

**EXHIBIT B**  
**CITY OF SAN MATEO PLANNING APPLICATION**  
**CONDITIONS OF APPROVAL**  
**PA #14-044, CENTRAL PARK SOUTH**  
**SPAR, SITE DEVELOPMENT PLANNING APPLICATION & TENTATIVE PARCEL MAP**  
**885 S. EL CAMINO REAL, 15 9TH AVE., 25 9TH AVE., 31 9TH AVE.**  
**PARCEL(S) #0034-200-220, -150, -140, -130**

The following conditions of approval apply to the project referenced above. The conditions of approval are grouped under specific headings that relate to the timing of required compliance. Additional language within a condition may further define the timing of required compliance.

- A. The following conditions shall be satisfied prior to the issuance of the first of any DEMOLITION PERMIT, BUILDING PERMIT, or SITE DEVELOPMENT PERMIT, or at the time specified in the condition.**

**Planning Division**

1. 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. Documentation of any changes to the approved Planning Application plan set shall be provided at the time of Building Permit submittal. Any proposed modifications to the approved planning application must be reviewed by the Chief of Planning and/or Zoning Administrator. Modifications to Building Permit plans must be approved prior to construction of the modified improvements. 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, or City Council. (PLANNING)
2. CONDITIONS OF APPROVAL – Final plans shall include all the Conditions of Approval on sheet 2 of the plans. (PLANNING)
3. NOTICE OF PROJECT RESTRICTIONS – The applicant 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 PA 14-044, Central Park South.

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)

4. PAYMENT OF OUTSTANDING PLANNING APPLICATION FEES – The 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)
5. HERITAGE TREE PROTECTION - The applicant shall protect all heritage trees designated to remain from damage during construction. Tree protection shall comply with all provisions of the Heritage Tree Ordinance, approved Tree Protection Plan contained in the approved project arborist's report, and any requirements imposed by the City herein or in the applicable provisions of the City's Municipal Code. The following tree protection measures shall be shown on building permit drawings:
  - a) All recommendations for tree protection contained in the approved Tree Protection Plan contained in the approved project arborist's report, and/or additional requirements imposed by the City herein or in the applicable provisions of the City's Municipal Code.
  - b) Protective fencing shall be located at the drip line of existing major vegetation to remain. This protective fencing shall be constructed of solid wood, chain link, or other solid materials subject to approval of the Zoning Administrator.In addition, the following requirements shall be complied with at all times during construction:
  - c) Oil, gas, chemicals, or construction materials shall not be stored within the drip line of trees that are designated to be preserved.
  - d) Signs, wires, or other types of obstructions shall not be attached to trees.
  - e) Trenching under the drip line of trees is to be avoided. If trenching is necessary, trenches are to be hand dug and major roots retained.

All tree protection measures shall be constructed prior to issuance of a grading permit, demolition permit, or building permit. The Project Arborist shall submit a letter to the Project Planner verifying that all tree protection measures are properly implemented prior to the issuance of the first building permit. (PLANNING)

6. SITE DEVELOPMENT PERMIT FOR REMOVAL OF TREES AND TREE REPLACEMENT/IN LIEU FEES - The applicant shall obtain a Site Development Permit from the Planning Division for removal of existing trees with a diameter of 6 inches or larger, prior to the issuance of a Site Development Permit or demolition building permit, whichever is issued first. The applicant shall plant trees on the project site 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)
7. TENANT RELOCATION ASSISTANCE - Relocation assistance in the form of a list of comparable housing available within San Mateo County shall be provided to the head of household occupying each unit to be demolished or converted at the time a planning application is filed, together with a relocation allowance in cash or check equal to three (3) months' rent at the tenant's rate in effect at the time final approval is granted. The rental list shall be updated weekly by the applicant until the residences are vacated and a copy of all assistance plans will be forwarded to the Planning Division. Payment shall be made prior to notice of relocation; ; and applicant shall submit written documentation as proof of payment. (PLANNING)
8. PHASED PROJECTS - Applicant shall submit a complete phasing plan indicating all infrastructure and other site improvements to be installed in conjunction with the construction of a particular building, parcel, or phase of development. (PLANNING)
9. 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. No signage is approved as part of this Planning Application. The applicant will be responsible for obtaining separate permits for signage through the Building Division. (PLANNING)
10. 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)

11. LOCATION AND FULL SCREENING OF ABOVE GROUND UTILITIES, EQUIPMENT, AND DEVICES INCLUDING TRANSFORMERS AND BACK FLOW PREVENTORS - All ground level utilities, equipment, and other project related operational/utility devices (“Items”) shall be shown on the building permit plans, consistent with the approved planning application plans. All Items should be fully screened on all four sides from public view by a solid wall or solid wood fence that complies with San Mateo Municipal Code Chapter 27.84 Fences, Trees and Hedges. Landscaping in the form of densely planted tall shrubs may be utilized where placement of a fence is infeasible, subject to review and determination by the Zoning Administrator in the field. These Items shall be setback as far as feasible from street frontages and shall be fully screened with landscaping or other screening material. The building permit plans shall show the location and screening of these items; however; the final location and required screening of all Items shall be reviewed and approved by the Zoning Administrator before issuance of a certificate of occupancy/final of the project. (PLANNING)
12. 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. The building permit plans shall show the location and screening of the Enclosure; however; the final location and required screening of all Items shall be reviewed and approved by the Zoning Administrator before issuance of a certificate of occupancy/final of the project. (PLANNING)
13. 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:
  - a) All planting areas located within or adjacent to open parking areas containing five (5) or more parking spaces shall provide a six-inch-high vertical concrete curb to protect the planting areas. For parking lots containing less than 5 stalls, this requirement may be met by a concrete wheel stop in front of each diagonal or perpendicular stall plus a minimum six-inch-high concrete curb in other areas or approved equal.
  - b) The applicant shall install (6) 15-gallon or larger London Plane trees along public streets including four (4) on El Camino Real and two (2) on 9<sup>th</sup> Avenue 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.
  - c) A two-inch (2") depth layer of mulch shall be required in all new planting areas except in areas of turfgrass or annuals.

- d) 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)
14. BELOW MARKET RATE (BMR) UNITS – Applicant agrees to provide BMR units in conformance with Municipal Code Section 27.16.050 and Resolution 135 (2010). This also includes payment of below market rate program in-lieu fee for fractional units as outlined in the City of San Mateo Comprehensive Fee Schedule. (PLANNING)
15. 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)
16. INTERIOR NOISE LEVELS – The project design shall result in a completed project that complies with the City’s Noise Goals as enumerated in the Noise Element of the General Plan and incorporated here by reference. The applicant shall provide an acoustical analysis, by a licensed acoustical consultant, which shall contain recommendations to ensure the unit’s interior LDN levels not to exceed 45dB as established in the San Mateo General Plan. A copy of the acoustical analysis shall be submitted as part of the building permit drawings for this project. 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. (PLANNING)

**Building Division**

17. CALGREEN – The building shall be designed to include the green building measures specified as mandatory in the application checklists contained in the California Green Building Standards Code. The applicant shall incorporate the checklist along with a notation on the checklist to specify where the information can be located on the plans, details, or specifications, etc.
- See City of San Mateo CalGreen Residential Check List at:  
<http://www.cityofsanmateo.org/DocumentCenter/View/40971>

See City of San Mateo CalGreen Additions/Alterations Nonresidential Checklist at:  
<http://www.cityofsanmateo.org/DocumentCenter/View/40972>

See City of San Mateo CalGreen New Nonresidential Checklist at:  
<http://www.cityofsanmateo.org/DocumentCenter/View/40970> (BUILDING)

18. PRE-CONSTRUCTION CONFERENCE FOR LARGE PROJECTS- A pre-construction conference shall be held at a time and location agreed upon by the City and applicant for the purpose of reviewing Conditions of Approval and construction-site procedures. The applicant shall be represented by his design and construction staffs, which include any sub-contractors. Departments having conditions of approval for the project will represent the City. This meeting shall be held prior to issuance of the Demolition Permit, Building Permit or Site Development Permit, and shall be satisfied prior to issuance of whichever permit is issued first. (BUILDING)
19. ART IN PUBLIC PLACES – If applicable, based on the valuation of the construction for the project, the applicant shall be required to comply with Section 23.60 of the San Mateo Municipal Code for 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. 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)
20. CHILD CARE DEVELOPMENT FEE – If applicable, based on commercial projects over 10,000 sq. ft. of either: a) new commercial development, b) addition of square footage to existing commercial development, and/or c) commercial tenant improvements requiring a planning approval, the applicant shall be required to comply with City Council Resolution No. 88 – (2005). The final fee will be based on the square footage of the entire project. It shall be paid into the Child Care Development Fund and will be determined based on the approved project and construction drawings. The fee shall be paid prior to occupancy. (BUILDING)
21. SITE SURVEY – The applicant shall provide a 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)

22. HAZARDOUS MATERIALS - As required by state law, an asbestos and lead paint abatement scope of work will be developed prior to issuance of a demolition permit for the structure on the project site. All 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 addition, any asbestos abatement contractors performing work on the site will be licensed by the State of California. Buildings of the age of those on the project site may contain mercury and/or PCBs. Therefore these hazardous materials shall be found and removed prior to demolition and recycling. This will be verified as part of a final hazardous materials report prepared by a qualified consultant and will be submitted to the Building Division prior to issuance of a demolition permit. (BUILDING)
23. 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 must obtain an encroachment permit from the Public Works Department for scaffolding erected within the public right-of-way. (BUILDING)
24. SOILS REPORT – The applicant shall provide a stamped, signed, and dated soil investigation report containing design recommendations to the Building Official. 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, the applicant shall submit a stamped, signed, and dated letter from the Geotechnical Engineer or Civil Engineer who prepared the soil investigation stating the following:
- a) The plans and specifications substantially conform to the recommendations in the soil investigation.
  - b) The Geotechnical Engineer or Civil Engineer who prepared 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)

**Fire Department**

25. FIRE SPRINKLER SYSTEM: Install an N.F.P.A. 13 fire sprinkler system complying with local amendments. Provide permanent drain to sanitary sewer for all sprinkler discharge. Submit under separate fire plan check and permit. Separate plan check permit is required for the underground fire service.
26. FIRE STANDPIPE SYSTEM: Install a 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.
27. 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.
28. 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.
29. FIRE ASSEMBLIES AND APPLIANCES: The final location of fire service backflow preventors, fire department connections and the juncture of fire service lines to the water main grid shall be approved by fire and documented on the Fire Sprinkler plans.
30. 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.
31. 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.
32. 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. (FIRE)
33. ROOF HATCHES: Required roof hatches shall be a minimum size of 4 feet by 6 feet. (FIRE)

34. STAIRS: Two stairwells designated by fire shall go to the roof. No ship ladders will be allowed. (FIRE)
35. ROOF LADDERS: If roof elevations are different by 3 feet or more and where the slope is at or exceeds 1 in. rise over 4 in. run, stationary, interconnected ladder and footpath systems to the roof top shall be provided on building permit plans. The design of these ladders is subject to review and approval by the Fire Marshal. (FIRE)
36. TURN AROUND ON SITE: A fire apparatus turn-around shall be provided for distances over 150 feet from public streets. The applicant shall provide red curbs, curb lettering and fire lane signs to indicate no parking. (FIRE)
37. 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, distance, weight loads (68,000 LBS), turn radius (inside turn radius 33 ft and outside turn diameter of 48 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)
38. 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)
39. 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)

**Public Works Department**

40. 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), 2012, 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 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, and will include tree grates, unless they are within the planting strip. (PUBLIC WORKS)
- B. 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)
- C. SIDEWALK, CURB AND GUTTER - The applicant shall replace to existing City standards all sidewalk, curb and gutter surrounding the project site. Sidewalk, curb and gutter replacement shall be constructed per City Standard Drawing 3-1-141A. The complete frontage amount will be used to determine minimum bonding requirements for the encroachment permit. Prior to the construction of the curb and gutter, the City Engineer, or their representative and the applicant shall agree to the amount needed to be replaced to restore it to City Standards. (PUBLIC WORKS)
- D. CURB RAMP - The applicant shall construct one (1) curb ramp in accordance with State Standard Drawing No. RNSP A88 at the corner of 9<sup>th</sup> Avenue and El Camino Real. The actual ramp "Case" shall be identified on the plans and shall be to the approval of the

City Engineer. (PUBLIC WORKS)

- E. DRIVEWAY APPROACHES - The applicant shall install three (3) City Standard Commercial driveway approaches as shown on the approved plans. The new commercial driveway approach shall be constructed per City Standard Drawing 3-1-148. (PUBLIC WORKS)
- F. SEWER LATERAL - The applicant shall install as a minimum two (2), six (6) inch City Standard sewer lateral connections from the property line to the sewer main located in the 9<sup>th</sup> Avenue right-of-way. The installations shall be done in accordance with City Standard Drawing 3-1-101. (PUBLIC WORKS)
- G. STORM SEWER MANHOLES - The applicant shall install four (4) storm sewer manholes, as shown on the approved plans, and in accordance with City Standard Drawing No. 3-1-104. (PUBLIC WORKS)
- H. STORM SEWER CATCH BASIN - The applicant shall install one (1) “G-3” storm sewer catch basin as shown on the approved plans, and in accordance with City Standard Drawing No. 3-1-123, or equivalent as determined by the City Engineer. (PUBLIC WORKS)
- I. STORM DRAIN LINE - The applicant shall install five hundred (500) feet of new 12-inch storm drain along 9<sup>th</sup> Avenue, as shown on the approved plans. New storm drain line shall be corrugated HDPE. (PUBLIC WORKS)

- J. STREET LIGHTS - The applicant shall provide and install post top street lights along 9<sup>th</sup> Avenue per City Standards, based on an Isometric lighting level study to be provided by the designer/contractor. The applicant shall contribute to the City one thousand dollars (\$1,000.00) per street light service point to the City to cover PG&E hook-up charges. 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, LED King Luminaire fixtures, LED LUMEC fixtures, 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 manufacturer. 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)
41. 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. For project sites which involved land disturbance of one or more acres (Type IV projects): 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 along with a Storm Water Pollution Prevention Plan (SWPPP) prepared by a qualified SWPPP designer prior to issuance of the first building permit. (PUBLIC WORKS)
42. 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, using methods approved by the City standards on all storm inlets surrounding and within the project parcel. (PUBLIC WORKS)

43. GARBAGE/RECYCLE/COMPOSTING STORAGE AND SERVICE – The applicant shall provide an adequate area for the purposes of storing garbage, recycling, composting collection containers for scheduled servicing by the franchise solid waste collection service. The containers may be placed on the street within the loading zone for a maximum of two hours; one hour prior to the scheduled servicing time, and must be removed from the street within one hour after the service. The containers shall be placed at the service location allowing enough room for the truck to safely approach the containers. The collection containers shall be brought to the service area on the day of service and returned to the storage enclosure by the property owner. The containers are not to be in public view or in the public right-of-way prior to, or beyond the scheduled service times. A letter needs to be provided from the City’s franchise solid waste collection service provider. (PUBLIC WORKS)
  
44. CLEAN, INSPECT AND REPAIR SANITARY SEWER - The applicant shall clean and inspect (via remote TV camera) the mainline sewer from the manhole upstream to the manhole downstream of the project lateral connection (MH 304:11 to MH 304:12). The video inspection shall be done by a professional sanitary sewer video inspection company, to City standards, and be completed prior to building permit issuance. The video inspection shall be conducted within 6-months of obtaining the building permit. The video of the inspection shall be reviewed with the Department of Public Works and any cracked or broken areas of the line along the project frontage shall be repaired by the applicant at his expense. The required repairs (spray foam-RazoRooter or flushing, or removal of roots, or replacement), as determined by the Public Works Department, shall appear on the improvement plans submitted by the applicant for permit plan check. All necessary repairs to the sewer shall be completed and approved prior to connection of the project lateral to the sewer. (PUBLIC WORKS)
  
45. UNDERGROUND UTILITIES - The applicant must 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)
  
46. DRAINAGE - Drainage designed into landscaping with the purpose of reducing volume or improving quality of runoff from the site shall be implemented, to extent feasible, 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 and flow-through planters. For projects that include permanent structural controls for water quality protection, plans shall include O&M (operation and maintenance) procedures for such control features and specify the owner’s responsibility to ensure their ongoing effective operation and maintenance. Such O&M

responsibility requirements shall be recorded on the property deed. (PUBLIC WORKS)

47. 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)
48. 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)
49. TRIANGULAR AREA OF VISIBILITY – Landscaping and permanent structures located within the 10' triangular area of visibility at the driveway 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)
50. 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)
51. 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 first building permit. (PUBLIC WORKS)
52. PARCEL MAP - It shall be the applicant's responsibility to have a parcel 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 26.56. The parcel map shall be approved by the Department of Public Works and recorded with the County Recorder's Office prior to the issuance of any City permits. A parcel map guarantee shall be submitted to the City, by the applicant's title company, prior to release of the parcel map to the title company for recordation. Prior to the City's release of the parcel 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)

53. CALTRANS PERMIT - Prior to the issuance of a foundation building permit, the applicant must submit evidence to the Public Works Department of approval by the State of California for the performance of any work within the State right-of-way. If the City is required to be a party to the permit application and a fee is required, the applicant shall reimburse the City for its cost. The Applicant is encouraged to contact the Caltrans permit office as soon as possible to learn what is required to obtain Caltrans approval and issuance of a State Encroachment Permit. (PUBLIC WORKS)

### **Police Department**

54. BUILDING SECURITY CODE COMPLIANCE - The project plans shall comply with the City's Building Security Code (San Mateo Municipal Code Chapter 23.54). (POLICE)

55. EXTERIOR SITE LIGHTING STANDARDS- The applicant shall submit a photometric plan in compliance with the Building Security Code "Exterior Security Lighting" (San Mateo Municipal Code Section 23.54.060). The plan shall comply with the requirement of an average of 1 foot-candle with a 4:1 minimum to average ratio and a minimum lighting of 0.3 foot-candle. This lighting standard is applicable to all publicly-accessibly parking lots, driveways, circulation areas, aisles, passageways, recesses, and publicly-accessible grounds contiguous to all buildings. Private, interior courtyards not accessible to the public are not required to meet this standard. 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. The photometric plan shall be approved by the Chief of Police or their designee prior to the issuance of the first building permit for the project. Any subsequent building permits that include any site lighting shall also meet these requirements. (POLICE)

56. PARKING GARAGE SECURITY FOR NON-RESTRICTED ACCESS GARAGE FOR THE OFFICE BUILDING - The applicant is not required to restrict access to the parking garage for the office building during standard business hours (defined as Monday through Friday from 6:00am to 6:00pm). Outside of standard business hours this parking garage shall include electrically operated closures to allow passage of motor vehicles. 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 into the garages when it is secured. Exterior doors or gates providing access into the secure areas of the parking garage shall remain locked outside of standard business hours, and shall only be accessible through the use of keys, key fob or remote keyless entry system devices furnished to the building occupants. 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. Lighting in the parking garage shall be in conformance with the Security Ordinance as it applies to Exterior Lighting and metal halide, or other bright white light source, shall be utilized. No dark area shall exist inside the parking garage. (POLICE)

57. PARKING GARAGE SECURITY FOR RESTRICTED ACCESS GARAGE FOR THE RESIDENTIAL BUILDING- The applicant shall restrict access to the parking garage for the residential building with electrically operated closures to allow passage of motor vehicles. 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 into the garages at all times. Exterior doors or gates providing access into the secure areas of the parking garage shall remain locked at all times, and shall only be accessible through the use of keys, key fob or remote keyless entry system devices furnished to the building residents. Pedestrian access points existing out of garage shall also be accessible through the use of keys furnished to the building residents and shall be equipped with self-closing devices. Parking spaces shall not be numbered to coincide with interior unit numbers. 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. Lighting in the parking garage shall be in conformance with the Security Ordinance as it applies to Exterior Lighting and metal halide, or other bright white light source, shall be utilized. No dark area shall exist inside the parking garage (POLICE)

58. VIDEO SURVEILLANCE OF PARKING GARAGES - The applicant shall install and operate for the life of the project video surveillance cameras that shall be placed at the vehicular entrances and exits to all parking garages for this project. The system shall capture the front and rear of all entering and exiting vehicles that use the garage. The cameras shall be Megapixel IP dome or better CCTV cameras that 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 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 a minimum of seven days. (POLICE)
59. SECURED BUILDING ACCESS BY POLICE DEPARTMENT - At the main exterior building entrance(s) and parking garage entrance(s) for secured buildings, the applicant shall install telephone entry pads (TEPs). These TEPs must allow the Police Department personnel to access the interior of the building. The TEPs must also be installed at exterior gate locations that lead to secured areas of the site, such as interior courtyards. TEP Placement location is subject to the review and approval of the Chief of Police or his/her designee, prior to the approval of the first building permit for the project. Police code must be provided to the Police Department personnel upon install. (POLICE)

### **Park and Recreation Department**

60. CHARGES FOR PARK AND RECREATION SERVICES - The Applicant shall pay for all plan check, inspection and other park and recreation services at the rates indicated in the City's Fee Manual. An initial fee shall be paid prior to the issuance of the Building Permit. If the park and recreation services exceed the amount initially paid, the Applicant shall within 30 days of an invoice/notification reimburse the City for such expenses and shall also provide an advanced deposit of funds in increments not to exceed \$5,000 for additional services determined by the City that would need to be performed. Payments shall be made within 30 days of receipt of the invoice/notification. Prior to occupancy the City shall be paid in full. The City will refund any portion of the deposits not utilized. (PARK AND RECREATION)
- 61.\*PROTECTION OF HERITAGE TREES IN CENTRAL PARK - Prior to issuance of a demolition permit, the applicant shall protect and care for those Heritage Trees located on the Central Park property that have a Tree Protection Zone (TPZ) that extends onto the project site in the following manner:
- A. Provide pre-construction tree care and protection measures per the Project Arborist's recommendations prior to the commencement of construction for such measures to take effect and prior to the issuance of the first permit.
  - B. Prior to commencing the pre-construction tree care and protection measures, a detailed schedule of treatments shall be submitted to the City's Managing Arborist for review and approval.
  - C. The applicant shall also update and submit the Arborist Report, prepared by Arborwell, dated January 23, 2015, describing the proper protection measures including

- monitoring, pruning and feeding provisions for these trees during the time of construction and for a period of three (3) years following occupancy. Only upon the approval of such report by the City's Managing Arborist shall the first permit be issued.
- D. Unless otherwise approved by the Director of Parks and Recreation, if during the construction period and during 3 years after occupancy the City Arborist observes that the health of any of the said trees have declined from their current condition, beyond a slight decline within the first year from the initial cutting of roots, the applicant shall remove and replace such tree(s) upon direction from the City's Managing Arborist with healthy tree(s) of a species and condition acceptable the City's Managing Arborist and shall maintain such trees in healthy condition for one year after approved planting. Such replacement tree(s) shall be at least 75% of the height of the existing tree(s) being replaced or a maximum of an 84 boxed size trees unless not available, in which case the closest smaller available boxed trees shall be provided.
- E. The applicant shall also be responsible for removing and replacing any items damaged in Central Park caused by the tree replacement operations, including but not limited to damage to other vegetation, irrigation systems, utilities, hardscape and site amenities.
- F. Prior to any tree replacement, the applicant shall, as expeditiously as possible but not more than 60 days following the direction from the City's Managing Arborist to replace such tree(s), unless otherwise approved by the Director of Parks and Recreation, prepare and submit plans for such tree replacement and include provisions for the replacement of other park features that are likely to become damaged during such operations along with provisions for the protection of existing park improvements to the Director of Parks and Recreation or designee for review and approval. Only upon such approval shall tree replacement work commence.
- G. All tree replacement and park feature replacement work shall be completed as expeditiously as possible but shall not take longer than 9 months from the date of approval of the plans for tree and park amenity replacements by the Director of Parks and Recreation or designee unless otherwise approved by the same City authority.
- H. To guarantee that the above measures will take place, no occupancy shall be granted without the submittal of a form of financial security acceptable to the City Attorney that guarantees that the applicant will perform with the proper licensed or certified professionals the above required tree and park amenity replacement work based on a detailed cost estimate that shall be first submitted for and approved by Director of Parks and Recreation or designee for such replacements.

***\*Mitigation - These measures shall be incorporated on the project plans prior to the issuance of a demolition and building permit for the project and shall be monitored by the Parks and Recreation Division and Building Division during demolition and construction activities for the project through routine inspections (PARKS AND RECREATION, BUILDING)***

62. \*TREE 59. The Coast Redwood tree, noted as tree 59 in the January 23, 2015 Arborist Report by Arborwell Professional Tree Management, will be treated as follows:
- A. No grading below 6 inches within 100 inches from the trunk of the tree will be permitted.

- B. If grading below 6 inches within 100 inches from the trunk of the tree is needed to accommodate the 3 visitor parking spaces in the vicinity of Tree #59, such parking spaces in the surface lot adjacent to tree 59 shall be relocated within the parking garage or at an alternate location fully complying with all zoning code requirements and design guidelines, subject to the review and approval of the Zoning Administrator.
- C. Applicant shall provide a signed statement from the owner of the neighboring property verifying that the owner has been informed of the construction work to be done within the dripline of the trees located on his/her property. If the owner of the adjacent property declines to sign such a statement, evidence that such statement has been delivered to the owner of the neighboring property shall be provided, which evidence is subject to review and approval of the City Attorney.

***\*Mitigation - These measures shall be incorporated on the project plans prior to the issuance of a demolition and building permit for the project and shall be monitored by the Parks and Recreation Division and Building Division during demolition and construction activities for the project through routine inspections. (PARKS AND RECREATION, BUILDING)***

- 63. \*TREES 19, 60-67. The trees noted as #19, #60 – #67 in the January 23, 2015 Arborist Report and March 31, 2015 Supplemental Memo by Arborwell Professional Tree Management, shall be treated in a manner consistent with, and adjacent construction activities performed in a manner consistent with, recommendations in the January 23, 2015 Arborist Report and March 31, 2015 Supplemental Memo by Arborwell Professional Tree Management.

***\*Mitigation - These measures shall be incorporated on the project plans prior to the issuance of a demolition and building permit for the project and shall be monitored by the Parks and Recreation Division and Building Division during demolition and construction activities for the project through routine inspections. (PARKS AND RECREATION, BUILDING)***

- B. **The following conditions shall be addressed on the construction plans submitted for A BUILDING PERMIT FOR THE SUPERSTRUCTURE and shall be satisfied prior to issuance of this permit.**

**Public Works Department**

- 64. 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 collected by the Public Works Department and paid prior to issuance of the first superstructure building permit. (PUBLIC WORKS)

65. 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 collected by the Public Works Department and paid prior to issuance of the first superstructure building permit. (PUBLIC WORKS)
66. 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 collected by the Public Works Department and paid prior to issuance of the first superstructure building permit. (PUBLIC WORKS)
67. 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).

**C. The following conditions shall be met prior to RELEASE OF UTILITIES, FINAL INSPECTION, or ISSUANCE OF A CERTIFICATE OF OCCUPANCY, whichever occurs first.**

**Planning Division**

68. 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)
69. LETTER OF ARCHITECTURAL 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)

70. 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)
71. 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. (PLANNING)
72. FINANCIAL SECURITIES FOR ONSITE PRIVATE LANDSCAPING - Prior to issuance of occupancy or final inspection, 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 onsite private 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)

**Public Works Department**

73. TRANSPORTATION DEMAND MANAGEMENT (TDM) PROGRAM – A Transportation Demand Management (TDM) Program will be prepared for this project, using measures contained in the memorandum prepared by Hexagon, dated December 15, 2014. A written letter to the Zoning Administrator of the City Planning Division on an annual basis as part of the Annual Written Compliance Letter will include a written assessment of compliance with the Transportation Management Plan. Additionally, it shall be a requirement that the property owner or their designee participate in the formation of the Downtown Transportation Management Agency (TMA). Once it is formed, the TMA shall oversee compliance with the TDM Program. (PUBLIC WORKS)
74. TRANSPORTATION MANAGEMENT ASSOCIATION (TMA) – This project is required to participate in the Downtown TMA, including annual payment of membership dues, when it has been established by the City and to pay \$10,000.00 toward the formation of the TMA. Payment shall be made prior to issuance of the building permit. (PUBLIC WORKS)

75. 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)
76. RESTORATION OF ROADWAY – Due to the anticipated project’s truck traffic the applicant shall grind and overlay with 0.2 feet of asphalt concrete the roadways anticipated to be damaged as a result of construction activities within the general area of the project or along the designated haul route. If the street abutting the property has been classified as being in a failed condition or a Pavement Condition Index (PCI) of 50 or below, the applicant will be required to reconstruct the street. Limits of the roadway repair shall be 9th Avenue from El Camino Real and Palm Avenue. The City Engineer shall approve the roadway repair prior to the first occupancy of the building. (PUBLIC WORKS)
77. KEEP CLEAR ZONE – The existing Keep Clear zone marked on 9<sup>th</sup> Avenue in front of the bank driveway shall be moved to align with the proposed office Driveway. (PUBLIC WORKS)
78. STORM WATER MANAGEMENT FACILITIES MAINTENANCE AGREEMENT – The applicant shall execute a maintenance agreement with the City’s Director of Public Works 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 prior to the first occupancy of the building. (PUBLIC WORKS)

***Fire Department***

79. FIRE AND LIFE-SAFETY REQUIREMENTS FOR OCCUPANCY: All fire protection systems shall be installed and approved by the Fire Department prior to occupancy. All exits, signage, emergency lighting, rated construction, fire assemblies, fire extinguishers, evacuation signs as required, smoke control, generators, HVAC smoke detection as required, elevator recall and building address numbers. (FIRE)

**D. The following condition shall be met prior to the approval of the FINAL MAP or PARCEL MAP.**

**Public Works Department**

80. DEDICATIONS - The applicant or owner shall dedicate a variable strip of land along his frontage for pedestrian access easement purposes, as shown on Sheet 10B, Pedestrian Access Easements, on the approved plans. (PUBLIC WORKS)

**E. The following conditions shall be complied with AT ALL TIMES DURING THE CONSTRUCTION PHASE OF THE PROJECT.**

**Planning Division**

81. HERITAGE TREE PROTECTION MEASURES – All approved and installed Heritage Tree protection measures shall be maintained throughout the period of construction as noted in conditions of approval listed above. (PLANNING)

**Building Division**

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

Work hours regulated by the San Mateo Municipal Code shall only be permitted between the hours of 7:00 a.m. and 7:00 p.m. on Monday through Friday, between 9:00 a.m. and 5:00 p.m. on Saturday, and between 12:00 noon and 4:00 p.m. on Sundays and holidays. These hours do not apply to construction work that takes place inside a completely enclosed building and does not exceed the exterior ambient noise level as measured 10 feet from the exterior property lines.

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 of the San Mateo Municipal Code, 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)

### **Public Works Department**

83. 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) 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), 2012, and standard construction practices. (PUBLIC WORKS)

84. 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 project sponsor shall require contractors to prohibit trucks from using “compression release engine brakes” on residential streets. The haul route for this project shall be: Site to Ninth Avenue to S. El Camino Real 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 complied with at all times during construction. Failure to enforce the parking plan may result in suspension of the City permits. (PUBLIC WORKS)

85. 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 Water Pollution Prevention Plan (SMCWPPP) by reference. Detailed information can be located at: <http://www.flowstobay.org/documents/business/construction/SWPPP.pdf> (PUBLIC WORKS)

86. GROUND WATER DISCHARGE- In accordance with the City's Municipal Code, Discharge of Ground Water (SMMC 7.38.150), the Director of Public Works may approve the discharge of ground waters to the sanitary sewer only when such source is deemed unacceptable by State and Federal authorities for discharge to surface waters of the United States, whether pretreated or untreated, and for which no reasonable alternative method of disposal is available. Following the verification of the applicable local, state and/or federal approvals, a Discharge Plan will be approved and monitored by the Public Works Department. (PUBLIC WORKS)

### **Fire Department**

87. PREMISE NUMBER: The applicant shall post an address number on each building at the project site that must be easily visible from the street or fire access road. This address number shall be installed at the start of construction and shall be maintained at all times that the use permitted by this planning application occupies the premises. (FIRE)

88. BARRICADES, FENCES, or GATES ACROSS FIRE ACCESS ROADWAYS DURING CONSTRUCTION: The installation or use of barricades, fences, or gates across emergency vehicle access roads during construction shall have prior approval of the City of San Mateo Fire Chief, or his/her designee. (FIRE)

89. BUILDING EGRESS: Adjacent buildings/properties shall not have their required egress restricted or compromised at any time during the construction of this project. (FIRE)

90. FIRE SAFETY DURING CONSTRUCTION: Buildings under construction shall comply with the requirements of 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)

91. FIRE APPARATUS ACCESS: The applicant shall maintain a not less than 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)

92. FIRE-SAFETY DURING DEMOLITION: Building under construction or demolition shall comply with the California Fire Code. In addition to the requirements of Chapter 14 the following items shall be followed during the demolition of any structure.

Where an existing standpipe exists within a building it shall be maintained in operable condition for use by the fire department at all times during construction including during demolition. Such standpipe shall be demolished with the building but shall not be demolished more than one floor below the floor being demolished. (FIRE)

**F. The following conditions shall be complied with AT ALL TIMES that the use permitted by this planning application occupies the premises.**

**City Attorney**

93. 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 applicant 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)
94. INDEMNIFICATION – The applicant 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 applicant is required to defend the City, the City shall retain the right to select the counsel who shall defend the City. (CITY ATTORNEY)

**Fire Department**

95. 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 City of San Mateo Fire Chief, or his/her designee. (FIRE)
96. DESIGNATED EMERGENCY VEHICLE ACCESS: All required Emergency Vehicle Accessways, including red curbs, curb lettering and fire lane signs shall be maintained at all times that the use permitted by this planning application occupies the premises. (FIRE)
97. 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 with an annual increase, if necessary to recover the City’s costs of inspection, in the amount of any CPI increase.

- 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)

*\* **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.*