

## RESOLUTION NO. 2025 – 68

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT DENYING AN APPEAL AND UPHOLDING THE DECISION OF THE PLANNING COMMISSION TO APPROVE A BY RIGHT APPLICATION PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTIONS 65583.2(C) AND 65583.2(I) FOR DESIGN REVIEW, GRADING PLAN, TREE REMOVAL PERMIT, AFFORDABLE HOUSING PLAN, TRANSPORTATION DEMAND MANAGEMENT PLAN, AND STATE DENSITY BONUS TO ALLOW FOR CONSTRUCTION OF A 140 UNIT APARTMENT DEVELOPMENT AT 500 AND 580 MASONIC WAY (ASSESSOR'S PARCEL NUMBER: 040-315-010) (APPL. NO. PA2023-032)**

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WHEREAS, Prometheus Real Estate Group, applicant, requests approval of entitlements for construction of a 140-unit project comprised of market rate and affordable housing units across four lots that will be merged into a single lot for a total site area of 1.24 acres at 500 and 580 Masonic Way (Assessor's Parcel Number: 040-315-010) (APPL. NO. PA2023-032); and,

WHEREAS, the project is in the Belmont Village Specific Plan area, adopted by the City of Belmont on November 14, 2017, which outlines future growth for the project site; and,

WHEREAS, the project site is identified in the Belmont Housing Element (2023 - 2031) as a Housing Opportunity Site subject to by-right processing under California Government Code Section 65583.2(c) if the project includes twenty percent low income housing units; and,

WHEREAS, the project is subject to by right processing under Government Code Section 65583.2(i) so the California Environmental Quality Act (CEQA) does not apply to the project; and,

WHEREAS, a Planning Commission public hearing was duly noticed, held, and closed on August 19, 2025; and,

WHEREAS, on August 19, 2025, the Planning Commission adopted Resolution Number 2025-18 to approve the by right entitlements for the subject property; and,

WHEREAS, on August 28, 2025, Doug Rickett, a member of the public, filed an appeal of the Planning Commission decision; and,

WHEREAS, a City Council public hearing was duly noticed, held, and closed on October 28, 2025; and,

WHEREAS, the City Council hereby relies upon the staff report dated October 28, 2025, and the facts contained therein, as they pertain to the project, as its own findings of facts, along with any additional findings of facts made by the City Council at the hearing; and,

WHEREAS, the City Council did hear and use their independent judgment and considered all said reports, recommendations and testimony hereinabove set forth and as included in the record.

NOW, THEREFORE, the City Council of the City of Belmont resolves as follows:

SECTION 1. The City Council finds that the project at 500-580 Masonic Way is consistent with the 2035 General Plan and the Belmont Village Specific Plan as described in Exhibit "A".

SECTION 2. The City Council makes the following findings for the by-right review of the requested Design Review, Grading Plan, Tree Removal Permit, Affordable Housing Plan, Transportation Demand Management Plan, and State Density Bonus. Subjective findings are not being considered by the City Council in compliance with Government Code Section 65583.2(i). Subjective findings are included in strikethrough and no rationale for whether the finding can be made is included.

### **Design Review**

The City Council finds that neither of the findings set forth in Section 13.5.1 of the Belmont Zoning Ordinance (BZO) for denial of the project can be made in the affirmative, as follows:

- (1) *The project does not comply with all applicable objective general plan, zoning, subdivision and development standards including objective design review standards.*

Except for development standards that have been waived according to State Density Bonus law (Height, Bulk, and Street Wall Height Standards), the project would be consistent with all applicable objective development and design standards identified in the BVSP and the BZO. Specifically, the project would be consistent with all of the following objective standards:

- Setbacks
- Landscaping / Number of Trees & Water Efficiency in Landscaping (WELo)
- Lot Coverage
- Full Cut-off Lighting
- Minimum Ground Floor Height
- Vehicle & Bicycle Parking
- Limit on Blank Walls
- Color & Material Variation
- Building Module Standards
- Open Space / Outdoor Area Per Unit
- Trash and recycling areas covered and screened
- Roof-top mechanical equipment screened

Therefore, Finding # 1 cannot be affirmed.

- (2) *The project would result in a specific adverse impact to public health and safety that cannot be feasibly mitigated without denying the project or reducing its density.*

No specific, adverse impacts to public and health and safety have been identified for the project as defined in Government Code Section 65589.5(j). There are no significant, quantifiable, direct, and unavoidable impacts, based on objective, identified written public health or safety standards,

policies, or conditions as they existed on the date the application was deemed complete. City staff and consultants have provided technical review, and conditions of approval are included, as applicable, regarding project-related traffic, parking, grading, drainage, storm-water runoff, sanitary sewer impacts, vehicular and pedestrian access, site circulation, site stability, structural encroachments, and construction impacts. Therefore, the project would not result in a specific adverse impact to public health and safety that cannot be feasibly mitigated without denying the project or reducing its density and Finding # 2 cannot be affirmed.

### **Grading Plan**

The City Council finds that the grading plan meets the required objective findings set forth in Section 9-27(a)-(h) of the City of Belmont Municipal Code (Grading), as follows:

- a) The project will not endanger the stability of the site or adjacent properties or pose a significant ground movement hazard to adjacent properties.***

The City's Building Division and Public Works Department have reviewed the grading plans for the project and have determined that the plan is in conformity with the Building Code and the City of Belmont Grading Ordinance (Chapter 9 of the City Code). In addition, the City's standard requirements require the preparation of a site-specific geotechnical investigation, independent peer review of the investigation and incorporation of the findings of the independent peer review into the project design.

The City's consultant geologist prepared an independent peer review of the geotechnical investigations proposed as part of the project and recommends that a design level geotechnical study be provided by the applicant and reviewed by the City's geotechnical consultant for concurrence. The City's consultant geologist further recommends, and is standard practice, that the project geotechnical consultant shall review all plans, field work and conditions to assure that the project is built to specifications. The project geotechnical reports and the City's independent peer review requirements will, as a matter of grading and building permit procedures, be required of the project as conditions of project approval.

Based on reviews by City departments and the City's geotechnical consultant to assess site stability, no immediate safety concerns or hazards have been identified for the subject site or adjacent properties. Therefore, as proposed and conditioned, the project will not endanger the stability of the site or adjacent properties or pose a significant ground movement hazard to adjacent properties. This finding is affirmed.

- b) The proposed drainage improvements, landscaping, and erosion control measures would be adequate to control erosion or flooding and would not degrade riparian habitats, stream channel capacity or water quality.***

There are no streams or rivers on the site. The applicant has submitted a C-3 Checklist, hydrology study, and landscaping, grading, and drainage plans. The submitted materials identify appropriate methods to treat drainage from the site and comply with written City standards and standards of the Municipal Regional Permit for stormwater pollution prevention. Detailed working drawings with stormwater measures will be required to be submitted for review and

approval as part of the building permit application process. The project complies with written standards for drainage and erosion control and this finding is affirmed.

- c) ~~The amount of grading proposed is necessary to allow reasonable use of the site.~~
- d) ~~The proposed grading would result in a building site that is visually compatible with the surrounding land and accommodates any required off-street parking and wall landscaping.~~
- e) ~~The proposed grading will meet the standards and specifications of Article IV of Chapter 9 in the City Code (Grading Ordinance).~~

Conditions of approval have been required for the project to ensure that the final grading plan for the project will meet all of the standards contained in Article IV of Chapter 9 of the City Code (Grading Ordinance). This finding is affirmed.

- f) ~~The Director of Public Services and the applicant's Geotechnical engineer shall find that the form of vehicular access and methods of excavation are the simplest and least intrusive possible to obtain the geologic information required by the city.~~
- g) ~~The grading permit is conditioned on issuance of a hauling permit, if required.~~

Per the conditions of approval, a hauling permit will be required in association with the Grading Permit for this project. This finding is affirmed.

- h) ~~The design of the project preserves existing protected trees on the site and trees on adjoining property to the extent possible.~~

**Tree Removal Permit**

The applicant is seeking to remove three protected trees as part of the project, which requires a Tree Removal Permit under Section 25-5 of the Belmont City Code. The criteria for approval of a Tree Removal Permit set forth in Section 25-7 (b)-(c) is included below. It requires balancing of the criteria by the decision-making body, which is not allowed for a by-right application. The City Council is considering only the objective criteria.

(1) Criteria Supporting Removal	(2) Criteria Supporting Retention
<p><del>(A) The tree is: (i) in poor condition; (ii) at the relative end of its life span of the particular species; (iii) diseased or infested beyond reasonable remediation; (iv) has poor structural integrity; (v) is in danger of falling; or, (vi) poses a safety hazard.</del></p> <p><del>(B) The particular tree species is undesirable due to characteristics such as invasiveness;</del></p>	<p><del>(A) The tree is located outside of the developable area of the property.</del></p> <p><del>(B) The tree and its location contribute substantially to the aesthetic appeal of the property or the neighborhood.</del></p> <p><del>(C) The effect of the requested tree removal on the remaining number, species, size and location of existing trees on the site and in the</del></p>

<p>tendency toward limb failure, and fire hazard.  (C) The tree is damaging or interfering with existing structures, site improvements, or utility services.  (D) Removal of the tree is needed in order to construct improvements or otherwise allow conforming use of the property.  (E) Proximity of the tree to existing or proposed structures.</p>	<p>area, including trees mutually dependent on each other for survival, structural integrity or aesthetics</p>
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The City Council finds that the arborist report and site plans submitted as part of the project indicate that the trees proposed for removal are directly impacted by the project construction and/or have low suitability for preservation with conforming use of the property. As such, the trees proposed for removal comply with criteria D. The submitted landscape plans satisfy the City Code requirement (Section 25-7 (d) (1)) for replacing protected trees at a 1:1 ratio, by proposing the planting of 24 street trees and 14 trees in the outdoor amenity area on the 3rd level of the residential project. The species of the replacement trees will comply with City policies, including the Street Tree Master Plan. This finding is affirmed.

**Affordable Housing Plan**

The City Council finds that the project’s Affordable Housing Plan meets the required findings in Belmont Zoning Ordinance Section 29.6 (b) (1-3), as follows:

- (1) *Affordable units must be comparable in exterior appearance and overall quality of construction to market-rate units in the same housing development. Interior finishes and amenities must equal those provided in the base model market-rate units.*

The exterior appearance of the affordable units is consistent with the market rate units, as depicted on the Elevation Plans (Sheets A2.1 through A2.2) of the project. It is not possible to verify interior finishes and amenities at this time. A project condition of approval will require verification of interior finishes at time of building permit review and after construction of the project (prior to certificate of occupancy). This finding is affirmed.

- (2) *The number of bedrooms in the affordable units must be comparable to the average number of bedrooms in the market-rate units, and the affordable units must be reasonably dispersed within the residential project, with unit locations comparable to those of the market-rate units, or, subject to the approval of the community development director, may be clustered within the residential project when this furthers affordable housing opportunities.*

The 25 affordable units are proportional to the overall project bedroom count as demonstrated in the table below:

Unit Type	Number of Units	Unit Type Percent of Total	Expected Affordable Units	Proposed Affordable Units
Studio	39	27.86%	25 x 27.86% = 7	7
1 Bedroom	68	48.57%	25 x 48.57% = 12	12
2 Bedroom	33	23.57%	25 x 23.57% = 6	6
Total	140	100%	25	25

The affordable units are reasonably dispersed within the residential project as depicted on sheet E2.0 of the project plans. The affordable units are dispersed across the first through fourth floors. The units include both exterior facing and interior facing units across multiple floor plan types. This requirement will be enforced through the Affordable Housing Agreement, which is required by a condition of approval. This finding is affirmed.

- (3) *The affordable units must have the same amenities as the market rate units, including the same access to and enjoyment of common open space, parking, storage, and other facilities in the residential project.*

Each affordable unit features a private patio or balcony. In addition, the affordable units will have the same access to amenities as the market rate units, including the same access to and enjoyment of common open space, parking, and other facilities in the residential project. This requirement will be enforced through the Affordable Housing Agreement, which is required by a condition of approval. This finding is affirmed.

#### **Transportation Demand Management (TDM)**

Per Belmont Zoning Ordinance Section 31.7.6, the City Council makes the following findings on the objective portions of the criteria for the transportation demand management plan:

- (a) *The proposed trip reduction measures are feasible and appropriate for the project, considering the proposed use or mix of uses and the project's location, size, and hours of operation;*

The proposed TDM Program trip reduction measures were evaluated by City staff and consultants and found to be consistent with the numeric standards of the City Transportation Demand Management Program Report and Guidebook. The TDM Plan includes measures that are commonly applied to a multi-family use in proximity to public transportation (Caltrain station). This finding is affirmed.

- (b) *The proposed vehicle trip reductions will ensure that the performance targets of this section will be achieved and maintained.*

The Transportation Demand Management (TDM) Program Report and Guidebook establishes a target of 15% reduction in per-capita vehicle miles traveled (VMT) for new projects which is achieved by selecting from a range of measures that are awarded points in the TDM Report and Guidebook. The applicant's TDM Plan achieves 12 points, which complies with City policy.

Conditions of approval are included to implement the trip reduction measures. This finding is affirmed.

**Density Bonus Law**

Density Bonus

The applicant is entitled to a density bonus in accordance with Government Code Sections 65915(f) as follows:

- The applicant proposed 15% very low-income units, entitling the project to a 50% density bonus
- The applicant proposed 15% moderate-income units entitling the project to an additional 50% density bonus

There are no numeric standards for density in the subject VSC District (i.e. dwelling units per acre) and the project is entitled to a 100% increase in floor area ratio (FAR) to construct additional market rate units. The proposed project includes a total of 140 units, inclusive of 70 Density Bonus Units and 25 Affordable units.

Waivers

There is no limit on the number of zoning waivers that may be requested or granted. The proposed project includes three zoning waivers as follows:

- **Height:** The base height standard for the BVSP’s Station Core district and the VSC zoning district is a maximum of 45 feet, and up to 60 feet with community benefits. To accommodate the 100% density bonus granted under State Density Bonus Law, the additional 15 feet in height is required. Without the additional height, the additional units cannot fit within the base 45-foot height limit within the maximum allowable floorplate of the site’s physical constraints. The project building’s roofline will be 60 feet. No non-habitable building features will exceed eight feet.
  - o The development standard referenced would physically preclude development of the Project if the waiver was not allowed.
  - o The proposed height of the building is required to accommodate the 140-unit project.
- **Bulk:** The Development Standards for the VSC district require that the third story floorplate is not larger than 85% of the first floorplate, and that the fourth story maximum floorplate is 70% of the first story floorplate. To accommodate the 100% density bonus granted under State Density Bonus Law, additional bulk for the fourth and fifth stories is required. The proposed bulk at the fourth and fifth stories will be 78% of the first floor footplate. Without the additional bulk, the additional 100% density bonus units would not fit.
  - o The development standard referenced would physically preclude development of the Project if the waiver was not provided.
  - o Any required setbacks on the upper floors would not allow for the current volume of the building and therefore prevent the total units proposed which includes the affordable units included in the Project. Diagrams are shown on sheet G2 of the development plans.

- o In mathematical terms, the base project includes three residential floors of an average 23.3 units per floor. A 100% density bonus is equal to an additional 70 units, or three additional full floors equivalent of units.
- **Street Wall Height Standards:** Table 4-4 of BVSP and Section 31.3 of the BZO supports a two story minimum, three story maximum building. In the areas of the building where the building wall height standards are not met, a waiver is requested.
  - o To accommodate the 100% density bonus granted under State Density Bonus Law, the Project must exceed the street wall height standards as depicted on sheet G1.8 of the development plans. Without exceeding the wall height standards, the additional 100% bonus units would not fit.

Government Code Section 65915(e)(1) specifies that local jurisdictions shall grant the waivers requested by the applicant unless the jurisdiction can make a written finding of any of the following:

- *The waiver would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.*
- *The waiver would have an adverse impact on any real property that is listed in the California Register of Historical Resources.*
- *The waiver would be contrary to state or federal law.*

The project has been reviewed for consistency with applicable City policies to protect the public health and safety. All applicants for development projects are required to agree to the mitigation measures identified in the General Plan EIR, including the policies, programs and implementation measures within the General Plan and the Belmont Village Specific Plan that are designed to avoid, reduce or eliminate significant environmental impacts. Applicants must also agree to standard development requirements and the standard Conditions of Approval that implement policies and mitigation measures to reduce environmental impacts. Based on this review and the implementation of all appropriate standard Conditions of Approval, no significant adverse impacts were identified for the project. The project does not have an adverse impact on any real property that is listed in the California Register of Historic places. No violations of state or federal laws have been identified for the project. Therefore, the findings cannot be made, and the waivers are granted.

SECTION 3. The City Council upholds the Planning Commission decision to approve the by-right application for Design Review, Grading Plan, Tree Removal Permit, Affordable Housing Plan, Transportation Demand Management Plan, and State Density Bonus subject to the conditions of approval in Exhibit "B".

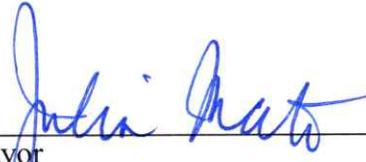
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ADOPTED October 28, 2025 by the City of Belmont City Council by the following vote:

Ayes: Jordan, Latimerlo, McCune, Pang-Maganaris, Mates

ATTEST:

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

**Exhibit "A"**  
**General Plan and Belmont Village Specific Plan (BVSP) Consistency Analysis**

<i>General Plan and BVSP Land Use Goals and Policies</i>	
<p><u>GP Goal 2.3</u> Provide balanced neighborhoods with a variety of housing types and density ranges to meet the diverse demographic, economic, and social needs of residents, while ensuring a cohesive urban form and regard for compatibility with surrounding uses and existing residential development.</p>	<p>The project helps create and enhance a complete neighborhood in the City of Belmont by integrating higher density residential housing in a well-resourced area nearby transit. The project would develop 140 units of high-density housing within in proximity to commercial services and transit. The project would be located in an already developed area, where it can be served by existing public services and infrastructure. The project enhances the Belmont Village area by developing a housing project with a range of unit types to serve a range of households. Specifically, the project includes 39 studios, 68 one-bedrooms, and 33 two-bedroom units. The proposed development would consist of a five-story, multi-family residential building incorporating contemporary style architecture. The scale and mass of the building would be consistent with the development standards, and objective design requirements outlined in the Belmont Village Specific Plan (BVSP) and Zoning Ordinance, except where waivers are requested consistent with State law. The project provides a mix of market-rate and affordable housing units, including 11 units for very low-income households, 3 units for low-income households, and 11 units for moderate income households. The project also includes enhanced sidewalk widths and street trees as required by the BVSP.</p>
<p><u>BVSP Goal 2.3</u> Provide a variety of housing types to accommodate different types of households, different income levels, different age groups, and different lifestyles.</p>	
<p><u>GP Policy 2.3-1</u> Encourage the provision of lower- and moderate-income housing to meet the objectives of the Housing Element.</p>	
<p><u>GP Policy 2.3-2</u> Encourage higher density residential uses located in proximity to commercial services, employment opportunities, and major transportation corridors and facilities.</p>	
<p><u>GP Policy 2.3-4</u> Focus new development in or directly adjacent to already-developed areas, where it can be served by existing public services and infrastructure.</p>	
<p><u>GP Goal 2.5</u> Enhance the Belmont Village Priority Development Area and develop a distinct identify for the area as Belmont's vibrant town center for residents and visitors with commercial, residential, dining, civic, cultural, and entertainment activities.</p>	
<p><u>GP Policy 2.5-3</u> Implement the Belmont Village Specific Plan as the guide for land use planning, design, streetscape, and public improvements in the Belmont Village Priority Development Area.</p>	
<p><u>GP Policy 3.5-4</u> Design sidewalks to comply with requirements set in the Belmont Village Specific Plan within the plan area.</p>	

**General Plan Housing Element 2023-2031**

<p>Pending Projects: page 6-5 to 6-6</p>	<p>The project is included in the list of Pending Projects as a location where multi-family development is expected during the 2023-2031 timeframe. The Housing Element anticipated 11 very low-income units, 11 moderate income units and 117 market rate units, for a total project size of 139 units. The proposed project includes 11 very low-income units, 3 low-income units, 11 moderate income units and 115 market rate units, for a total project size of 140 units. Therefore, the proposed project includes more affordable units than was anticipated in the Housing Element. This calculation meets the City's obligation to monitor development projects to ensure sufficient residential capacity to accommodate the RHNA per Housing Element Program H1.1.</p>
<p><u>Goal H1:</u> Produce new housing at all income levels, with a focus on Affordable Housing.</p>	<p>The project supports the goal to produce new housing at all income levels, helping to fulfill the City's housing needs allocation (RHNA) as identified in the adopted 2023-2031 Housing Element (see BVSP Goal 2.3 &amp; GP Policy 2.3-1). The project includes a variety of residential unit types (Studio, 1 and 2 bedroom) and sizes to accommodate the varied housing needs of diverse households.</p>
<p><u>Policy H1.A:</u> Provide adequate capacity to meet the Sites Inventory for Regional Housing Needs Allocation (RHNA).</p>	
<p><u>Policy H1.B:</u> Encourage a range of both market-rate and affordable housing in a variety of unit sizes and types to accommodate the varied housing needs of diverse households</p>	
<p><u>Goal H1:</u> Produce new housing at all income levels, with a focus on Affordable Housing.</p>	
<p><u>Program H1.4:</u> Establish By-Right Housing Designation for Prior Housing Sites. Designate housing sites that have carried over from the prior Housing Element to allow housing development by-right consistent with State law.</p>	<p>In 2024 The City amended its Zoning Ordinance to include by-right processing consistent with State Law. The project site was included in the previous Housing Element (2015-2023) and included in the current Housing Element (2023-2031) and meets the additional legal criteria. The project site is <u>therefore</u> subject to by right processing, which means the jurisdiction shall not require a conditional use permit or other discretionary approval.</p>

**General Plan Circulation Element (Transportation)**

<p><b><u>GP Goal 3.6</u></b> Promote Transportation Demand Management Programs (TDM) and encourage increased transit use through convenient, safe, efficient, and cost- effective services.</p>	<p>The City has adopted a citywide TDM program. A TDM is proposed with the project, which would discourage the use of single-occupancy vehicles as resident's primary mode, especially for commuting, and transition residents into other transportation modes including transit, bicycling, carpooling, and walking. Proposed measures to augment travel habits include providing residents: information on commute alternatives, transit passes (e.g., Clipper Card) ride share coordination, bicycle parking, etc.).</p>
<p><b><u>Policy 3.1-5</u></b> Require new development and redevelopment projects to construct or pay their fair share toward improvements for all travel modes to provide and enhance connectivity to existing transportation facilities</p>	<p>The project includes public improvements along all street frontages (i.e., wide sidewalks, and street trees) that are consistent with the adopted Complete Streets policies to promote the development of public transit, bicycle, or pedestrian facilities, and increase use of these facilities. The project developer would pay for these proposed improvements. Additionally, the applicant will pay Transportation Impact Fees to mitigate their fair share of future transportation improvements.</p>
<p><b><u>Policy 3.1-5</u></b> Ensure that major new development is adequately served by transit.</p>	<p>The project site is located within 0.5 mile of the Belmont Caltrain station and within close proximity of SamTrans bus stops on Ralston Avenue.</p>

Exhibit “B”

**Conditions of Approval for the 500-580 Masonic Way Project**

**APN: 040-315-010**

**Application Number: PA2023-0032**

These Conditions of Approval apply to the City approval of the following entitlements requested by Prometheus Real Estate Group, the Applicant for the 500-580 Masonic Way Project: By-Right Processing of Design Review, Grading Plan, Tree Removal Permit, Affordable Housing Plan, Transportation Demand Management Plan, and State Density Bonus pursuant to Government Code §65915.

**I. COMPLY WITH THE FOLLOWING CONDITIONS OF THE COMMUNITY DEVELOPMENT DEPARTMENT:**

**Planning Division**

1. Indemnification. Land Owner hereby agrees to and shall indemnify, defend, and hold harmless City, any City agencies and their respective elected and appointed councils, boards, commissions, officers, agents, employees, volunteers, and representatives (collectively, for the purposes of this condition, "City") from any and all loss, liability, fines, penalties, forfeitures, costs, and damages (whether in contract, tort, or strict liability, including but not limited to personal injury, death at any time, and property damage) and from any and all third party claims, demands, and actions in law or equity (including attorneys' fees and litigation expenses) directly or indirectly arising or alleged to have arisen out of or in any way related to: (a) the approval of the City Approvals; (b) any development or use of the Property under the City Approvals; and (c) any actions or inactions by the Land Owner or its contractors, subcontractors, agents, or employees in connection with the construction or improvement of the Property and the Project as defined in the development agreement; excepting to the extent arising from the intentional acts or willful misconduct of City, its elected and appointed representatives, officers, agents, employees, contractors or subcontractors.

This indemnification and hold harmless agreement apply to all damages and claims for damages suffered or alleged to have been suffered by reason of the operations referred to in this condition, regardless of whether or not City prepared, supplied, or approved plans or specifications for the Property, but does not apply to damages and claims for damages caused by City with respect to public improvements and facilities after City has accepted maintenance responsibility for them.

2. Except as modified by these conditions of approval, or as required by subsequent project review, the Building Permit Plans shall be consistent with the approved Planning Plans, with a revision date of December 20, 2024 and inclusive of the architectural drawings (Sheets A1.0 through A5.3); Civil Engineering Plans (Sheets C1.0 through C7.0); Landscape Plans (Sheets L1.0 through L1.9), and Lighting Plans (Sheets LT1.1 through LT.1.2).
3. The applicant shall demonstrate that the apartment building is consistent with the maximum floor area and height (per zoning standards, incentives and approved density bonus waivers),

prior to final building permit inspection. As built, floor plans and a roof height elevation from an engineer or surveyor that includes roof top equipment and screens shall be provided.

4. Ground Equipment Screening. All exterior trash, recycling, and storage utility boxes, and electric and gas meters must be screened from visibility from the surrounding public vantage points (right-of-way, public trails, open space and parks). Said screening must incorporate the same architectural design, colors, and materials as the main building on site.
5. The plans submitted for a Building Permit shall include: a) a plan sheet that includes all project conditions of approval; b) boxed-out floor plans demonstrating that the apartment building would not exceed the maximum floor area permitted for the project; c) individual floor plans for each of the unit types and sub types (studio, one-bedroom, and two-bedroom); and d) floor plans for each level of the building that include a numbering and lettering system identifying each of the types of units and a table reflecting the total number of units in each category.
6. Exterior building materials shall be consistent with Elevation Drawings (Sheet A2.1 through A2.3) and submitted color and materials (Sheets A4.1 and A4.2), dated *December 20, 2024*, except for minor modifications approved by the Community Development Department, or as modified via an approved Design Review Amendment.
7. Fees. The applicant/developer must pay all applicable regulatory, connection, and impact fees, in accordance with Government Code Section 65589.5(o), and as specified by each respective City Ordinance or the City's Master Fee Schedule, as follows:
  - a) Transportation Impact Fees (TIF) - the current fee for the project per the City's Master Fee Schedule is \$6,201.01 per unit for multi-family development. Fees will be adjusted to the most current adopted fee schedule in effect at the time of building permit issuance. If the applicant elects to defer payment of fees until after building permit issuance, the applicant shall enter into a post-permit fee agreement with the City of Belmont and file the agreement with the San Mateo County recorder prior to building permit issuance. Fees must be paid prior to Temporary Certificate of Occupancy or Certificate of Occupancy, whichever occurs first.
  - b) Park Improvement Impact Fees - the current fee for the project per the City's Master Fee Schedule is \$9,856 per unit for multi-family development. Fees will be adjusted to the most current adopted fee schedule in effect at the time of building permit issuance. If the applicant elects to defer payment of fees until after building permit issuance, the applicant shall enter into a post-permit fee agreement with the City of Belmont and file the agreement with the San Mateo County recorder prior to building permit issuance. Fees must be paid prior to Temporary Certificate of Occupancy or Certificate of Occupancy, whichever occurs first.
  - c) Building Permit & Plan Check Fees – based on building valuation. The current fees may be calculated using the adopted FY 2024-25 fee schedule located on the [Finance page](#) of the City's website. Fees will be adjusted to the most current adopted fee schedule in effect at the time of payment. Plan check fees must be paid at the time of building permit application. Building permit fees must be paid prior to building permit issuance.
  - d) General Plan Maintenance Fee - 0.75% of Building Valuation. Must be paid prior to building permit issuance.

- e) Sewer Connection Fees - \$12,024.81 per unit for multi-family development. Fees will be adjusted to the most current adopted fee schedule in effect at the time of payment. Must be paid prior to building permit issuance.
8. TDM Program. The applicant shall demonstrate compliance with both the County of San Mateo (CCAG) and the City of Belmont's TDM programs by submitting a completed TDM application form (available on the City website) which will be subject to review and approval by the Department of Public Works. The applicant shall implement the TDM program as described in the approved TDM Plan prepared by Hexagon Transportation Consultants. The applicant shall submit an annual TDM compliance report and pay a TDM review fee, as specified in the City's Master Fee Schedule. In addition, the following is required:
- a) The Applicant, using the adopted TDM program, shall provide a tally of how many points and under which categories the project will be achieving TDM measures.
  - b) The Applicant shall implement the TDM measures identified in the final approved Transportation Analysis. The applicant shall submit an annual TDM compliance report and pay a TDM review fee, as specified in the City's Master Fee Schedule.
  - c) The TDM program shall be evaluated annually to assess the actual level of trip reduction achieved at the site and to identify any adjustments to the program necessary to ensure the TDM measures are successful. Consistent with common traffic engineering data collection principles, trip generation shall be monitored annually by means of AM and PM commute hour driveway counts. The counts shall be conducted between 7:00 AM and 9:00 AM and between 4:00 PM and 6:00 PM one day per year on a typical weekday (Tuesday, Wednesday, or Thursday) during the fall when school is in session. Mechanical tube counts, hand counts, or video counts may be used. The peak 60-minute period should be calculated for each two-hour traffic count period.
  - d) An annual resident survey should be conducted to determine transportation mode choice (i.e., drive alone, carpool, bus, Caltrain, etc.). The site TDM coordinator shall work with an independent consultant to obtain traffic count data, implement the annual commuter surveys and document the results in a TDM monitoring report) The annual monitoring report shall be submitted to the Public Works Director or citywide TMA by the TDM coordinator. The data shall be reviewed by the City to assess whether the goal of a 15% trip reduction is being met.
  - e) In addition to the annual monitoring reports, a five-year review shall be conducted to evaluate the overall effectiveness of the TDM measures. If the city determines that the trip reduction goal is not being achieved, additional TDM measures may be implemented. Modifications to the TDM plan may include additional programs or services listed in the City of Belmont's TDM program or otherwise available for achieving vehicle trip reductions.
  - f) The annual TDM monitoring report shall describe any planned modifications to the TDM program intended to ensure compliance with the trip reduction targets established for this project.
9. The applicant shall obtain Sign Program approval under Zoning Ordinance Section 23.10.02 (C), before the installation of any non-exempt signage on site.
10. Final details for the installation of public streetscape improvements (i.e., specific design of all proposed street furniture, ADA-compliant decorative tree grates, paving color/material lighting

standards, etc.) shall be consistent with the December 20, 2024 project plan set and the Belmont Village Specific Plan Streetscape Design Guidelines and approved by the Community Development Department in consultation with the Public Works and Park and Recreation Departments, prior to their installation.

11. All public improvements (frontage, streetscape, landscaping, lighting, public plaza, short term bicycle parking, and areas open to the public) shall be installed or constructed, prior to final Building Permit inspection.
12. Affordable Housing. The applicant shall record the fully executed Affordable Housing Agreement after approval of the project. Conformed copies of the recorded agreement shall be provided to the City Attorney and Community Development Department, prior to issuance of a building permit. The Affordable Housing Agreement shall incorporate the standards of the approved Affordable Housing Plan, including but not limited to:
  - a) Affordable housing shall be provided in accordance with the approved Affordable Housing Plan, including the number, location, level of affordability, and type of units. Minor amendments to unit location and type may be approved by the Community Development Director.
  - b) Interior finishes and amenities of the affordable units shall be equal to those provided in the base model market-rate units. A Planning inspection verifying interior finishes in the affordable units shall occur after construction of the project, and before issuance of a certificate of occupancy.
  - c) Affordable units shall be provided equal access to project parking, and on-site amenity areas.
13. All exterior lighting shall employ the use of cut-off fixtures to restrict the direction of the light in accordance with City standards. Lighting should be the minimum required for safety, but not result in undue glare off site. There shall be no floodlighting of landscape plantings, the apartment building, courtyards, or patios/decks. To ensure consistency with city standards for lighting and compliance with the submitted photometric plan, a final lighting review shall occur after installation of project lighting and before final Building Permit inspection.
14. Installation of roof mounted mechanical equipment shall be consistent with Elevation Drawings (Sheet A1.6) and Sections (Sheet A3.1) dated December 20, 2024. Roof mounted equipment shall be placed behind roof screens so as not to be visible from surrounding vantage points at or below the highest point of the equipment.
15. Interior & Operational Noise
  - a) Prior to issuance of a Building Permit, the project noise consultant shall certify in writing that the submitted Building Plans include all required noise reduction recommendations specified in the project noise analysis (i.e., construction methods, increased insulation, noise baffling, etc.) to reduce interior noise levels below the City and State level of 45 dB.
  - b) Final building plans shall include a suitable form of forced-air mechanical ventilation, as determined by the local building official, for all residential units so that windows can be kept closed at the occupant's discretion to control interior noise and achieve the interior noise standards.

- c) The Project Noise Consultant shall conduct an acoustic analysis of all mechanical and HVAC equipment proposed with the final building permit plans. The results of the analysis and design recommendations for compliance with the City's Noise Ordinance shall be summarized by the Consultant in a letter submitted with the building permit plans. The consultant's recommendations shall be incorporated into the building plans, prior to issuance of a building permit.

#### 16. Construction Noise

- a) The applicant shall ensure that the following preventative and monitoring measures are enforced during grading and building operations:
  - i. Conduct construction activity according to the City Noise Ordinance.
  - ii. Schedule highest noise-generating activity and construction activity away from noise-sensitive land uses.
  - iii. Equip internal combustion engine-driven equipment with original factory (or equivalent) intake and exhaust mufflers which are maintained in good condition.
  - iv. Prohibit and post signs prohibiting unnecessary idling of internal combustion engines.
  - v. Locate all stationary noise-generating equipment such as air compressors and portable generators as far as practicable from noise-sensitive land uses.
  - vi. Utilize "quiet" air compressors and other stationary equipment where feasible and available.
  - vii. Designate a noise disturbance coordinator who would respond to neighborhood complaints about construction noise by determining the cause of the noise complaints and require implementation of reasonable measures to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site.
- b) The applicant shall notify property owners within 300 feet of the project site two weeks prior to the initiation of construction activities on site. A schedule of construction activities, and a copy of the noise control plan shall be included with this notice.
- c) Prior to issuance of grading or building permits, the applicant shall demonstrate that a condition of contract of all contractors and subcontractors requires the use of internal combustion engine-driven equipment with original factory (or equivalent) intake and exhaust mufflers, which are maintained in good condition.
- d) Prior to issuance of grading or building permits, the applicant shall demonstrate that a condition of contract of all contractors and subcontractors requires the use of "quiet" air compressors and other stationary equipment. If the applicant demonstrates that the use of quiet air compressors and other stationary equipment is not feasible, moveable sound barriers or portable sound huts shall be used for noise mitigation.

#### 17. Construction Vibration

- a) Pursuant to the Municipal Code, restrict noise-generating construction activities to the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday and 10:00 a.m. to 5:00 p.m. on Saturdays. No construction activity or related activities shall be allowed outside of the aforementioned hours or on Sundays and Holidays.
- b) Equip all internal combustion engine-driven equipment with intake and exhaust mufflers

- that are in good condition and appropriate for the equipment.
- c) Prohibit unnecessary idling of internal combustion engines.
  - d) Locate stationary noise-generating equipment such as air compressors or portable power generators as far as possible from sensitive receptors. Construct temporary noise barriers to screen stationary noise-generating equipment when located near adjoining sensitive land uses. Any enclosure openings or venting shall face away from sensitive receptors.
  - e) Locate material stockpiles, as well as maintenance/equipment staging and parking areas, as far as feasible from residential receptors.
  - f) Utilize “quiet” air compressors and other stationary noise sources where technology exists.
  - g) Control noise from construction workers’ radios to a point where they are not audible at existing residences bordering the project site.
  - h) Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
  - i) Notify all adjacent business, residences, and other noise-sensitive land uses of the construction schedule, in writing, and provide a written schedule of “noisy” construction activities to the adjacent land uses and nearby residences.
  - j) Designate a “disturbance coordinator” who shall be responsible for responding to any complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., bad muffler, etc.) and shall require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.

18. Geotechnical Conditions

- a) Final Geotechnical Report – The geotechnical report shall be finalized based on peer review comments in the letter from Atlas Technical Consultants dated October 17, 2023. The final report shall be submitted to the City for review and concurrence by Atlas, prior to issuance of any permits.
- b) Geotechnical Plan Review - Before submittal to the City, the Project Geotechnical Consultant shall review and approve all geotechnical aspects of the project building and grading plans (i.e., site preparation and grading, building setbacks, site drainage improvements and design parameters for foundations, retaining walls and access driveway/garage) to ensure that their recommendations have been properly incorporated. The consultant shall ensure that the geotechnical design recommendations comply with the most current seismic design parameters of the California Building Code.
- c) The results of the geotechnical plan review and updated geotechnical design recommendations shall be summarized by the Project Geotechnical Consultant in a letter and submitted to the city for review and approval prior to issuance of building permits.
- d) Geotechnical Field Inspection – The geotechnical consultant should inspect, test (as needed), and approve all geotechnical aspects of the project construction. The inspections should include, but not necessarily be limited to: site preparation and grading, site surface and subsurface drainage improvements, and excavations for foundations and retaining walls prior to the placement of steel and concrete. The results of these inspections and the as-built conditions of the project should be described by the geotechnical consultant in a certification letter and submitted to the City Engineer for review prior to final

(granting of occupancy).

19. Construction & Operations

- a) Pursuant to GP EIR Mitigation Measure AQ-1, the applicant shall require their contractors, as a condition of contract, to further reduce construction-related exhaust emissions by ensuring that all off-road equipment greater than 50 horsepower (hp) and operating for more than 20 total hours over the entire duration of construction activities shall operate on an EPA-approved Tier 4 or newer engine. Exemptions can be made for specialized equipment where Tier 4 engines are not commercially available within 200 miles of the project site. The construction contract must identify these pieces of equipment, document their unavailability, and ensure that they operate on no less than an EPA- approved Tier 3 engine. ARB regulations will result in the percentage of Tier 4 engines increasing over the next several years.
- b) Pursuant to GP EIR Mitigation Measure AQ-2, the applicant shall require their contractors, as a condition of contract, to reduce construction-related exhaust emissions by ensuring that all off-road equipment greater than 50 horsepower (hp) and operating for more than 20 total hours over the entire duration of construction activities shall operate on renewable diesel (such as Diesel high performance renewable). Renewable diesel is currently commercially available in San Francisco Bay Area.
- c) Pursuant to GP EIR Mitigation Measure AQ-3, the applicant shall require their contractors, as a condition of contract, to reduce construction-related fugitive ROG emissions by ensuring that low-VOC coatings that have a VOC content of 10 grams/liter (g/L) or less are used during construction. The project applicant will submit evidence of the use of low-VOC coatings to BAAQMD prior to the start of construction.
- d) Pursuant to GP EIR Mitigation Measure AQ-4, the applicant shall require their contractors, as a condition of contract, to reduce construction-related fugitive dust by implementing BAAQMD's basic control measures at all construction and staging areas. The following measures are based on BAAQMD's current CEQA guidelines.
  - i. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and un-paved access roads) will be watered two times per day.
  - ii. All haul trucks transporting soil, sand, or other loose material offsite will be covered.
  - iii. All visible mud or dirt track-out onto adjacent public roads or sidewalks will be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
  - iv. Entry and exit from the site will use rock or rumble strips to prevent tracking.
  - v. All vehicle speeds on unpaved roads, driveways, or driving surfaces shall be limited to 15 mph.
  - vi. All roadways, driveways, and sidewalks to be paved will be completed as soon as possible. Building pads will be laid as soon as possible after grading unless seeding or soil binders are used.
  - vii. Post a publicly visible sign with the telephone number and the name of the person to contact at the lead agency regarding dust complaints. This person will respond and take corrective action within 48 hours. The phone number of the District will also be visible to ensure compliance.
- e) Pursuant to GP EIR Mitigation Measure AQ-5, the developer(s) shall provide education for residential and commercial tenants concerning green consumer products. Prior to receipt of any certificate of final occupancy, the project sponsors shall work with the City

of Belmont to develop electronic correspondence to be distributed by email to new residential and commercial tenants that encourages the purchase of consumer products that generate lower than typical VOC emissions. Examples of green products may include low-VOC architectural coatings, cleaning supplies, and consumer products, as well as alternatively fueled landscaping equipment.

- i. The applicant must require their contractors, as a condition of contract, to reduce construction-related exhaust emissions by implementing following measures during construction related activities:
  - ii. Idling times must be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage must be provided for construction workers at all access points.
  - iii. All construction equipment must be maintained and properly tuned in accordance with manufacturer's specifications. All equipment must be checked by a certified mechanic and determined to be running in proper condition prior to operation.
  - iv. The applicant must require their contractors, as a condition of contract, to reduce construction-related fugitive ROG emissions by ensuring that paints and solvents have a VOC content of 100 grams per liter or less for interior surfaces and 150 grams per liter or less for exterior surfaces.
- f) Pursuant to General Plan EIR Mitigation Measure AQ-6, the applicant shall prepare a project-specific health risk assessment (HRA), prior to issuance of a building permit. If the HRA demonstrates, to the satisfaction of the City, that the health risk exposures for sensitive receptors would be less than Bay Area Air Quality Management District (BAAQMD) project-level thresholds, then additional mitigation will be unnecessary. If the health risk exposure for sensitive receptors is greater than BAAQMD project-level thresholds, then the report must identify appropriate mitigation.

20. Sensitive Receptors

- a) Pursuant to General Plan EIR Mitigation Measure AQ-6, the applicant shall prepare a project-specific health risk assessment (HRA), prior to issuance of a building permit. If the HRA demonstrates, to the satisfaction of the City, that the health risk exposures for sensitive receptors would be less than Bay Area Air Quality Management District (BAAQMD) project-level thresholds, then additional mitigation will be unnecessary. If the health risk exposure for sensitive receptors is greater than BAAQMD project-level thresholds, then the report must identify appropriate mitigation.

21. Cultural Resources

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

encountered during construction activities, all construction activity within a 60' radius of the find shall be halted, and the Community Development Director shall be notified; an archaeologist shall examine the find and make appropriate recommendations. A plan for the mitigation of impacts to the resources will be prepared and submitted to the City of Belmont for approval.

22. Human Remains

- a) If any human remains are discovered or recognized in any location on a project site, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
  - i. The San Mateo County Coroner/Sheriff has been informed and has determined that no investigation of the cause of death is required; and
  - ii. If the remains are of Native American origin:
    - The descendants of the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98; or
    - The Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the commission.

23. Nesting Birds

- a) To minimize potential impacts on nesting raptors, the applicant shall either: 1) Avoid construction activities (i.e., tree removal, demolition, grading, and construction) during the active nesting season (between February 1 and August 31); or 2) Conduct pre-construction surveys for nesting raptors and provide appropriate buffer zones, if construction has the potential to impact nesting birds.
- b) Pre-construction surveys shall be conducted by a qualified biologist or ornithologist in order to ensure that no raptor nests will be disturbed during project implementation. This survey will be conducted no more than 15 days prior to the initiation of construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August). During this survey, the biologist will inspect all trees in and immediately adjacent to the impact areas for raptor nests. If an active raptor nest is found close enough to the construction area to be disturbed by these activities, the ornithologist, in consultation with the California Department of Fish and Wildlife Service, will determine the extent of a construction-free buffer zone to be established around the nest.

24. Bats

- a) A qualified biologist shall visually inspect trees to be removed for bat roosts within 7 days prior to their removal. The biologist will look for signs of bats including sightings of live or dead bats, bat calls or squeaking, the smell of bats, bat droppings, grease stains, or urine stains around openings in trees or structures, or flies around such openings. Trees

with multiple hollows, crevices, forked branches, woodpecker holes or loose and flaking bark have the highest chance of occupation and shall be inspected the most carefully.

- b) If signs of bats are detected, CDFW should be contacted about how to proceed. Echo-location surveys may be needed to verify the presence of bats, or an exclusion zone around the occupied tree may be recommended until bats leave the roost. Due to restrictions of the California Health Department, direct contact by workers with any bat is not allowed. The qualified bat biologist shall be contacted immediately if a bat roost is discovered during project construction.

25. Green House Gases

Pursuant to the General Plan EIR Section for Energy, Green House Gas (GHG), and Climate Change (Mitigation Measure AQ-2 and Action 5.10-3.a), the Land Owner shall demonstrate the following:

- a) Applicant shall endeavor to acquire (source) a minimum of 10% of the construction materials from within 100 miles of the planning area.
- b) A minimum of 65% of the construction waste generated by this project shall be recycled or salvaged for use. Documentation shall be provided before the final building permit inspection. Sample forms located at [www.hcd.ca.gov/CALGreen.html](http://www.hcd.ca.gov/CALGreen.html) may be used to assist in documenting compliance.
- c) Prior to issuance of a building permit, the applicant shall provide documentation (i.e., construction contracts or signed agreements) demonstrating that all contractors and subcontractors agree to operate all off-road equipment greater than 50 horsepower (hp) and operating for more than 20 total hours over the entire duration of work on renewable diesel (such as Diesel high performance renewable).

26. Hazardous Materials

- a) Site Management Plan (SMP): Prepare and submit an SMP to San Mateo County Environmental Health Service (SMCEH) for approval before building permit plan check. Submit a copy of the approved SMP and required conditions to the Community Development Department before building permit issuance.
- b) Hazardous Materials Survey & Abatement: Hire a qualified hazardous materials abatement specialist to: (a) Survey for hazardous materials (e.g., lead, PCBs, asbestos, mold, mercury) in existing structures prior to demolition; (b) Remove identified hazardous materials.
- c) Health and Safety Plan (HSP): Submit an HSP per OSHA (29 CFR 1910.120) and Cal/OSHA (CCR Title 8, Sec. 1592) to the City Building Division, prior to demolition, grading, or building permits. Include HSP requirements as a plan sheet in your demolition/grading/building permit submittal.
- d) Contractor & Worker Safety: Ensure all contractor documents specify SMP compliance. Contractors' employees with exposure risks must be trained and follow the contractor's HSP, including personal protective equipment (PPE) use.
- e) Public Notification & Signage: Post signs on all site perimeters with project sponsor and environmental consultant contact info. Include a "visible dust alert" hotline monitored during construction hours. Prepare a construction schedule; mail and post the schedule

- for all property owners/occupants within 300ft, at least two weeks before work starts. Provide mailing proof to Planning Division.
- f) Soil & Groundwater Management: Submit the SMCEH–Groundwater Protection Program (GPP)–approved soil and groundwater management plan to the City prior to demolition/grading/building permits. Attach approval letter and conditions to relevant plan sheets.
  - g) Construction Dewatering: Provide a temporary dewatering plan addressing methods for handling, testing, and disposal of construction water, per sanitary sewer or NPDES permit. Follow Silicon Valley Clean Water requirements for sewer discharge.
  - h) Dust & Vapor Controls: Implement dust mitigation measures from the Dust and Vapor Control Plan (DVCP) during construction. Include DVCP measures in permit plans, keep copies onsite for inspection.
  - i) Stormwater Pollution Prevention: Submit a Stormwater Pollution Prevention Program (SWPPP) with grading permit application. Maintain compliance with STOPPP Best Management Practices during work.
  - j) Unanticipated Conditions: Include protocols for unexpected findings (as per SMP) in all grading/building permit plans.
  - k) Reporting: After completion, submit a comprehensive close-out report to the CUPA, including at a minimum: Soil disposal manifest/receipts, Groundwater discharge/permits, Laboratory reports, Soil gas sample results.

27. Airport Hazards

- a) The project requires review by the Airport Land Use Commission prior to issuance of a building permit. The Community Development Department will prepare and submit the requisite application materials. The applicant may be asked to supply project specific data to assist in completing the application. The following conditions are typically applied by the Airport Land Use Commission:
  - The applicant has an obligation to comply with the real estate disclosure requirements outlined in Overflight Policy 1 of the San Carlos ALUCP.
  - The applicant shall provide evidence of a recorded ‘Overflight Notification’ on each residential parcel in accordance with Overflight Policy 2 of the San Carlos ALUCP. (An example for the Overflight Notification to be used to fulfill this condition is included in the amended San Carlos ALUCP, Appendix E, Exhibit E.
- b) Applicant shall comply with all applicable requirements of the FAA, including but not limited to the requirements of the Determination of No Hazard issued for the project on March 2, 2024. At the time of building permit submittal, applicant must determine whether they are required to file FAA Form 7460-1 for construction equipment. In order to do so, the applicant must determine the maximum height of any cranes to be used during construction. The determination shall be submitted in writing.

28. Mid-Peninsula Water District (MPWD)

- a) The applicant shall demonstrate that the final landscape plan has been reviewed and approved by the Mid-Peninsula Water District (MPWD) and is consistent with MPWD’s Water Efficient Landscape Ordinance (WELO), prior to installation of landscaping. A post installation certification from MPWD is also required prior to final building permit inspection. Contact the MPWD Water Conservation Administrative Specialist at (650)

591-8941 or [jeanettek@midpeninsulawater.org](mailto:jeanettek@midpeninsulawater.org) for more information.

29. School Fees. This project is subject to the School Facilities Fee. Proof of payment must be presented to the City of Belmont before the permit will be issued. Contact the Sequoia Union School District directly for further information.
30. Public Art Requirement ([Belmont City Code Sec. 17-128](#)) - The City has a development standard that requires residential development of five (5) or more new dwelling units to devote an amount not less than 1% of construction costs for acquisition and installation of public art on the development site. For projects that do not include public art on the development site, developers can meet this obligation by either: 1) acquiring and installing freely accessible art on city property or in the public right of way; or 2) providing an in-lieu contribution (payment) to the City for acquisition and placement of public art in the city not less than 1% of construction costs.
31. At the time of building permit submittal, the landscape plans shall be updated to specify the species of street trees to be installed. Final selection of street trees shall be consistent with the Street Tree Master Plan and subject to approval by the Community Development Director.

### **Building Division**

1. The building permit submittal shall be in conformance with the approved project plans (PA2023-0032).
2. The applicant shall obtain all required permits.
3. The building plans shall specify that the 2022 California Code of Regulations as amended by the State of California and all applicable City of Belmont ordinances will be employed during this project.
4. A minimum of 65% of the construction waste generated by this project shall be recycled or salvaged for use. Documentation shall be provided before the final inspection. Sample forms found in A Guide to the California Green Building Standards Code (Residential) located at [www.hcd.ca.gov/CALGreen.html](http://www.hcd.ca.gov/CALGreen.html) may be used to assist in documenting compliance. CALGreen Section 4.408.
5. Detached accessory structures located less than 50 feet from a building containing habitable space shall have exterior walls constructed with materials approved for a minimum of 1-hour fire resistance-rated construction, heavy timber, log wall construction, or constructed with approved noncombustible material on the exterior side. When the detached structure is located and constructed so that the structure or any portion thereof projects over a descending slope surface greater than 10 percent, the area below the structure shall have all under-floor areas enclosed to within 8-10 inches of the ground, with exterior wall construction in accordance with Section 505.5. Height has been modified to comply with geographical needs.
6. All construction and related activities (not including grading) may only be conducted during

the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday and 10:00 a.m. to 5:00 p.m., Saturdays. Grading may occur between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday. No construction activity (including grading) or related activities shall be allowed outside of the aforementioned hours or on Sundays and the following holidays: New Years Day, Presidents Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day and Christmas Day. All gasoline powered construction equipment shall be equipped with an operating muffler or baffling system as originally provided by the manufacturer, and no modification to these systems is permitted.

7. The City of Belmont Municipal Code requires a soils and engineering geology report for all new or substantially altered foundations. Provide such a report and a letter from the geotechnical engineer confirming that the foundation plan has been reviewed and that it has been determined that the recommendations in the soils report are properly incorporated into the plans. BMC 7-12, IBC 106.1 & 1804.3.
8. Provide on the plans the existing and proposed locations of the electric and gas meters, subpanels, water heater and furnace.
9. The building plans shall show the location of all transformers, fire standpipes, and back flow preventers.
10. Accessibility features are required pursuant to the 2022 California Building Code (Chapter 11A & 11B).
11. Photovoltaic installation may be a deferred submittal.
12. Special inspections will be required during construction as determined by the structural engineer and/or the Building Official.
13. The applicant shall post hours of operation and phone numbers for noise complaints.
14. The applicant shall obtain all department final signatures prior requesting a Building final.

**II COMPLY WITH THE FOLLOWING CONDITIONS OF THE PUBLIC WORKS DEPARTMENT:**

1. The project shall complete an approved Lot Line Adjustment process showing all necessary easement dedication(s) and vacation(s). All easement dedication(s) and vacation(s), including but not limited to PG&E and PUE, shall be successfully completed and recorded in accordance with the California Streets and Highways Code and, where applicable, the California Subdivision Map Act prior to issuance of any building permits. A Record of Survey shall also be recorded in accordance with the Professional Land Surveyors' Act, prior to issuance of any building permits.
2. Proposed service laterals serving the site and the proposed sidewalk and landscaping along project frontages would be privately owned and maintained. This should be noted on the

plan.

3. Developer shall satisfy the conclusions and recommendations in the Storm Drain Technical Memo prepared by BKF Engineers dated April 5, 2024.
4. Prior to building permit issuance, the developer shall obtain design approval and bond for all necessary public improvements, including but not limited to the following:
  - a) Street improvement requirements are specified in the new General Plan (GP) and Belmont Village Specific Plan (BVSP). The street improvement designs shall meet these requirements.
  - b) Installation of new curb, gutter, bulb-outs, ramp, driveway, landscaping, and sidewalk along all project frontages.
  - c) Masonic Way will require a curb-to-curb grind & overlay. Wessex Way, Granada Street, & Hiller Street will require a curb-to-curb slurry seal. Areas to receive utility trenching and areas that are damaged during construction will be repaired per City standards.
  - d) Extension of the exiting utilities and installation of new utilities, including but not limited to, water, sewer and storm drain lines and services.
  - e) Installing the necessary Green Infrastructure for capturing the required street flow, treating, and conveying the flow to the City Storm Drain system.
  - f) Plans for all public improvements shall be prepared on Mylar (24"x36" sheets) and developer shall submit a digital format of the Record Drawings (AutoCAD format is preferred) upon completion of improvements.
5. The developer shall execute a secured public improvement agreement. The agreement shall be secured for an amount of 100% of the engineer's estimate of the construction cost for faithful performance and 100% of the engineer's estimate of the construction cost for labor & materials. All improvements must be in accordance with the City of Belmont standard detail and specs and built to the City Engineer's satisfaction and accepted by the City prior to issuance of any certificate of occupancy for the project.
6. It is applicant's responsibility to get permit(s) or approval from all affected agencies or private entities. Copies of these approvals should be submitted to the City prior to permit issuance.
7. Within vehicle sight triangles, walls, fences, trees, shrubs, bushes or hedges shall not exceed 3-feet in height while tree canopies shall maintain a minimum of 7-feet vertical clearance at all driveway locations.
8. Public sidewalks, driveway crossing path, and on-site pedestrian walkways and crossings shall have no greater than 2% cross slope. Cross slopes on ADA accessible parking space and access space shall not exceed 2% in all directions.
9. All existing on-site public utilities shall be protected in place and if necessary, relocated as approved by the City Engineer. No permanent structure is permitted within City easements and no trees or deep-rooted shrub are permitted within City utility easements, where the easement is located within landscape areas.
10. The developer shall comply with Regional Water Quality Control Board's C.3 requirements and implement the following:

- a) At the time of building permit plan check submittal, the developer shall submit a “final” Stormwater Control Plan (SWCP) and Report. Site grading, drainage, landscaping and building plans shall be consistent with the approved Stormwater Control Plan. The Plan and Report shall be prepared by a licensed Civil Engineer and certified that measures specified in the report meet the C.3 requirements of the Regional Water Quality Control Board (RWQCB) Order and shall be implemented as part of the site improvements.
  - b) At the time of building permit plan check submittal, the developer shall submit plans for installing necessary Green Infrastructure to capture the required street flow, treating, and conveying to the City Storm Drain system.
  - c) The owner/applicant shall submit an updated C3 & C6 stormwater pollution prevention checklist, impervious calculation checklist and BMP measures checklist prior to design review approval as part of the final SWCP.
  - d) Prior to final inspection or certificate of occupancy, the developer shall submit and record an Operation and Maintenance (O&M) Plan for the long-term operation and maintenance of C-3 and street Green Infrastructure treatment facilities.
  - e) Prior to final inspection or certificate of occupancy, property Owner shall enter into a Maintenance Agreement with the municipality to ensure long-term maintenance and servicing by the Property Owner of stormwater site design and treatment control [and/or HM] measures according the approved Maintenance Plan(s), including the proposed Green Infrastructure for treatment of street flow.
11. Streets, sidewalks and curbs in need of repair within and bordering the project shall be repaired and/or removed and replaced in accordance with the Department of Public Works approved standards. Photographs or video of before condition are recommended. “Bordering” does not include any sidewalks or curbs/gutters on the opposite side of the street.
  12. New sidewalk, curb and gutter shall be installed in accordance with the Department of Public Works approved standards.
  13. A driveway approach shall be installed in accordance with Department of Public Works approved standards.
  14. Roof leaders and site drainage will not be routed directly to the City stormwater system. All stormwater runoff will be routed to treatment facilities (either bioretention basins, flow-through planters, or underground mechanical treatment filter devices) prior to being routed to the City stormwater system. Energy dissipation will be incorporated into the treatment measures, as needed. The property owner or association shall be responsible for inspection and maintenance.
  15. Roof downspout systems shall be designed to drain into designated, effective infiltration areas or structures (refer to the Bay Area Stormwater Management Agencies Association (BASMAA) Start at the Source Design Guidance Manual for Stormwater Quality Protection [available from BASMAA @ 510-622-2465]).
  16. The developer shall incorporate the following Best Management Practices (BMPs) for stormwater quality protection into site design to the extent that conditions allow. (Refer to the Bay Area Stormwater Management Agencies Association (BASMAA) Start at the Source Design Guidance Manual for Stormwater Quality Protection (available from BASMAA @ 510-622-2465):
    - a) The landscape design shall incorporate biofilters, infiltration and retention/detention

basins into the site plan as feasible.

17. Runoff from trash enclosures, recycling areas, and/or food compactor enclosures, or similar facilities shall not discharge to the storm drain system. Trash enclosure areas shall be designed to avoid run-on to the trash enclosure area. If any drains are installed in or beneath dumpsters, compactors, and tallow bin areas serving food service facilities, the drains shall be connected to a grease removal device and/or treatment devices prior to discharging to the sanitary sewer.
18. The owner/applicant shall pay planned drainage fees in accordance with City ordinances.
19. The project shall implement the bulleted recommendations listed on Pg. ii and iii of the Executive Summary of the project's revised Transportation Improvement Analysis prepared by Hexagon Transportation Consultants dated July 28, 2025.

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

20. Property owner/applicant shall apply for and obtain a grading permit from the Department of Public Works. Prior to issuance of any grading permit, provide a letter confirming that all recommendations of the Geotechnical Report and its supplemental letters have been incorporated in the design of the proposed development.
21. Prior to start of any construction, the developer shall submit a construction schedule and monitoring plan for City Engineer review and approval. The construction schedule and monitoring plan shall include, but not be limited to, construction staging area, parking area for the construction workers, personal parking, temporary construction fencing, construction information signage and establish a neighborhood hotline to record and respond to neighborhood construction related concerns. The developer shall coordinate their construction activities with other construction activities in the vicinity of this project. The developer's contractor is also required to submit updated monthly construction schedules to the City Engineer for the purpose of monitoring construction activities and work progress.
22. Prior to issuance of an encroachment, building or grading permit, the Applicant shall prepare a construction management plan (CMP) for review and approval by the Public Works Department in consultation with the Community Development Department and Police Department. For properties located at or in close proximity to the City borders, the plan shall be routed to adjacent jurisdictions. The CMP shall include a response to construction-related conditions and requirements identified by reviewing City departments, and outside agencies for inclusion in the Plan. The plan shall include at least the following items:
  - a) Schedule - A project construction schedule shall be provided that includes the approximate date and expected time frame for each stage of construction. At minimum, the schedule shall include:
    - i. Excavation & Shoring (as applicable)
    - ii. Below Grade & Foundation Construction
    - iii. Above Grade Construction & Framing
    - iv. Exterior & Interior Finish Work
    - v. Public Frontage Improvements

- vi. Offsite & Utility Improvements
- b) Site & Logistics Plan - Site and logistics plan(s) shall be provided for each phase of project construction. Said plan(s) shall include:
  - i. Location of Construction Fencing & Access Control for The Site
  - ii. Proposed Circulation Pattern, including Access & Egress, for Each Phase of Construction
  - iii. Location of Dewatering Tanks, Construction Trailer, Temporary Power Pole, & Restrooms
  - iv. Erosion & Dust Control Plans
  - v. Security & Lighting Plans
  - vi. Location of Construction Staging Areas for Materials, Equipment, & Vehicles
  - vii. Crane Plane (Location, Height, & Radius), as applicable
  - viii. Construction Worker Parking
- c) Traffic Control Plan - Routes for construction-related traffic (hauling, deliveries, works, etc.) shall be identified in consultation with the Department of Public Works. Grading, hauling, and construction delivery traffic shall be timed to avoid peak hour school and work commute traffic. The CMP shall identify the maximum size of construction equipment /trucks, during construction, expected temporary street closure and the use of flag personnel during construction, and the location of construction worker parking/car-pooling. Comprehensive traffic control measures shall be identified, including: any required detour signage, lane closures, and sidewalk closures. A 24 Hour

Written notice must be given to the Public Works and Police Departments prior to lane closures. Trained flag persons shall be positioned at both ends of blocked traffic lanes to ensure safe movement of vehicles, and pedestrians. The proposed traffic control plan may require review by a traffic engineer, to ensure an adequate intersection/driveway turning radius would be provided for large vehicles, and/or when other large projects are in construction at the same time.

- d) Noticing - The CMP shall include notice to property owners within 300 feet of the project site two weeks prior to grading, and identification of haul route(s) and staging area for the project. The notice shall also include a process for responding to, and tracking, complaints pertaining to construction activity, including identification of an on-site complaint manager. 24-hour advance written notice shall also be provided to adjacent property owners, adjacent businesses, and Public Works and Police Department personnel prior to all major deliveries, detours, and lane closures.
  - e) Road Conditions - Documentation of road pavement conditions shall be provided to the Public Works Department for all routes that will be used by construction vehicles, both before and after project construction. Roads found to have been damaged by construction vehicles shall be repaired to the level at which they existed prior to project construction.
  - f) Response to CMP Conditions - A response shall be provided to CMP conditions from other City departments, and outside agencies.
23. A written report prepared by a Geotechnical Engineer shall be submitted in accordance with Section 9-36 of the City Code.
24. The owner/applicant shall provide a street light plan that confirms that any street light improvements are focused on the project street frontage, excluding the opposite side of said

streets. This requirement is in line with the December 20, 2024 entitlement plan set and previous confirmation from the City on June 27, 2024.

25. The developer shall provide documentation from Mid-Peninsula Water District, PG&E, AT&T that these utilities will provide service to the subdivision.
26. All construction and related activities which require a City building permit shall be allowed only during the hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, and 10:00 a.m. to 5:00 p.m. on Saturdays. No construction activity or related activities shall be allowed outside of the aforementioned hours or on Sundays and the following holidays: New Year's Day, President's Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day and Christmas Day. All gasoline powered construction equipment shall be equipped with an operating muffler or baffling system as originally provided by the manufacturer, and no modification to these systems is permitted.
27. The property owner/applicant shall apply for and obtain temporary encroachment permits from the Department of Public Works for work in the City public right-of-way, easements or property in which the City holds an interest, including driveway, sidewalk, sewer connections, sewer clean-outs, curb drains, storm drain connections, placement of a debris box.
28. The property owner/applicant shall apply for and obtain a permanent encroachment agreement from the Department of Public Works, with approval by the City Council, for a structure, retaining wall, awning, or other features constructed in the public right-of-way, easement or on property in which the City holds an interest.
29. Failure to comply with any permit condition may result in a "Stop Work" order or other penalty.
30. Construction activity resulting in a land disturbance of 10,000 SF or more, or less than 10,000 SF but part of a larger development shall obtain the Construction Activities Storm Water General Permit (General Permit) from the State Water Quality Control Board (<http://www.scrwb.ca.gov/stormwtr/construction.html> or (916) 341-5537). The State requires a completed Notice of Intent to comply (NOI) package and a Storm Water Pollution Prevention Plan (SWPPP) prepared in accordance with Section A of the General Permit prior to the commencement of soil disturbing activities. The State will issue a Waste Discharge Identification (WDID) number within 10 business days after it receives a complete NOI package (original signed NOI, vicinity map, and check). Applicant shall also submit copies of the NOI and SWPPP to the City for review and approval. Throughout the project life, the SWPPP shall be revised as necessary to accommodate site changes during to construction.
31. Verify location of utility meters, valves, back flow preventers, and hydrants with appropriate utility company. Show relationship of each to site improvements, such as retaining walls.
32. Prior to any grading or clearing being performed on-site, the owner/applicant shall submit a grading plan prepared by a California-registered Civil Engineer in accordance with City Grading Ordinance, Chapter 9, Section 3 of the City Code, with a grading permit application, for approval by the Department of Public Works and Building Division..

Soil or other construction materials shall not be stockpiled in the public right-of- way unless

an encroachment permit is obtained from the Department of Public Works. Grading shall neither be initiated nor continued between November 15 and April 15. Exceptions can be considered upon further review with the Building Official.

Grading shall be done between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday unless otherwise specifically authorized by the Director of Public Works. Grading shall incorporate the restrictions and recommendations of the Geologic and Soils report as approved by the City. The Stormwater Pollution Prevention Program Best Management Practices (BMPs) for construction shall be implemented to protect water quality.

33. The owner/applicant shall submit a dust control plan for approval by the Department of Public Works. To reduce dust levels, exposed earth surfaces shall be watered as necessary.

The application of water shall be monitored to prevent runoff into the storm drain system. Spillage resulting from hauling operations along or across any public or private property shall be removed immediately. Dust nuisances originating from the contractor's operations, either inside or outside of the right-of-way shall be controlled. The measures shall also include:

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

regarding dust complaints. This person shall respond and take corrective action within 24 hours. The Air District phone number shall also be visible to ensure compliance with applicable regulations.

34. Storm drainage calculations shall be required for all storm drains and overland flows. Drainage shed maps shall be submitted showing all upstream acreage and run-off coefficients for each tributary area. Overland flow paths and site release points shall be clearly identified. Calculations shall be submitted to the Department of Public Works for review and approval.
35. The owner/applicant shall perform a video inspection of any sewer laterals proposed to remain. Submit the inspection to the Department of Public Works for review and make any necessary repairs to the lateral.
36. Applicant shall install the sanitary sewer connection in accordance with Department of Public Works approved standards and pay the applicable sewer connection fee.
37. If PG&E is requiring the developer to construct the gas and/or electrical connections in City right of way or easements, then the developer must submit plans and obtain an encroachment permit from Department to Public Works.
38. The applicant shall submit an erosion and sedimentation control plan describing Best Management Practices (BMPs) to be used to prevent soil, dirt, and debris from entering the storm drain system. The plan shall include the following items:
  - a) A site plan showing the property lines, existing and proposed topography, and slopes; areas to be disturbed, locations of cut/fill and soil storage/disposal area; areas with existing vegetation to be protected; existing and proposed drainage patterns and structures; watercourses or sensitive areas on-site or immediately downstream of project; and designated construction access routes, staging areas and washout areas.
  - b) Erosion and sediment controls to be used during construction, selected as appropriate from the California Regional Water Quality Control Board, San Francisco Bay Region Erosion and Sedimentation Control Field Manual (available from: Friends of the San Francisco Estuary, P.O. Box 791, Oakland, CA 94604-0791).
  - c) Methods and procedures to stabilize denuded areas and install and maintain temporary erosion and sediment control continuously until permanent erosion controls have been established.
  - d) Provision for preventing erosion and trapping sediment on-site, such as sediment basins or traps, earthen dikes or berms, fiber rolls, silt fence, check dams, storm drain inlet protection, soil blankets or mats, covers for soil stock piles and/or other measures.
  - e) Provisions for installing vegetative cover in disturbed areas, including areas to be seeded, planted, and/or mulched, and types of vegetation proposed.
  - f) Provision for diverting on-site runoff around exposed areas and diverting off-site runoff around the project site (e.g., swales and dikes).
39. All utilities to each lot including, but not limited to, electric power, telephone, cable television, shall be provided underground.
40. The owner/applicant shall provide field survey data to permit retracing all survey monuments set to establish the street right-of-way both public and private.
41. All landscaping shall be maintained and shall be designed with efficient irrigation systems

to reduce runoff, promote surface filtration, and minimize the use of fertilizers, herbicides and pesticides.

42. A letter from the geotechnical consultant, shall inspect, test (as needed) and approve all geotechnical aspects of the project construction. The inspections shall include, but not necessarily be limited to site preparations and grading, site surface and subsurface drainage improvements, and excavations for foundations and retaining walls prior to the replacement of steel and concrete. The geotechnical consultant shall observe all excavations during project grading to verify anticipated geologic conditions and to check for any apparent indications of temporary excavation instability. A final geotechnical inspection shall be performed of completed drainage improvements to verify conformance with geotechnical standards. The results of these inspections as the as-built conditions of the project shall be described by the geotechnical consultant in a letter and submitted to the City Engineer for review prior to final (granting of occupancy) project approval.
43. The property owner shall install, operate, and maintain all permanent stormwater quality protection measures included in the approved project plan using qualified personnel. The property owner/applicant must keep a maintenance and inspection schedule and record to ensure that the treatment control measures continue to operate effectively. Records must be provided to the Department of Public Works, on an annual basis, on or before June 30 of each year.
44. The developer shall provide to the first residents/occupants/tenants practical information materials (as furnished by the City) on good housekeeping for hazardous products, proper use and disposal of hazardous products, and prohibited discharge practices prior to issuance of any certificate of occupancy for the project.
45. The property owner/association shall implement a trash management and litter control program including emptying trash receptacles in common areas, noting trash disposal violations by homeowners or business, and notifying violators.
46. The phrase “No Dumping-Drains to Bay” or equal phrase shall be labeled on new storm drain inlets by stenciling, branding, plaque or casting. All on-site drain facilities must be inspected twice a year and cleaned immediately prior to the rainy season (prior to October 15) and once again during the rainy season. Results of inspection and cleaning shall be reported to the Department of Public Works on an annual basis on or before June 30 of each year.
47. No wastewater (including equipment cleaning wash water, vehicle wash water, cooling water, air conditioner condensate, and floor cleaning wash water) shall be discharged to the storm drain system, the street or gutter.
48. The subdivision improvement plan agreement shall provide for payment of all grading permit fees and inspection charges including the reviews by the City’s Consultant Geologist or Geotechnical Engineer in accordance with the City’s Grading Ordinance.
49. The subdivision improvement plan shall provide for payment of all City inspection and plan check charges associated with the installation of public and private improvements including, but not limited to, streets, sanitary sewers, storm drains and streetlights. A cash deposit shall be made in accordance with the fee schedule, against which the City will assess its costs. A refund or additional charge will be made at the conclusion of construction.

50. Storm drainage, sanitary sewer, and emergency vehicle access easements shall be provided to the City as necessary.
51. The Project shall demonstrate compliance with all TIA recommendations.
52. The developer shall provide documentation from Mid-Peninsula Water District, PG&E, and AT&T Broadband cable TV that these utility companies will provide service to the development project/site.
53. Prior to Lot Line Adjustment approval, the developer shall post maintenance bonds or letters of credit for all off-site improvements to be dedicated to the City at the time the Council accepts the project.
54. The owner/applicant shall provide a plan showing all the site improvements and utility trench locations. The plan shall indicate the location of all the protected trees and protection fences on site. No utility trench shall encroach within the protection fence areas.

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

55. "As-built" drawings for any public improvement including streets, sewers, etc. shall be submitted to the City in AutoCAD on CD ROM.
56. If construction is not complete by the start of the wet season (November 15 through April 15), prior to November 15 the developer shall implement a winterization program to minimize the potential for erosion and sedimentation. As appropriate to the site and status of construction, winterization requirements shall include inspecting/maintaining/cleaning all soil erosion and sedimentation controls prior to, during, and immediately after each storm event; stabilizing disturbed soils through temporary or permanent seeding, mulching, matting, tarping or other physical means; rocking unpaved vehicle access to limit dispersion of mud onto public right-of-way; covering/tarping stored construction materials, fuels, and other chemicals. Plans to include proposed measures to prevent erosion and polluted runoff from all site conditions. As site conditions warrant, the Department of Public Works may direct the developer to implement additional winterization requirements.
57. After the City permits are approved but before beginning construction, the owner/applicant shall hold a preconstruction conference with Building and Public Works Department staff and other interested parties. The developer shall arrange for the attendance of the construction manager, contractor, and all subcontractors who are responsible for grading and erosion and sedimentation protection controls.
58. The owner/applicant shall ensure that all construction personnel follow standard BMPs for stormwater quality protection during construction of project. These include, but are not limited to, the following:
  - a) Store, handle and dispose of construction materials and wastes properly, to prevent their contact with stormwater.
  - b) Control and prevent the discharge of all potential pollutants, including solid wastes, paints, concrete, petroleum products, chemicals, wash water or sediment, and non-stormwater discharges to storm drains and watercourses.
  - c) Use sediment controls, filtration, or settling to remove sediment from dewatering effluent.

- d) Do not clean, fuel, or maintain vehicles on-site, except in a designated area in which runoff is contained and treated.
  - e) Delineate clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses with field markers or fencing.
  - f) Protect adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching or other measures as appropriate.
  - g) Perform clearing and earth moving activities only during dry weather (April 15 through November 14).
  - h) Limit and time applications of pesticides and fertilizers to prevent polluted runoff.
  - i) Limit construction access routes and stabilize designated access points.
  - j) Do not track dirt or other materials off-site; clean off-site paved areas and sidewalks using dry sweeping methods.
59. A maintenance agreement is required to be executed between the City and the developer prior to issuance of a certificate of occupancy or final inspection, whichever comes first. The property owner shall maintain the following:
- a) Stormwater treatment areas inside and along the frontage of the properties.
  - b) Sidewalks, driveways, street furniture, decorative streetlights, landscaping, street trees along the frontage of property up to the back of curb.

III COMPLY WITH THE FOLLOWING CONDITIONS OF THE SAN MATEO CONSOLIDATED FIRE DEPARTMENT:

1. EGRESS – The applicant shall maintain required egress for all adjacent buildings/properties.
2. STANDPIPES – For projects that require standpipes by California Fire Code Section 905.3.1, the applicant shall provide not less than one standpipe for use during construction or demolition.
3. DEMOLITION – The applicant shall comply with the California Fire Code Chapter 33 during all phases of construction of the project. Applicant shall prepare a Fire Safety Plan for the Fire Department which shall be adhered to throughout construction.
4. FIRE FLOW – The applicant shall provide fire flow information to the Fire Plan Checker, which is subject to the review and approval of the Fire Marshal or his/her designee.
5. REMOTE POWER DISCONNECT – The plans shall show a key switch/shunt trip to disconnect the building electrical power and/or solar photovoltaic system by Fire Department personnel. The key switch/shunt trip location(s) shall be subject to the review and approval of the Fire Marshal or his/her designee.
6. FIRE CONTROL ROOM – The plans shall show a fire control room with direct access from the exterior of the building subject to the requirements listed in the Fire Department’s local

Ordinance and subject to the review and approval of the Fire Marshal or his/her designee.

7. **CODE CONFORMANCE** – The applicant shall indicate on all building permit plans that all construction shall meet current code standards at the time of building permit submittal. The building permit plans are subject to review and approval by the Fire Marshal or his/her designee.
8. **FIRE DEPARTMENT SUBMITTALS** – The applicant shall submit all plans involving fire systems (including but not limited to fire sprinklers, fire hydrants, and fire alarms) in conjunction with the superstructure building permit plans to the Fire Department. The plans are subject to review and approval by the Fire Marshal or his/her designee.
9. **FIRE HYDRANTS** – The applicant shall install the approved number of public/private fire hydrant(s) spaced as per the Fire Department’s local Ordinance. All fire hydrants used for fire flow for the project site shall be upgraded to a Clow model 960 or equivalent consisting of (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 water purveyor’s specifications. The water supply shall be tested, flushed and approved operable prior to any combustible construction materials being placed on the site. Staged construction shall insure that the necessary water supply is maintained from stage to stage in the construction planning. The letter shall be submitted to the Fire Marshal or his/her designee for review and approval prior to the Fire Final Inspection.
10. **EMERGENCY RESPONDER RADIO COVERAGE** – An Emergency Responder Radio Coverage system may be required for this project. Testing shall occur during construction due to circuit protection requirements that will affect building design. The applicant shall provide a third-party testing grid report to the Fire Department subject to the review and approval by the Fire Marshal or his/her designee prior to the Fire Final Inspection.
11. Prior to application for a Fire Sprinkler Permit, the applicant shall submit plans to the Mid-Peninsula Water District (MPWD) for their review and approval. Contact MPWD at 650-591-8941 to coordinate review of the project.
12. A separate application and permit are required for the installation or alteration of any Fire Alarm, or Water-flow Monitoring System. This application shall include the interconnection of any Fixed Fire Protection System to an Alarm System where provided. A valid Permit and Approved Plans shall be at the jobsite at all times.
13. A separate application and permit are required for the installation of any underground fire service lines. Application shall be made by a Registered Engineer or by either a General Engineering Contractor or a Licensed Fire Sprinkler Contractor, who will be performing the work.
14. A master building wide Hazardous Materials Inventory Statement (HMIS) and a tenant

HMIS shall be kept on file with the building management for the lifetime of the use . The building management shall manage all tenant HMIS documents against the Master HMIS such that the total quantity of hazardous materials shall not exceed the Maximum Area Quantities (MAQ's) as defined by the HMIS and CFC Chapter 50. This project shall update their fire sprinkler design density to an Extra Hazard class to 0.4/3,000 square-feet.

15. A Knox Key-Lock Box is required to be installed as shown on plans. Please contact Fire Prevention at 650-522-7940 to obtain an application.
16. Fire inspections are available Monday through Friday, 8:00 am to 4:00 pm. Call 650-522-7940 a minimum of 48 hours in advance to place your inspection request.
17. On plans submitted for a Building Permit, show the location of all required Smoke Alarms and Carbon Monoxide Alarms, in accordance with CRC Sections 314 & 315.
18. In accordance with the Municipal/Regional Stormwater Permit, no fire sprinkler system drain shall discharge into any Storm Drain System. The system shall discharge to either a landscape area large enough to contain the outflow, or to the Sanitary Sewer by means of an indirect connection. Indicate the location of the Fire Sprinkler System drain on plans submitted for a building permit.
19. Address Identification. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Said numbers shall be either internally or externally illuminated in all new construction and in all alterations greater than 50% of the original structure. Numbers shall be as follows: Minimum of one-half inch (1/2") stroke by six inches (6") high. When the structure is thirty-six (36) to fifty (50) feet from the street or fire department access a minimum of one-half inch (1/2") stroke by nine inches (9") high is required. When the structure is more than fifty (50) feet from the street or fire apparatus access, a minimum of one-inch (1") stroke by twelve inches (12") high is required.

IV COMPLY WITH THE FOLLOWING CONDITIONS OF THE BELMONT POLICE DEPARTMENT:

1. All activities shall be subject to the requirements of the Belmont Noise Ordinance.
2. No debris boxes or building materials shall be stored on the street unless permitted.
3. Flag person(s) shall be required for closures positioned at both ends of any closure.
4. A 24-hour written notice to and approval from the Police Department is required before any lane closure. (Contact PD Traffic Unit or Watch Commander for approvals).
5. No parking of construction employee vehicles is allowed in the roadways.

6. Any lane/road closures must only be conducted during non-commute hours (9am-3pm).
7. Any burglar alarm shall be registered with the PD per BCC 18-50 et. seq.
8. A signage plan is required for closures/detours. This plan must be approved by the PD Traffic Unit.
9. The applicant shall provide a security plan to the Police Department plan for the construction period, prior to issuance of a building permit. Said plan shall, at minimum, include: lighting (if desired), surveillance, physical security of property, and securing of any tools, equipment and/or materials left on site. The Police Department shall also be provided 24-hour emergency contact information for the contractor and owner. Route emergency contact information to PD Attn: Sgt. Thompson or email to [mthompson@belmont.gov](mailto:mthompson@belmont.gov).
10. No Trespassing signs, per 602 PC, are required to be posted around property to discourage unauthorized entry and aid in criminal prosecutions for trespassing/theft.
11. The property address must be clearly posted at all times during and after construction, visible and legible from entire roadway frontage(s).
12. The applicant shall ensure the Police Department has access to any secured emergency access easements/gates/pathways.

Certification of Approved Final Conditions:

*Carlos de Melo*

10-29-25

\_\_\_\_\_  
 Carlos de Melo, Community Development  
 Director

\_\_\_\_\_  
 Date