incorporated into the design of the project.
4. A two-inch (2") depth layer of mulch shall be required in all new planting areas except in areas of turfgrass or annuals.
5. The applicant shall provide proof of an agreement with a licensed landscape contractor or General Contractor for a Plant Establishment Maintenance Period consisting of three (3) growing season months (March through October) for all proposed landscape areas. All landscaped areas shall be maintained free of litter, debris and weeds. All plantings shall be permanently maintained in a healthy growing condition and whenever necessary, replaced with equivalent plant materials to ensure continued conformance with approved plans.  
(PLANNING)

- B1.10 LANDSCAPE WATER EFFICIENCY – In conformance with California Code of Regulations Title 23, Division 2, Chapter 2.7 (Model Water Efficiency Landscape Ordinance), the applicant shall provide a Landscape Documentation Package. (PLANNING)
- B1.11 TREE REPLACEMENT/IN LIEU FEES - The applicant shall plant trees equivalent to the Landscape Unit (LU) value of trees to be removed or pay a fee in lieu of planting trees at the rate established in the annual Comprehensive Fee Schedule. (PLANNING)
- B1.12 ALLERGENIC, TOXIC, AND INVASIVE PLANTS SPECIES - No plants which are cited as an allergenic, toxic, or invasive plant species shall be installed on site including, but not limited to, those plants listed by the following sources:
- a) [www.pollenlibrary.com](http://www.pollenlibrary.com) – List of “significant allergens” plants by season for California.
  - b) <http://www.ipm.ucdavis.edu> – List of invasive plants.
  - c) <http://webecoist.com/2008/09/16/16-most-unassuming-yet-lethal-killer-plants/> - List of the top 16 most toxic plants.

All proposed plant materials shall be reviewed by the project landscape architect to preclude commonly recognized allergenic, toxic, and invasive plant species, including plants listed by the above sources. The project landscape architect shall provide a written statement that s/he has reviewed the proposed plant materials and that the proposed plant materials do not include commonly recognized allergenic, toxic, and invasive plant species. (PLANNING/PARKS AND RECREATION)

- B1.13 FINANCIAL SECURITIES FOR LANDSCAPING - The applicant shall submit a cost estimate and financial securities in a form and amount satisfactory to the Zoning Administrator sufficient to ensure the installation of all approved landscape improvements including all new trees. The applicant shall request a follow-up inspection by the Planning Division in accordance with Section 27.71.060 of the Municipal Code in order to reclaim financial securities for landscaping. (PLANNING)
- B1.14 LANDSCAPE SOIL TESTING - The applicant must submit a soils report prepared by a Soil Testing Laboratory. The report must analyze the existing soil and recommend any corrective action or soil amendment necessary to make the soil suitable to support the proposed plantings. Any proposed corrective action or soil amendments shall be incorporated into the landscape plans. (PLANNING)
- B1.15 REFUSE MANAGEMENT PLAN - The applicant shall develop a refuse management plan to describe how trash and recycling pickup will be handled for the project. The applicant shall provide information to the City stating that the local refuse company has reviewed and approved the plan. This plan shall then be submitted to the City for review and approval. (PLANNING)
- B1.16 RECYCLING COLLECTION AREA REQUIREMENTS – The applicant shall be required to construct and maintain recycling collection areas on the property in accordance with City regulations and Standards (Municipal Code §27.86). The areas and dimensions for recycling collection areas shall meet the standards established by the local recycling collection

provider (Recology). The design, location, size, and number of recycling collection areas approved as part of this planning application shall remain as approved in the planning application as long as the use occupies the property, unless an alternate location is authorized by the Chief of Planning and/or Zoning Administrator. (PLANNING)

B1.17 CONDITIONS, COVENANTS, AND RESTRICTIONS (CC&R's) - Applicant/subdivider shall obtain the City Attorney's approval of the Conditions, Covenants, and Restrictions governing the subdivision prior to recordation of final map. (PLANNING)

B4.0 BUILDING ADDRESS-Building address sign shall comply with SMFD requirements (FIRE).

**C. PLANS SUBMITTED FOR FOUNDATION BUILDING PERMIT AND/OR SITE DEVELOPMENT PERMIT, AND/OR SHALL BE MET PRIOR TO THE ISSUANCE OF SAID PERMIT(S). THESE CONDITIONS SHALL ALSO BE COMPLIED WITH DURING CONSTRUCTION APPROVED UNDER ANY SUBSEQUENT SUPERSTRUCTURE PERMITS, IF APPLICABLE.**

C3.0 ENCROACHMENT PERMITS, BONDS, AND INSURANCE - The applicant must obtain an encroachment permit, posting the required bonds and insurance, and provide a one (1) year warranty for all work to be done in the City's right-of-way. This encroachment permit shall be obtained prior to the issuance of a foundation building permit and prior to any work being done in the City's right-of-way. The applicant shall have street improvement plans prepared for all work in the public right-of-way by a licensed civil engineer, whose signed engineer's stamp shall appear on the plans. Prior to issuance of the encroachment permit, the applicant shall submit any applicable pedestrian or traffic detour plans for any lane or sidewalk closures. The detour plan shall comply with Part 6, Temporary Traffic Control, of the State of California Manual of Uniform Traffic Control Devices (MUTCD), 2003, and standard construction practices. Final construction plans and specifications shall be approved by the City Engineer, and released for construction, prior to the issuance of the encroachment permit. Right of way improvements shall include, at a minimum, the following items:

A. STREET BEAUTIFICATION - The applicant shall improve the street frontage to match the City of San Mateo street beautification program in effect at the time of construction. The applicant shall have beautification plans prepared and obtain Public Works Department approval prior to issuance of an encroachment permit. (PUBLIC WORKS)

B. STREET TREES - The applicant shall plant street trees to match the City of San Mateo street tree plan in effect at the time of construction. The street tree plans shall be constructed per City Standard Drawings 3-1-847, Tree Planting Details. (PUBLIC WORKS)

C. STREET MARKINGS - The applicant shall install necessary street markings of a material and design approved by the City Engineer, and replace any that are damaged during construction. These include but are not limited to all pavement markings, painted curbs and handicap markings. All permanent pavement markings shall be thermoplastic. Color and location of painted curbs shall be shown on the plans and subject to approval by the City

Engineer. Any existing painted curb or pavement markings no longer required shall be removed by grinding if thermoplastic, sand blasting if in paint. Once installed, the applicant shall coordinate with City crews to mark any red curb within the proposed City right-of-way with a City seal. (PUBLIC WORKS)

- D. SIDEWALK, CURB AND GUTTER - The applicant shall repair and replace to existing City standards all sidewalk, curb and gutter surrounding the project site. Sidewalk, curb and gutter repair and replacement shall match existing color, texture and design, and shall be constructed per City Standard Drawing 3-1-141A. (PUBLIC WORKS)
- E. DRIVEWAY APPROACHES - The applicant shall install two (2) City Standard Commercial driveway approaches as shown on the approved plans. The new commercial driveway approaches shall be constructed per City Standard Drawing 3-1-148. (PUBLIC WORKS)
- F. DRIVEWAY REMOVAL - The applicant is to remove the existing driveway approaches along Pacific Boulevard as shown on the approved planning application plans, and replace them with sidewalk, curb and gutter per City Standard Drawing 3-1-141A. (PUBLIC WORKS)
- G. SEWER LATERAL – The applicant shall install two (2) at a minimum six (6) inch City Standard sewer lateral connections from the property line to the sanitary sewer manholes located in the street right-of-way. The installation shall be done in accordance with City Standard Drawing 3-1-101. (PUBLIC WORKS)
- H. STREET LIGHT(S) - City-Wide Post Top. The applicant shall provide and install approximately six (6) post top street lights per City Standards and contribute to the City the fee to cover PG&E hook-up charges. The exact number and location of the street lights will be determined by a photometric study. Any new service point connection required to power the new lights shall be shown on the construction drawings along with the conduit, pull boxes and other items necessary to install the street lights. The lights shall be Washington Series Post Top Style LED King Luminaire fixtures (K118R-BAAR), or the Washington Series Post Top Style Lumec Luminaire fixtures (MC-024), or approved equal. This will be a Type III or Type V depending on the Isometric lighting report provided by the designer/contractor. The light shall be Post Top fixture with finial, ribs, bands and medallions mounted on a 14' fluted North Yorkshire style cast aluminum pole 14' fluted Hapco (Dwg. No. B81200) cast aluminum pole; or c) Approved equal. The color of the pole shall be Tiger Drylac Brand Midnight Green (49/51540, RAL 6012, batch #CAL 7572). The base shall fit the City Standard 11" bolt circle pattern slotted for adjustment from 10" to 12" and shall be constructed on a street light base per City Standard Drawing 3-1-161 with 1" bolts. The square bolt pattern configuration shall be installed parallel to the face-of-

curb. The lights shall be shielded from residential units using an internal shielding device provide by the manufacture, if needed. The final location and style of street lights and poles are to be reviewed and approved by the Zoning Administrator and City Engineer during review of the submitted construction lighting plan. As these lights are a long lead-time item, it is recommended that the applicant contact the manufacturer early in the construction phase of the project. (PUBLIC WORKS)

- C3.1 PACIFIC BOULEVARD PEDESTRIAN IMPROVEMENTS – The applicant shall design and construct sidewalk, curb and gutter improvements on the east side of Pacific Boulevard from Project site to the corner of 19<sup>th</sup> Avenue and then through newly constructed curb ramps and thermoplastic crosswalk, continue sidewalk improvements on the west side of Pacific Boulevard connecting to the existing sidewalk adjacent to the Caltrain station, per the approved City of San Mateo Pedestrian Master Plan. The applicant shall make all reasonable efforts to complete sidewalk improvements prior to superstructure building permit issuance. (PUBLIC WORKS)
- C3.2 STORMWATER POLLUTION PREVENTION PERMIT - The applicant must obtain a Stormwater Pollution Prevention (STOPPP) Construction permit, paying the required fees and posting the required cash deposit, for all work associated with the stormwater pollution prevention program (SMMC 7.39 The fee amount will be based upon the City Council resolution in effect at the time the building permit application is made. The permit shall be issued prior to issuance of the first building permit.
- The project applicant shall file a Notice of Intent (NOI) with the State Water Resources Control Board to obtain coverage under the State General Construction Activity NPDES Permit. Proof of permit must be provided to the Public works Department prior to issuance of the STOPPP Construction permit. (PUBLIC WORKS)
- C3.3 INTERIOR FLOOR DRAINS – All interior floor drains shall be plumbed to connect to the sanitary sewer system, and shall not be connected to stormwater collection system per the San Mateo Countywide Water Pollution Prevention Program’s C.3 requirements. (PUBLIC WORKS)
- C3.4 STORM DRAIN INLETS AND WATERWAYS - Per the San Mateo Countywide Water Pollution Prevention Program’s C.3 requirements, the applicant shall mark with the words “No Dumping! Flows to Bay,” or equivalent, on all storm inlets surrounding and within the project parcel, using methods approved by the City. (PUBLIC WORKS)
- C3.5 UNDERGROUND UTILITIES - The applicant must agree to install all new, and upgraded, utility service, including telephone, electric power, and other communications lines underground to the building in accordance with City of San Mateo Municipal Code 26.32.020. (PUBLIC WORKS)
- C3.6 DRAINAGE - All storm runoff drainage shall be directed to the public street, fronting the project site unless otherwise approved by the City Engineer, with a minimum grade of two (2) per cent over landscaped areas and one-half (1/2) per cent over paved areas. Drainage

structures designed into landscaping with the purpose of reducing volume or improving quality of runoff from the site is encouraged, subject to the approval of the City Engineer. No increase to the peak discharge shall be permitted downstream. In addition, discharge must conform to any non-point source permit issued by the Regional Water Quality Control Board. Drainage improvements made on-site shall conform to standard engineering practices and shall not allow any site drainage to impact adjacent properties. All drainage capacity calculations shall be performed by a licensed Civil Engineer, whose signed engineer's stamp shall appear on the calculations sheets, and shall be submitted to the City for review and approval with the project civil plans. The applicant shall install bio-retention areas, per the approved plans. (PUBLIC WORKS)

- C3.7 UNDERGROUND PARKING GARAGE DRAINAGE - Water from the underground parking garage shall not be discharged onto the public street. The applicant shall design a storm system to separate the oil and water and connect to the City's sanitary sewer system. The design shall be done by a licensed Civil Engineer who shall provide hydraulic calculations and drawings subject to the approval of the City Engineer. (PUBLIC WORKS)
- C3.8 PARKING LOTS - The applicant shall submit plans for all required off-street parking lots showing proper grading, drainage, ramps profile, and parking dimensions in conformance with City parking standards. The plans shall be approved by the City Engineer prior to the issuance of any City permits. (PUBLIC WORKS)
- C3.9 TRIANGULAR AREA OF VISIBILITY – Landscaping and permanent structures located within the 10' triangular area of visibility at the driveway, and 45' triangular area of visibility at any project corner, shall have a minimum vertical clearance of 7', and/or be less than 3' in height. This includes all PG&E above ground structures and other utility facilities. (PUBLIC WORKS)
- C3.10 CHARGES FOR PUBLIC WORKS SERVICES - Prior to plan checking, the applicant shall be required to deposit with the City, funds to pay for, at the adopted rate, all engineering, inspection and survey services that may be required during plan check and construction of the project. The amount of the deposit shall be \$25,000.00. Public Works plan checking of the plans submitted with the building permit plans cannot proceed until the deposit is submitted. The applicant shall be required to increase the deposit, or be billed monthly at the discretion of the City, for any costs in excess of the deposit. If billed monthly, invoices shall not become delinquent (must be paid within 30 days of receipt). Prior to final occupancy the bill shall be paid in full. The City will refund any portion of the deposit not utilized. (PUBLIC WORKS)
- C3.11 ADDRESS PLAN - The applicant shall submit to the Public Works Department a final address plan. The plan shall be substantially in conformance with the address plan approved with the planning application. Said submittal shall be approved by the City Engineer prior to the submittal of plans for the Foundation (or first) Building Permit. (PUBLIC WORKS)
- C4.0 FIRE HYDRANTS-The fire hydrants shall be installed and active prior to any vertical construction. Fire hydrants shall be spaced 300 feet apart (FIRE)

**D. THE FOLLOWING CONDITIONS SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS SUBMITTED FOR BUILDING SUPERSTRUCTURE PERMIT AND/OR SHALL BE MET PRIOR TO THE ISSUANCE OF SAID PERMIT.**

- D3.0 WASTEWATER TREATMENT PLANT PHASE II IMPACT FEE - In order to meet the increased demands on the Wastewater Treatment Plant created by this project, the applicant shall contribute fees toward the Plant expansion based upon the average projected sanitary flow, as determined under the City Council resolution in effect at the time the building permit application is made. The fee shall be paid prior to issuance of the superstructure building permit. (PUBLIC WORKS)
- D3.1 TRANSPORTATION IMPROVEMENT FEE - The applicant shall pay a fee proportional to the project's share of transportation improvements needed to serve cumulative development within the City of San Mateo. The fee amount will be based upon the City Council resolution in effect at the time the building permit application is made. The fee shall be paid prior to issuance of the superstructure building permit. (PUBLIC WORKS)
- D3.2 SOUTH TRUNK AREA SEWER IMPROVEMENT FEE - In order to meet the increased demands on the South Trunk Sewer system created by this project, the applicant shall contribute fees toward the construction cost to increase its capacity based upon the project's average projected sanitary flow. The fee amount will be based upon the City Council resolution in effect at the time the building permit application is made. The fee shall be paid prior to issuance of the superstructure building permit. (PUBLIC WORKS)
- D3.2 PARK IN-LIEU/IMPACT FEES: The applicant shall pay a park impact fee (SMMC Section 13.05.070) or a fee in-lieu of dedication of lands for park and recreation purposes (park in-lieu fee) (SMMC Chapter 26.64). The final fee shall be determined upon approval of the final map for the park In-lieu fee or prior to the issuance of the building permit for the park impact fee. The park in-lieu fee shall be paid prior to the release of the final map for recordation and the park impact fee shall be paid prior to the issuance of the building permit. If a project with an approved tentative map is issued a building permit prior to the approval of the final map, the applicant shall be subject to the payment of the park impact fee only upon the issuance of the building permit. [PARKS AND RECREATION, PUBLIC WORKS]
- D4.0 ON-SITE HYDRANTS: Install on-site fire hydrants at location to be determined. All fire hydrants shall be equipped with (2) 2 ½" inch and (1) 4 ½" inch outlets. Each hydrant shall be capable of providing a minimum fire flow of 1500 gpm at 20 psi residual pressure. Water supply for fire protection is required to be installed in accordance with the San Mateo Fire Department specifications. The water supply shall be operable PRIOR any combustible construction materials being placed on the site. Staged construction should insure that the necessary water supply is maintained from stage to stage in the construction planning. (FIRE)
- D4.1 ACCESS ROAD: The applicant shall provide a 20 ft wide all weather surface (paving) for emergency vehicle access within 150 feet of all construction or combustible storage. This

access shall be provided before any construction or combustible storage will be allowed. (FIRE)

D4.2 TEMPORARY STANDPIPE: For buildings up to 55 feet install not less than one temporary standpipe starting on the ground level and progressing one story below each new story added. Each level shall be provided with a hose connection 2½” x 1½” reducer using national standard thread. (FIRE)

**E. THE FOLLOWING CONDITIONS SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS AND/OR SHALL BE MET PRIOR TO RELEASE OF UTILITIES OR ISSUANCE OF A CERTIFICATE OF OCCUPANCY.**

E1.0 PLANNING DIVISION INSPECTIONS – The applicant shall be responsible for notifying the project planner for inspections related to construction of all structures, landscaping, and other site improvements. The notification request shall be given at least 72 hours prior to the requested time for inspection. (PLANNING)

E1.1 LETTER OF COMPLIANCE – The designer or architect of record shall submit a stamped and signed letter of compliance that the construction is consistent with the approved building permit plans, prior to scheduling the final Planning Division inspection. (PLANNING)

E1.2 VERIFICATION OF LANDSCAPE INSTALLATION – The applicant shall submit a letter prepared by the project landscape architect stating that all landscape improvements (including trees, shrubs, and irrigation systems) have been installed in compliance with the approved landscape plans submitted to the City for construction. If required by State law, the applicant shall also submit a “Certificate of Completion” consistent with California Code of Regulations Title 23, Division 2, Chapter 2.7 (Model Water Efficiency Landscape Ordinance). (PLANNING)

E1.3 VERIFICATION OF COMPLIANCE WITH ACOUSTICAL ANALYSIS – The applicant shall submit a letter prepared by the person/firm who prepared the acoustical analysis for the project, verifying that all recommendations contained in the analysis have been incorporated into the construction of the project. The letter shall also verify that the project will comply with the noise requirements contained in the City’s General Plan. This letter shall be reviewed and approved by the building and planning divisions prior to the issuance of an occupancy permit (BUILDING/PLANNING)\*

E2.1 ART IN PUBLIC PLACES – If applicable, based on the valuation of the construction for the project, the applicant shall be required to comply with Building Code Chapter 23.60 Art in Public Places or pay a fee in lieu of dedication of public art equal one-half of one percent of the total building valuation, excluding land acquisition and off-site improvement costs (Chapter 23.60). The final fee will be paid into the Art in Public Places Fund and will be determined based on the approved project and construction drawings. The fee shall be paid prior to occupancy. (BUILDING)

E3.0 TRANSPORTATION DEMAND MANAGEMENT TRIP REDUCTION – The Project shall implement a Transportation Demand Management (TDM) Program using programs in

compliance with the San Mateo City/County Association of Governments (C/CAG) Guidelines for Trip Reduction. These programs, once implemented, must be on-going for the occupied life of the Project. The C/CAG Guidelines specify the number of trips that may be credited for each TDM measure. The actions included in the TDM plan shall include those listed the **2090 South Delaware Trip Reduction Program** prepared for the project by Nelson/Nygaard Consulting Associates (Nelson/Nygaard) dated April 30, 2012), the **2090 S. Delaware Street Housing Project Traffic Impact Analysis** by Hexagon Transportation Associates Inc. dated June 28, 2012, or a combination of other actions based on the C/CAG Guidelines, that result in a short-term 25% reduction from current Institute of Transportation Engineers (ITE) standards of project-generated trips and an ultimate 40% trip reduction from current ITE standards. The project's required trip reduction shall be reduced as follows:

- A) Short Term – A 25% peak hour trip reduction from current ITE standards shall begin upon occupancy of the Project.
- B) Long Term – The Project shall result in a 40% trip reduction from current ITE standards after the completion of specific components of Rail Corridor build-out. The exact timing for the application of the 47% trip reduction target shall be set by the Rail Corridor TMA. The guidelines contained in Nelson/Nygaard's **Trip Reduction Program and Trip Generation Threshold** dated February 9, 2011, should be consulted in determining when to apply the 47% trip reduction target.

The above trip reduction rates assume operation of the Hayward Park Caltrain Station. If the Hayward Park Caltrain Station closes with no commuter train service, the Project's trip reduction shall be reduced as follows:

The exact timing for the application of the long-term trip reduction target shall be set by the Rail Corridor TMA. The guidelines contained in Nelson/Nygaard's **2090 South Delaware Trip Reduction Program** prepared for the project by Nelson/Nygaard Consulting Associates (Nelson/Nygaard) dated April 30, 2012), should be consulted in determining when to apply the 40% trip reduction target. ***\*Mitigation-These measures shall be incorporated on the project building plans prior to the issuance of a building permit for the project and shall be monitored by the Public Works Department during the life of the project.*** (PUBLIC WORKS)8

TRANSPORTATION DEMAND MANAGEMENT MONITORING AND COMPLIANCE  
– The trip reduction requirements shall be monitored and verified by City staff and shall be reported annually to the Public Works Commission and City Council. Prior to monitoring, the City and the Transportation Management Association (TMA) shall obtain a scope of work for review from a consultant experienced with traffic monitoring. Funding of the monitoring and reporting for cordon counts, intersection counts and surveys shall be provided by the TMA. Funding for the monitoring of the Project vehicular access points to verify compliance with the Project's trip reduction goal shall be provided by the Applicant.

E3.1

- A) Monitoring – The method of monitoring shall be determined by the City and shall consist of the following required Project-specific traffic counts and optional corridor counts:

- Driveway or Garage Counts, Queuing and Circulation – PM peak hour vehicular access point (covering at least the period 4 PM to 6 PM) shall be conducted annually for at least a five- (5-) day period (Monday through Friday) to determine accurate site trip generation values. Commencement of the counts shall begin within sixty (60) days of occupancy of 50% or more the building and shall be performed annually thereafter. Counts are to be funded by the relevant property owners and be based on the number of Project vehicular access points. The City or TMA may conduct supplemental counts as necessary to accurately define Project trip reduction. During the collection of driveway count data, a queuing analysis shall also be conducted for both entering and exiting vehicles. A review of the driveway(s) circulation shall also be conducted for conformance with the analysis done in the Traffic Operations Study of the Project by Hexagon.

If the vehicular access point counts from the Project are stable for a period of three (3) years following full build out of the plan area, annual counts may be extended to every three (3) years. If the counts change more than ten-percent (10%) after such three- (3-) year period, counts shall go back to being done annually.

- Cordon Counts – Cordon counts of major roadways that provide access to the Corridor Plan area may be used to identify cumulative trip reduction trends and determine if development within the Corridor Plan area is meeting the overall goal of 25% trip reduction from current ITE standards.
- Intersection Counts – Intersection counts along South Delaware Street may be used to determine change in intersection volume and level of service due to increased development along within the Corridor and for conformance with General Plan level of service standards.
- Transportation Surveys – Transportation Surveys may be used as a means to identify driver behavior as related to the TDM measures adopted for each individual Project phase. It is intended that such surveys be used when appropriate to clarify anomalies or questions that may arise during the review of the annual traffic count program.

Dependent on the participants in the TMA, it may be necessary to modify the monitoring of the TDM measures outlined above. However, any changes to the monitoring shall not change the essence of the requirements and shall still ensure that the trip reduction requirements are met.

- B) Non-Compliance with the Trip Reduction Measures – If during review of the annual TMA monitoring it is determined that the Project has not met its required site trip reduction, the Project shall be identified as being in non-compliance status. Notification shall be sent by registered mail to the Applicant, the Transportation Coordinator and the Owners' Association representative indicating this status. Within ninety (90) calendar days of receipt of such non-compliance notice, the Applicant shall be required to submit a revised TDM program to City staff and the TMA that includes more aggressive trip reduction strategies. The revised program shall identify what TDM measures are

proposed to be replaced and what new measures are proposed to be implemented. Review of the revised TDM program shall be scheduled for review at the next available Public Works Commission meeting. The new TDM measures are to be implemented within ninety (90) calendar days of approval by the Public Works Commission. Annual site counts shall take place during the regularly scheduled annual count program.

A second consecutive count period that shows that the Project is not meeting its trip reduction target shall trigger a requirement to again revise the TDM program within ninety (90) calendar days. This revised TDM program will be reviewed by the Public Works Commission. Upon approval of this revised TDM program by the Public Works Commission, a public hearing will be scheduled for review of the plan by the City Council. Either review by the Public Works Commission or City Council may result in the City implementing stricter or more aggressive trip reduction measures or strategies on behalf of the Applicant. Public Works Commission and City Council reviews shall focus on alternative industry-standard TDM measures used in the San Francisco Bay Area, or increasing the effectiveness of the TDM measures listed in the Nelson/Nygaard Project TDM Program.

If necessary, the final step in TDM plan program modification may require the use of GO Passes, changing the shuttle program to better meet user's preferences, unbundling more parking and/or increasing the cost of the unbundled parking, and/or charging for employee/visitor parking.

- C) Vehicle Trip Cap – At no time during the construction or build-out of the project can the trips generated by the project exceed the trip projected in the the **2090 S. Delaware Street Housing Project Traffic Impact Analysis** by Hexagon Transportation Associates Inc. dated June 28, 2012 *\*Mitigation-These measures shall be incorporated on the project building plans prior to the issuance of a building permit for the project and shall be monitored by the Public Works Department during the life of the project. (PUBLIC WORKS, PLANNING)\**

E3.2 TRANSPORTATION MANAGEMENT ASSOCIATION – The Project shall participate in the TMA formed to manage projects within the Corridor Plan area. As a participant, the Project would be required to share the costs to fund annual TMA administration and management and share the costs of programs and services provided to participants. The TMA could conduct and coordinate annual trip generation monitoring, which would be paid for through the annual membership fees. *\*Mitigation-These measures shall be incorporated on the project building plans prior to the issuance of a building permit for the project and shall be monitored by the Public Works Department during the life of the project. (PUBLIC WORKS)\**

E3.3 RECORD DRAWINGS - The applicant shall submit one full set of original record drawings and construction specifications for all off-site improvements to the Department of Public Works prior to the issuance of any occupancy permit. All underground facilities shall be shown on the record drawings as constructed in the field. The applicant shall also provide the City with an electronic copy of the as-builts in either AutoCAD 2000 - 2006 (.dwg or .dxf format). (PUBLIC WORKS)

- E3.4 RESTORATION OF ROADWAY – Due to the anticipated project’s truck traffic the applicant shall pay a one-time charge for the damaged roadway as a result of construction activities within the general area of the project. The one-time charge will be based on resurfacing and striping 50,000 square feet of the street along the frontage of the project site. The fee will be assessed and collected prior to first occupancy of the building and will be based on the current cost to repair the roadway. (PUBLIC WORKS)
- E3.5 STORM WATER MANAGEMENT FACILITIES MAINTENANCE AGREEMENT – The applicant shall execute a maintenance agreement with the City’s as specified in Chapter 7.39.210-230 of the Stormwater Management and Discharge Control ordinance. The agreement shall outline the operation and maintenance (O&M) plan for the permanent storm water treatment facilities. This agreement shall be executed and recorded prior to the first occupancy of the building. (PUBLIC WORKS)
- E4.0 FIRE APPARATUS ACCESS: Maintain a 20 ft wide clear all weather surface (paving) for emergency vehicle access. This access shall be provided and approved by the fire department before any construction or combustible material will be allowed. (FIRE)
- E4.1 PROGRAM SUPERINTENDENT: The owner shall designate a program superintendent that shall be responsible for the fire prevention program and shall develop and maintain an approved pre-fire plan in cooperation with the fire department. The fire department shall be notified of changes affecting any information in the pre-fire plans. (FIRE)
- E4.2 ELECTRICAL POWER DISCONNECTING MEANS: Provide a key switch to disconnect (shunt) the building electrical power by Fire Department personnel. Contact the Bureau of Fire Protection and Life Safety to coordinate the exact location for such devices. (FIRE)
- E4.3 FIRE AND LIFE-SAFETY REQUIREMENTS FOR OCCUPANCY: All fire protection systems shall be installed and approved by the fire department. All exits, signage, emergency lighting, rated construction, fire assemblies, fire extinguishers, evacuation signs as required, HVAC smoke detection as required, elevator recall and building address numbers shall be installed and approved by the fire department before clearance for certificates of occupancy. (FIRE)
- E4.4 FIRE ACCESS-Knox Boxes with building access keys shall be provided at locations specified by the SMFD Fire Marshal. (FIRE)
- E5.0 PARKING GARAGES - 23.54.030 – Parking Garage Security Requirements. The police department, in the interest of public safety, requires that cameras be placed at the vehicular entrances and exits to all parking garages in an effort to prevent auto burglaries, auto theft, and other associated crimes that tend to take place in enclosed garages. The system shall capture the front and rear of all entering and exiting vehicles that use the garage. The picture quality shall be sufficient to identify the make/model of vehicle, clearly read a front/rear license plate, and obtain clear facial recognition through the front windshield. The system does not need to be monitored but the captured video material shall be accessible to investigating police personnel through some form of facility management during regular

business hours. The information shall be maintained and retrievable for seven days. Parking garages serving residential uses in shall be provided with electrically operated closures to allow passage of motor vehicles, except that required visitor parking shall have unrestricted access. The closures, whether overhead, sliding or swinging shall be provided with reopening devices which will function to stop and reopen the closure in case the closure is obstructed when closing. Openings into the garage which are not for vehicular or human passage shall be provided with security grilles or screens. Digital keypads shall be provided to allow for entry by services and emergency services vehicles. Exterior doors or gates providing access to the secure areas of the parking garage shall remain locked at all times, and shall only be accessible through the use of keys furnished to the building residents.

Additional requirements include the following:

- a) Parking spaces should not be numbered to coincide with interior unit numbers.
- b) Digital access pads shall be installed at the primary entrance location of all parking garages. These pads should allow emergency vehicle access into the garages at all times. The pads should be programmed with City input and then administratively distributed to the police and fire departments. These access pads should be installed in consistent locations throughout the project. Access out of garage - pedestrian access doors should be master key controlled for tenants and be equipped with self-closing devices.
- c) All storage, maintenance, and trash rooms within parking garages shall have doors which cannot be locked from the inside, and that close and lock quickly and automatically upon exit. (POLICE)

E5.1 MINIMUM SECURITY STANDARDS FOR MULTIPLE-FAMILY DWELLINGS- City of San Mateo Municipal Code 23.54.070 enumerates a number of security standards for multiple-family dwellings. Compliance with the Municipal Code is required. (POLICE, BUILDING)

**F. THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH AT ALL TIMES DURING THE CONSTRUCTION PHASE OF THE PROJECT.**

F1.0 CULTURAL RESOURCES-If, during any phase of project construction, archaeological resources or human remains are discovered, work shall be halted within a 50-foot radius of the find. Work shall not be resumed until the find has been evaluated and potential significance determined by a qualified professional archaeologist. If the qualified archaeologist determines that any finds are significant, then representatives of the construction contractor, the City of San Mateo, and the qualified archaeologist shall determine the appropriate course of action. In the event that human remains are discovered, the provisions outlined in CEQA Guidelines Section 15064.5 shall be implemented. This would require consultation with the Native American Heritage Commission, if the remains are Native American. Any required measures to be taken will be reviewed and approved by the Planning Division prior to issuance of superstructure permit and will implemented prior to the

issuance of a certificate of occupancy. (PLANNING)\*

F2.0 BUILDING CONSTRUCTION ACTIVITIES - The following provision to control traffic congestion, noise, and dust shall be followed during site excavation, grading and construction:

The allowed hours of Building construction activities may be waived or modified through an exemption from the hours of work designated in Section 23.06.060, for limited periods, if the Building Official finds that:

- a) The following criteria are met:
  - 1) Permitting extended hours of construction will decrease the total time needed to complete the project thus mitigating the total amount of noise associated with the project as a whole; or
  - 2) An emergency situation exists where the construction is necessary to correct an unsafe or dangerous condition resulting in obvious and eminent peril to public health and safety. If such a condition exists, the City may waive any of the remaining requirements outlined below.
- b) The exemption will not conflict with any other conditions of approval required by the City to mitigate significant impacts.
- c) The contractor or owner of the property will notify residential and commercial occupants of property adjacent to the construction site of the hours of construction activity which may impact the area. This notification must be provided three days prior to the start of the construction activity.
- d) The approved hours of construction activity will be posted at the construction site in a place and manner that can be easily viewed by an interested member of the public.

The Building Official may revoke the exemption at any time if the contractor or owner of the property fails to abide by the conditions of exemption or if it is determined that the peace, comfort and tranquility of the occupants of adjacent residential or commercial properties are impaired because of the location and nature of the construction. The waiver application must be submitted to the Building Official ten (10) working days prior to the requested date of waiver.(BUILDING)

F2.1 CONSTRUCTION NOISE MEASURES-The following measures shall implemented during the construction of the project to reduce significant short-term noise impacts:

- a) All construction activities shall comply with the requirements of the San Mateo Municipal Code regarding hours of construction.
- b) All diesel equipment shall be operated with closed engine doors and should be equipped with factory-recommended mufflers.
- c) Proposed walls or barriers shall be installed as early as possible to help reduce noise

from construction activities.

- d) Stationary construction equipment shall be kept beyond 100 feet of existing residences.
- e) Noise attenuation techniques will be employed as needed and feasible to reduce noise levels below 80 dBA Leq at exterior locations in residential areas. Such techniques may include the use of sound blankets on noise generating equipment and the construction of temporary sound barriers between construction sites and affected uses. Noise attenuation techniques will be verified through measurement of noise levels.
- f) Whenever feasible, electrical power should be used to run air compressors and similar power tools.
- g) Contractors shall use "quiet" models of any conventionally noisy construction equipment such as air compressors, jackhammers and other impact tools, as feasible.
- h) Use scrapers as much as possible for earth removal, rather than noisier loaders and hauling trucks.
- i) Use a motor grader rather than a bulldozer for final grading.
- j) Power saws should be shielded or enclosed where practical to decrease noise emissions. Nail guns should be used where possible since they are less noisy than manual hammering.
- k) Use generators and compressors that are housed in acoustical enclosures rather than weather enclosures or none at all.
- l) Contractors shall designate an employee as the construction noise coordinator and provide an on-site sign that will identify the person and provide a contact number. The coordinator would be responsible for receiving calls from residents or businesses regarding specific construction noise-related complaints. The coordinator would then be responsible for taking appropriate measures to reduce or eliminate noise levels as appropriate. Complaints and the response should be logged and kept on file for review by the City. The construction noise coordinator would act as a liaison between the residents in the vicinity of the construction and the contractor, so perceived noisy activities are addressed as soon as possible. (BUILDING)\*

### F3.0

SUBDIVISION MAP - The applicant shall have a subdivision map, prepared by a person authorized to practice land surveying in California, delineating all parcels created or deleted and all changes in lot lines in conformance with San Mateo Municipal Code Section 26.52. The Final Subdivision Map shall be approved by the Department of Public Works and recorded by the County Recorder's Office prior to occupancy. A map guarantee shall be submitted to the City, by the applicant's title company, prior to release of the map to the title company for recordation. Prior to the City's release of the subdivision map to the title company, the applicant may, at the discretion of the City Engineer, be required to submit to the City an electronic copy of the map in either AutoCAD version 14, 2000-2006 (.dwg or

.dxf format). It is the applicant's responsibility to check with their title company and the County Recorder's Office to determine the time necessary to have the map recorded after City approval. (PUBLIC WORKS)

F3.1 SUBDIVISION AGREEMENT - The subdivider shall enter into a subdivision agreement with the City to guarantee the construction and installation of public and private improvements as required by Chapter 26.60 of the Municipal Code. Performance of the subdivision agreements shall be guaranteed by securities as specified in Chapter 5 of the Subdivision Map Act. (PUBLIC WORKS)

F3.2 DEDICATIONS - The applicant or owner shall agree to dedicate a strip of land along his frontage for pedestrian access easement purposes. The easement shall be as shown on the approved plans. (PUBLIC WORKS)

F3.3 PUBLIC WORKS CONSTRUCTION ACTIVITIES - The following provision to control traffic congestion, noise, and dust shall be followed during site excavation, grading and construction:

- A) Construction activities related to the issuance of any Public Works permit shall be restricted to the weekday between 7:00 a.m. and 7:00 p.m. Please note, however, that no work shall be allowed to take place within the City right-of-way after 5:00 p.m. In addition, no work being done under the issuance of a Public Works encroachment permit may be performed on the weekend unless prior approvals have been granted by Public Works. Earth haul and materials delivery to and from the site, including truck arrivals and departures to and from the site, will be prohibited between the weekday hours of 4:00 p.m. - 5:30 p.m. Signs outlining these restrictions shall be posted at conspicuous locations on site. The signs shall be per the City Standard Drawing for posting construction hours. The sign shall be kept free of graffiti at all times. Contact the Public Works Department to obtain sample City Standard sign outlining hours of operation.

The allowed hours of *Public Works* construction activities may be waived or modified through an exemption, for limited periods, if the City Engineer finds that:

- 1) The following criteria are met:
  - a) Permitting extended hours of construction will decrease the total time needed to complete the project thus mitigating the total amount of noise associated with the project as a whole; or
  - b) Permitting extended hours of construction are required to accommodate design or engineering requirements, such as a large concrete pour. Such a need would be determined by the project's design engineer and require approval of the City Engineer.

- c) An emergency situation exists where the construction work is necessary to correct an unsafe or dangerous condition resulting in obvious and eminent peril to public health and safety. If such a condition exists, the City may waive any of the remaining requirements outlined below.
- 2) The exemption will not conflict with any other condition of approval required by the City to mitigate significant impacts.
- 3) The contractor or owner of the property will notify residential and commercial occupants of property adjacent to the construction site of the hours of construction activity which may impact the area. This notification must be provided three days prior to the start of the extended construction activity.
- 4) The approved hours of construction activity will be posted at the construction site in a place and manner that can be easily viewed by any interested member of the public.

The City Engineer may revoke the exemption at any time if the contractor or owner of the property fails to abide by the conditions of exemption or if it is determined that the peace, comfort and tranquility of the occupants of adjacent residential or commercial properties are impaired because of the location and nature of the construction. The waiver application must be submitted to the Public Works Construction Inspector ten (10) working days prior to the requested date of waiver.

- B) All construction vehicles should be properly maintained and equipped with exhaust mufflers that meet State standards.
- C) Newly disturbed soil surfaces shall be watered down regularly by a water trucks or by other approved method maintained on site during all grading operations. Construction grading activity shall be discontinued in wind conditions that in the opinion of the Public Works Construction Inspector cause excessive neighborhood dust problems. Wash down of dirt and debris into storm drain systems will not be allowed.
- D) Construction activities shall be scheduled so that paving and foundation placement begin immediately upon completion of grading operation.
- E) All aggregate materials transported to and from the site shall be covered in accordance with Section 23114 of the California Vehicle Code during transit to and from the site.
- F) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry

power sweeping is prohibited.

- G) All vehicle speeds on unpaved roads shall be limited to 15 mph.
- H) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- I) Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations. Clear signage shall be provided for construction workers at all access points.
- J) 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 running in proper condition prior to operation.
- K) Post a publicly 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 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Prior to issuance of any permit, the applicant shall submit any applicable pedestrian or traffic detour plans, to the satisfaction of the City Engineer, for any lane or sidewalk closures. The detour plan shall comply with Part 6, Temporary Traffic Control, of the State of California Manual of Uniform Traffic Control Devices (MUTCD), 2003, and standard construction practices. (PUBLIC WORKS)

- F3.4 OFF ROAD EQUIPMENT-The project shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 45 percent PM reduction compared to the most recent ARB fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available. This plan shall be reviewed and approved by the Public Works Department prior to issuance of any building permit. (PUBLIC WORKS)\*
- F3.5 WASTEWATER DISCHARGE-Wastewater potentially generated during site construction through dewatering activities would be discharged to the municipal sanitary sewer and a treatment system to this water will be employed to meet local, state and federal regulations for the discharge of this water. This work will be monitored by the Public Works Department. (PUBLIC WORKS)
- F3.6 EXCAVATED SOILS-Excavated site soils will be tested prior to disposal to confirm that the

concentration of constituents present in site soils do not exceed hazardous waste criteria local, state and federal regulations. If the concentration of constituents in the project site soils do exceed hazardous waste criteria, they will be disposed of as hazardous waste in accordance with local, state and federal regulations. The Public Works Departments will review and approve this work prior to issuance of superstructure permit. (PUBLIC WORKS)\*

F3.7 MATERIAL HAULING AND CONSTRUCTION WORKER PARKING - For material delivery vehicles equal to, or larger than two-axle, six-tire single unit truck (SU) size or larger as defined by FHWA Standards, the applicant shall submit a truck hauling route that conforms to City of San Mateo Municipal Code Section 11.28.040 to the approval of the City Engineer. The haul route for this project shall be: **To: Highway 92 to Concar Drive to South Delaware Street to Pacific Boulevard to Site. From: Site to Pacific Boulevard to South Delaware Street to Highway 92.** A letter from the applicant confirming the intention to use this hauling route shall be submitted to the Department of Public Works, and approved, prior to the issuance of any City permits. All material hauling activities including but not limited to, adherence to the approved route, hours of operation, staging of materials, dust control and street maintenance shall be the responsibility of the applicant. All storage and office trailers will be kept off the public right-of-way. Tracking of dirt onto City streets and walks will not be allowed. The applicant must provide an approved method of cleaning tires and trimming loads on-site. Any job-related dirt and/or debris that impacts the public right-of-way shall be removed immediately. No wash down of dirt into storm drains will be allowed. All material hauling activities shall be done in accordance with applicable City ordinances and conditions of approval. Violation of such may be cause for suspension of work.

The applicant shall provide a construction-parking plan that minimizes the effect of construction worker parking in the neighborhood and shall include an estimate of the number of workers that will be present on the site during the various phases of construction and indicate where sufficient off-street parking will be utilized and identify any locations for off-site material deliveries. Said plan shall be approved by the City Engineer prior to issuance of City permits and shall be enforced during construction. Failure to enforce the parking plan may result in suspension of the City permits. (PUBLIC WORKS)

F3.8 BEST MANAGEMENT PRACTICES (BMP) – The applicant shall perform all construction activities in accordance with the City’s Storm Water Management and Discharge Control Rules and Regulations (SMMC 7.38.020), and the San Mateo Countywide Stormwater Management Plan (SWMP) by reference. Detailed information can be located at: <http://www.flowstobay.org/documents/business/construction/SWPPP.pdf> (PUBLIC WORKS)

F3.9 CONSTRUCTION AND DEMOLITION DEBRIS ORDINANCE-The project will comply with the City’s Construction and Demolition Debris Ordinance. Compliance with ordinance will determined by the Public Works Department prior to the issuance of a certificate of occupancy. (PUBLIC WORKS)\*

F4.0 BARRICADES, FENCES, or GATES ACROSS FIRE ACCESS ROADWAYS: The installation or use of barricades, fences, or gates across emergency vehicle access roads shall

have prior approval of the fire chief. (FIRE)

- F4.1 BUILDING EGRESS– Adjacent buildings/properties shall not have their required egress restricted or compromised at *any time* during the construction of this project. (FIRE)
- F4.2 DRIVEWAY ACCESS: A Fire Department driveway access serving dwelling/structures 30 ft or less in height shall have a minimum 20 foot unobstructed linear width. A Fire Department driveway access serving dwelling/structures over 35 ft in height shall have a minimum 26 foot unobstructed linear width. These driveways/access roads shall be designated as Fire Lanes. Driveway /access road shall meet Fire Department standards for surface type (concrete or asphalt), distance, weight loads (68,000 LBS), turn radius (inside turn radius 39 ft and outside turn radius of 105 ft), grades (15% max), and vertical clearance (13ft-6in). Approved turnarounds shall be required for distances over 150 feet from public streets. Other mitigation's may be required in addition to those listed. The applicant shall provide red curbs, curb lettering and fire lane signs. This project requires all curbs to be red, Fire lane lettering every 30 feet and Fire Lane signs every 100 feet. (FIRE)
- F4.3 FIRE SAFETY DURING CONSTRUCTION: Buildings under construction shall comply with the California Fire Code. All additional fire permits required by the California Fire Code shall be obtained from the Bureau of Fire Protection and Life Safety. (FIRE)
- F5.0 CONSTRUCTION FENCING- In accordance with Section 23.54.110 of the San Mateo Municipal Code, the applicant shall install and maintain construction site fencing and/or the use of security lighting and patrols. **The screening incorporated during construction should be appropriate for the location on the site and as well as attractive and aesthetically pleasing.** (PLANNING, POLICE, BUILDING)

**G. THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH AT ALL TIMES THAT THE USE PERMITTED BY THIS PLANNING APPLICATION OCCUPIES THE PREMISES.**

- G1.0 PENALTY – In accordance with San Mateo Municipal Code section 27.02.210-Violations of Planning Application Conditions, any violation of any of the conditions of approval is unlawful and will subject the property owner to the penalties set forth in Chapter 1.04-General Penalty of the San Mateo Municipal Code as well as any other available legal remedies. (CITY ATTORNEY)
- G1.1 INDEMNIFICATION – Property owner will defend, indemnify, and hold harmless the City of San Mateo, its elected and appointed officials, employees, and agents from and against any costs, claims, or liabilities arising out of the approval of this planning application, including, without limitation, any award of attorney fees that might result from third party challenge. If property owner is required to defend the City, the City shall retain the right to select the counsel who shall defend the City. (CITY ATTORNEY)
- G1.2 FINANCIAL SECURITY/RIGHT-OF-ENTRY - Within 30 days of final approval, the applicant shall, for each applicable property, execute and record a right of entry for the City to

the property to conduct inspections and to enforce any order of the HAAB, P.C. or C.C. regarding property maintenance. For each parcel the applicant shall also post a five thousand dollar (\$5,000.00) security in a form acceptable to the City Attorney, to guarantee enforcement of any order of the C.I.C., P.C. or C.C. regarding property maintenance. In any instance in which the cost of site cleanup for either property exceeds the amount of security deposit posted with the City, the applicant shall deposit an additional \$5,000 security within five (5) days of the written notice from the City. The unexpended amount of this shall be returned to the applicant upon issuance of a building permit or expiration of this planning application. (PLANNING)

G2.2 PORCH AND STOOP FURNITURE - No articles other than porch and patio furniture and landscaping shall be allowed on the porches and front steps of the buildings. Storage of other articles shall not be allowed. This condition shall be recorded in a manner satisfactory to the City Attorney. (PLANNING)

G2.0 MECHANICAL VENTILATION /FILTRATION SYSTEM-The building management shall ensure ongoing maintenance of the mechanical ventilation to the residences so that the required specification, of an efficiency of no less than 85% in removing particles, is maintained. (BUILDING)\*

G3.0 POST CONSTRUCTION BEST MANAGEMENT PRACTICES (BMP) – In accordance with the City’s Storm Water Management and Discharge Control Rules and Regulations (SMMC 7.38.020), and the San Mateo Countywide Stormwater Management Plan (SWMP) by reference, the applicant shall:

- A. Owner/occupant shall inspect private storm drain facilities at least two (2) times per year and sweep parking lots immediately prior to and once during the storm season.
- B. The applicant shall pay a fee on a yearly basis for cost associated with, but not limited to, biannual inspection of the private storm drain facilities, emergency maintenance needed to protect public health or watercourses, and facility replacement or repair in the event that the treatment facility is no longer able to meet performance standards or has deteriorated. The annual fee shall be in the amount of \$500.00.
- C. Label new and redeveloped storm drain inlets with the phrase “No Dumping – Drains to Bay” plaques to alert the public to the destination of storm water and to prevent direct discharge of pollutants into the storm drain. Template ordering information is available from the Department of Public Works.
- D. All process equipment, oils fuels, solvents, coolants, fertilizers, pesticides, and similar chemical products, as well as petroleum based wastes, tallow, and grease planned for storage outdoors shall be stored in covered containers at all times. (PUBLIC WORKS)

- G4.0 SECURITY GATES – If security gates are desired at any entrance to the project the gates shall be provided with a Fire Department approved pad lock or key box to allow Fire Department access. The minimum width of the gates shall be (15’) feet clear opening width. Contact the Bureau of Fire Protection and Life Safety for specific requirements. (FIRE)
- G4.1 KEY BOX – Install Knox key box(s) on all buildings to allow for Emergency Services/Fire Department accesses. Contact the Bureau of Fire Protection and Life Safety for specific requirements and location approval. Provide keys as required. (FIRE)
- G4.2 KEY SWITCH FOR SECURITY GATES: Installed security gates shall be provided with a Fire Department approved lock or key box to allow Fire Department access. The minimum width of the gates shall be 15 feet clear width opening. Automatic operated gates shall be provided with a means to provide access in the event of power loss. Contact the Bureau of Fire Protection and Life Safety for specific requirements. (FIRE)
- G4.3 HYDRANT CLEARANCE: Maintain a 3 ft clear space around all fire hydrants and accessible. Hydrants shall be installed, tested, flushed and approved by the fire department prior to any combustible materials brought onto the work site. (FIRE)

\* **MITIGATION MEASURE** - This measure mitigates adverse environmental effects identified in the environmental document. Monitoring procedures are contained within the condition of approval. A change in the condition may affect the validity of the current environmental document, and a new or amended environmental document may be required.