



MONTARA WATER AND SANITARY DISTRICT AGENDA

For Meeting Of: **February 5, 2026**

TO: BOARD OF DIRECTORS

FROM: Clemens Heldmaier, General Manager 

SUBJECT: Review and Possible Action Concerning Approval of Agreement for Construction and Acquisition of Sewer Main Extension at Cypress Point Development.

In February 18, 2025 MP Moss Beach Associates, L.P. put in an application for a new construction and sewer connection permit for a multi-unit development for APN 037-022-070, at Sierra Steet and Carlos Street, Moss Beach. The existing District owned and maintained sewer main pipe must be extended further South in Carlos Street along the frontage of the applicant's property to allow for a perpendicular sewer lateral connection to the District main.

The sewer plan has been reviewed by District Engineer Nute Engineering titled "Cypress Point Family Community UTILITY PLAN EP5.0, EP5.1, Carlos Street, Moss Beach, California," dated 10/22/2025, prepared by BKF Engineers for the "Cypress Point Development" and Agreement from MP Moss Beach Associates. The District and MP Moss Beach Associates propose to enter into the Agreement for Construction and Acquisition of Sewer Main Extension along Carlos Street between 16th Street and Sierra Street, which will include a one-year warranty bond and the applicant paying all costs and related fees.

Once the project construction has been completed and a sewer permit Final issued to San Mateo County, the warranty period will start.

Pippin Cavagnaro, P.E., from Nute Engineering, will review the sewer with the SAM maintenance crew, and after the year warranty has concluded will determine if any deficiencies in the pipeline exist. The applicant will be responsible for corrections if needed. Thereafter, the District will accept the main extension and the remainder of the unused Bond payment will be refunded to the applicant.

RECOMMENDATION:

Move adoption of RESOLUTION NO. _____, RESOLUTION OF THE MONTARA WATER AND SANITARY DISTRICT APPROVING A MAIN SEWER EXTENSION AND AUTHORIZING EXECUTION OF AGREEMENT FOR CONSTRUCTION AND ACQUISITION OF SEWER MAIN EXTENSION (APN 037-022-070)

Attachments

RESOLUTION NO. _____

RESOLUTION OF THE MONTARA WATER AND SANITARY DISTRICT APPROVING A MAIN SEWER EXTENSION AND AUTHORIZING EXECUTION OF AGREEMENT FOR CONSTRUCTION AND ACQUISITION OF SEWER MAIN EXTENSION (APN 037-022-070)

WHEREAS, MP MOSS BEACH ASSOCIATES, L.P., a California limited partnership, Property Owner (“Owner/Applicant”) owns real property located in Moss Beach, California, as more particularly described as Assessor Parcel Number 037-022-070 and located along Carlos Street, Street between 16th Street and Sierra Street, Moss Beach, CA (“Real Property”); and

WHEREAS, Owner/Applicant applied for a permit to connect and serve the Real Property to the District’s sewer system (“Permit”) in accordance with the Montara Water and Sanitary District (“District”) Code Section 3-6.100 (“Service Application”), which requires the financing, construction and dedication of a Public Sewer Extension (“Main Sewer”) beyond the District’s existing facilities; and

WHEREAS, Owner/Applicant submitted plans, profiles and specifications for the Main Sewer, which have been reviewed and approved by the District’s Engineer for conformance with District’s requirements under District Code Section 3-6.300; and

WHEREAS, pursuant to District Code Section 3-4.300, the District and the Owner/Applicant have agreed upon the terms and conditions for the Main Sewer and that are included in the agreement entitled “Agreement for Construction and Acquisition of Sewer Main Extension” (“Agreement”); and

WHEREAS, the District Board desires to enter into the Agreement, approve Owner/Applicant’s Service Application and issue the Permit.

NOW, THEREFORE, be it resolved by the Board of the Montara Water and Sanitary District, a public agency in the County of San Mateo, California, as follows:

1. Owner/Applicant’s Service Application is hereby approved subject to the terms and conditions contained in the attached form of the Agreement, which is further approved, and the General Manager is authorized to execute and record the Agreement.
2. Owner/Applicant’s plans, profiles and specifications for the Main Sewer comply with the District’s Code and the District’s rules and regulations and

RESOLUTION NO. _____

RESOLUTION OF THE MONTARA WATER AND SANITARY DISTRICT APPROVING A MAIN SEWER EXTENSION AND AUTHORIZING EXECUTION OF AGREEMENT FOR CONSTRUCTION AND ACQUISITION OF SEWER MAIN EXTENSION (APN 037-022-070)

the General Manager is authorized to issue a Permit to Owner/Applicant subject to the terms and conditions contained in the attached form of the Agreement.

President, Montara Water and Sanitary District

COUNTERSIGNED:

Secretary, Montara Water and Sanitary District

* * * *

I HEREBY CERTIFY that the foregoing Resolution No. _____ duly and regularly adopted and passed by the Board of the Montara Water and Sanitary District, County of San Mateo, California, at a Regular Adjourned Meeting thereof held on the 5th day of February 2026, by the following vote:

AYES, Directors:

ABSTENTION:

NOES, Directors:

ABSENT, Directors:

Secretary, Montara Water and Sanitary District

**RECORDING REQUESTED BY,
AND WHEN RECORDED, MAIL TO:**

Montara Water and Sanitary District
Attn: Clemens Heldmaier, General Manager
8888 Cabrillo Hwy
Montara, CA 94037

SPACE ABOVE THIS LINE FOR RECORDER'S USE

EXEMPT FROM RECORDING FEES
PURSUANT TO GOV. CODE SEC. 6103

**AGREEMENT FOR CONSTRUCTION AND
ACQUISITION OF SEWER MAIN EXTENSION**
(APN: 037-022-070)

THIS AGREEMENT, made and entered as of _____, ____ by and between the **MONTARA WATER AND SANITARY DISTRICT**, a public agency in the County of San Mateo, California (“District;” also “Party”) and **MP MOSS BEACH ASSOCIATES, L.P.**, a California limited partnership (“Applicant” also “Owner” also “Party”).

WITNESSETH:

WHEREAS, Owner is the fee owner of the real property described in Exhibit “A” hereof and by this reference incorporated herein (“Property;” also designated by Assessor Parcel Number 037-022-070); and

WHEREAS, environmental review pursuant to the California Environmental Quality Act (Pub. Res. C. §21000 et seq.) for proposed development of the Property designated “Cypress Point Family Community, Moss Beach, APN: 037-022-070” has been completed and a final subdivision map or lot line adjustment of the Property and related entitlements have been conditionally approved by the County of San Mateo as set forth in the Letter of Decision, PLN 2022-00220, dated April 12, 2024, and Recommended Actions, Findings and Conditions of Approval Letter Dated March 26, 2024 (“Conditions of Approval”, a copy of which is attached hereto as Exhibit “B” and by

this reference incorporated herein), including the condition that sewer service is available for the Property to be provided by District; and

WHEREAS, Applicant has applied for a permit to connect the Property to District's sewer system ("Permit Application") pursuant to the provisions of Section 3-6.100, et. seq. of the Montara Water and Sanitary District Code ("District Code"); and

WHEREAS, a sewer main extension ("Extension") is required in order to serve the Property, along with the pertinent conditions of the District set forth in the Conditions of Approval; and

WHEREAS, all proposed sewer pipes and building side pipes, manholes, cleanouts and appurtenances within the Property and connecting the proposed Extension shall be private and considered as private sewer laterals by the District; and

WHEREAS, Applicant submitted the Permit Application together with the plans, profiles, drawings and specifications for the Extension, which have been approved by District's Engineer, and considered and approved by the District's governing Board, for conformance with District's requirements under District Code Section 3-6.300; and

WHEREAS, this Agreement is entered into pursuant to District Code Section 3-6.100, et. seq.;

NOW, THEREFORE, the parties hereto agree as follows:

1. Extension. Applicant shall, at Applicant's own cost and expense, construct or provide for the construction of the Extension and furnish all the materials, equipment, machinery, vehicles and perform all labor, and do all other work necessary to complete the construction in strict accordance with the plans, profiles, drawings and specifications (collectively, "Plans") prepared for Application entitled, "Cypress Point Family Community UTILITY PLAN EP5.0, EP5.1, Carlos Street, Moss Beach, California," dated 1/16/2026, prepared by BKF Engineers, and approved by District's governing Board on _____, _____, including District's Standard Specifications on file in District's Administrative Offices, the applicable provisions of which are incorporated herein by this reference. If a conflict exists between the Plans and District's Standard Specifications or the District's Code for a particular portion or component of the Extension, the stricter standard shall govern to the extent of such conflict. Applicant

shall complete construction of the Extension subject to such exceptions and time extensions as may be allowed under Paragraph 12 (Force Majeure) or otherwise approved for good cause by District's Sanitary System Engineer, on or before September 30, 2026.

2. Inspection. Applicant hereby grants District, its officers, employees, consultants, agents and designees the right and permission to enter upon the Property and the construction site or sites of the Extension to inspect the work of construction and to test or observe the testing of the Extension to ensure that the Extension are constructed in accordance with the Plans and applicable provisions of District's Code and otherwise conform to the conditions for approval and acceptance of the Extension by District.

3. Property Interests. Prior to commencing construction of the Extension, Applicant shall submit to District for review deed(s) of easement(s), or other evidence(s) of property interest(s) title to which is vested in Applicant and is otherwise sufficient and free of encumbrances or claims by others to allow for the construction of the Extension by Application, for District's right of entry pursuant to Paragraph 2 herein and for District's acceptance of the Extension. Upon completion of construction of the Extension and acceptance thereof by District, Applicant shall grant District an easement, or such other property interest as may be specified by District, in the real property in which the Extension and appurtenances are located and convey title to the Extension and appurtenances to District free and clear of any encumbrances, except such encumbrances as may expressly in writing be accepted by District. Such easement or other interest shall include, without limitation, the right to operate, maintain, repair, replace (in the original or any other size), construct and install a sewer main or mains and appurtenances thereto. Applicant agrees and covenants that, prior to execution of such conveyances, Applicant shall not convey to any other person or entity or entities the same interest or any other interest that may conflict with the interest or interests to be conveyed to District. Title to the Extension and associated easements or other requisite property interests (as determined by District) shall vest absolutely in District upon District's acceptance thereof. Conveyance of title to District shall be conducted through escrow acceptable to District. All conveyancing costs including, without

limitation, costs of preparing documents, escrow, title insurance for the benefit of District, and recordation shall be borne by Applicant. All deeds or other form of conveyancing documents described above shall be subject to approval by District's legal counsel. Applicant shall, prior to commencement of construction of the Extension, obtain and provide District with a copy of a title report for the Property and such other property within which the Extension is to be constructed.

4. Security. Prior to commencing construction of the Extension, Applicant shall file with or provide to District's General Manager a faithful performance bond or cash deposit in the amount of the total estimated cost of the work securing payment for all work and the construction of the Extension within the time herein specified. The amount of the security shall be Four Hundred Three Thousand Seven Hundred Twenty Dollars and No One Hundredths Dollars (\$403,720.) The refundable cash deposit or faithful performance bond shall be conditioned upon the performance of the terms and conditions of the Permit and shall guarantee the correction of faulty workmanship and the replacement of defective materials for a period of one (1) year after the date of acceptance of the work.

Likewise prior to commencing construction of the Extension, Applicant shall file with District's General Manager a payment bond securing payment by Applicant of all costs for labor and materials incurred in the construction of the Extension and all other work herein agreed to be performed by Applicant. The amount of the security shall be Four Hundred Three Thousand Seven Hundred Twenty Dollars and No One Hundredths Dollars (\$403,720.)

The aforementioned security shall include, in addition to the principal amounts, guarantee of the payment of costs and reasonable expenses and fees, including reasonable attorneys' fees, incurred by District in the event of successful enforcement of such security. All bonds shall be issued by California admitted surety insurers satisfactory to the District.

5. Reimbursement; Deposits for District's Costs. The Parties acknowledge that Applicant has deposited with District the sum of Five Thousand and No One Hundredths Dollars (\$5,000.00) receipt of which is hereby acknowledged by District. The deposit shall be used by District to pay for its costs incurred in administering this

Agreement and carrying out its duties for construction and acceptance of the Extension including, without limitation, costs of reviewing the Plans for the Extension, costs incidental to inspection of the construction of the Extension, administrative, engineering and legal services costs and other costs and expenses incurred by District pursuant to the aforesaid District Code Sections or otherwise related to this Agreement and construction of the Extension.

If the Initial Deposit is insufficient to pay all such estimated costs and expenses, District shall notify Applicant in writing thereof, whereupon Applicant shall replenish the deposit in the amount estimated by District that is necessary to cover District's remaining estimated costs and expenses. If such insufficiency occurs, District shall not be obligated to perform any further services hereunder or under the District Code unless and until a replenishment deposit is made. Upon completion of the construction of the Extension, Applicant shall pay any additional costs and expenses of District not covered by the Initial Deposit and, if applicable, replenishments thereof, prior to acceptance of the Extension by District. District shall refund to Applicant any balance of the deposit(s) remaining after acceptance of the Extension.

Applicant hereby acknowledges and agrees that the aforesaid deposit(s) shall not be deemed as payment, or excuse payment, of any other fees and charges duly imposed by District and payable by Applicant for use of, or connection to, District's sewer system.

6. Hold Harmless. Applicant shall protect, indemnify, and hold harmless District, its governing board, committees, officers, employees, agents and consultants (collectively, "Indemnitees") from and against any and all liabilities, losses, damages, claims, expenses, causes of action and judgments, including reasonable attorneys' fees, arising out of or attributable to Applicant's performance or failure to perform under this Agreement or relating to the construction of the Sewer Extension or connection or discharge sewer to the District including, without limitation, any accident, occurrence or incident related to the construction of the Extension, or the negligent performance of, or failure to perform, any other responsibility of Applicant hereunder. Applicant shall also protect, indemnify, and hold harmless Indemnitees from and against any and all liability related to the use of any copyrighted material in the Plans or the use of any patent or

patented article or process by Applicant in the construction of the Extension. Applicant's duty to defend and indemnify includes the responsibility to provide legal representation, the selection of whom shall be subject to District's approval.

Applicant's obligation to indemnify, hold harmless and defend District shall extend to injuries to property or persons and damages to or alleged taking of property resulting from the design or construction of the Extension shall likewise extend to adjacent property owners asserting claims based upon the design or construction of the Extension. District's acceptance of the Extension shall not constitute an assumption by District of any responsibility or liability for any damage or alleged taking of property referenced herein. District shall not be responsible or liable for the design or construction of the Extension or for the subdivision that includes the Extension Sewer. After District's acceptance of the Extension, Applicant shall remain obligated to correct or eliminate all dangerous conditions created by defects in design or construction; provided, however, that Applicant shall not be responsible for routine maintenance. Applicant acknowledges and agrees that Applicant shall be responsible and liable for the design and construction of the Extension and other work done pursuant to this Agreement, and District shall not be liable for any acts or omissions in approving, reviewing, checking, correcting or modifying the Plans or in inspecting, reviewing or approving any work related to construction of the Extension. Applicant's Improvement security shall not be required to secure Applicant's obligations under this Paragraph beyond the one-year guarantee and warranty period described in Paragraph 10. If, in any judicial proceedings involving statutory immunity under the Government Claims Act (Government Code 810, et seq.) asserted by District, or its officers, employees, agents or consultants is determined by a court of competent jurisdiction to be inapplicable or unavailable to immunize District, or its officers, employees, agents or consultants, from potential liability for any alleged acts or omissions under this Paragraph, then such rights or obligations of indemnification hereunder shall be governed by principles of comparative fault.

7. Insurance. Applicant shall obtain and maintain in full force and effect during the term of this Agreement, at Applicant's cost, a comprehensive general liability insurance policy naming District, its governing board, commissions, committees,

officers, agents, and employees (collectively, "District's Insureds") as insureds or additional insureds, insuring them against liability for personal injury (including death) and property damage (including loss of use thereof) arising out of the construction of the Extension or from Applicant's performance or failure to perform Applicant's obligations under this Agreement. Said insurance shall be in the minimum limits of \$2,000,000 for personal injuries to, or death of, any one person, \$3,000,000 for personal injuries or death arising out of any one occurrence and \$2,000,000 for property damage arising out of any one occurrence. Said insurance shall expressly insure against contractual liability assumed by Applicant under this Agreement including, without limitation, the provisions of Paragraph 1.

The foregoing policies or endorsements thereto shall provide that: (i) the insurer shall notify District in writing thirty (30) days in advance of the insurer's intention to cancel or materially change the terms of said policy or policies, (ii) coverage for District's Insureds shall be severable from that of other insureds if the insurance covers Applicant, another entity, or person(s) in addition to District's Insureds (cross liability or severability of interest provision) and (iii) such insurance shall be primary regarding District's Insureds and that any insurance or self-insurance maintained by District shall be excess of Applicant's insurance, and not contributory with it. Upon execution of this Agreement Applicant shall file with District's General Manager copies of the policies or the policies' declaration page(s) or information page(s) with such endorsements that show compliance with all of the requirements of this Paragraph, together with a certificate or certificates of the insurance.

8. Acceptance. Construction of the Extension in conformance with the Plans and the provisions of Chapter III, Article 6, ("Public Sewer Construction") of the District Code shall be subject to the approval of District's Sanitary System Engineer. Upon completion of the construction in full compliance with this Agreement and upon recommendation of said Engineer, the District shall accept the Extension. The security required hereunder shall not be released until such acceptance. Upon acceptance, Applicant shall furnish District with a complete set of the Plans and drawings showing the Extension in their actual or "as built" condition and location.

9. Time of the Essence. Time is of the essence of this Agreement and if Applicant defaults in the performance of Applicant's obligations hereunder not excused by reason of Force Majeure under paragraph 12, Applicant hereby agrees that District may, at District's option: (i) treat any deposits and payments made by Applicant hereunder as compensation or reimbursement for District's costs and expenses hereunder and terminate this Agreement, or (ii) if District desires that the Extension shall be completed, District may enforce the provisions hereof against Applicant and Applicant's sureties and recover any and all costs incurred therewith, including, without limitation, costs of suit and reasonable attorney's fees.

10. Guarantee of Workmanship and Materials. Applicant agrees that, if within a period of one (1) year after acceptance of the Extension, the Extension or any part or component thereof fails to fulfill any of the requirements of this Agreement, or of the Plans, District's Standard Specifications and the provisions of Chapter V, Article 4, Division 2 ("Extension of Facilities") of the District Code, Applicant shall, upon written notice from District directing the work to be done, without delay and without any cost to District, repair, replace or reconstruct any defective or otherwise unsatisfactory part or parts of the Extension. Should Applicant fail to act promptly to make such repair, replacement, or reconstruction, or otherwise to act in accordance with the requirement to repair, replace, or reconstruct, or should the exigencies of the case require that repair, replacement, or reconstruction be made before Applicant can be notified, District may, at its option, make the necessary repair, replacement, or reconstruction or perform the necessary work, and Applicant shall pay to District the actual cost of thereof plus fifteen (15) percent.

11. Security to Insure Guarantee. Applicant agrees, as a condition precedent to District's acceptance of the Extension, to submit to District a bond or cash deposit in the amount of ten percent (10%) of the costs of construction of the Extension guaranteeing and securing to District Applicant's compliance with the provisions of Paragraph 10 for a period of one (1) year after acceptance of the Extension by District. Applicant shall provide District copies of all invoices for and proof of payment of the costs of construction of the Extension concurrently with submittal of the bond or cash deposit.

12. Force Majeure. Applicant shall not be in default of any provision of this Agreement where timely performance or timely compliance thereof is prevented by acts of God, including natural disasters, or unusually inclement weather, civil emergencies, inability to obtain materials (except for such inability occasioned by the act, or failure to act, of Applicant), unanticipated change in governmental regulations, labor strike or disturbance (except that pertaining to Applicant's employees or agents) or similar acts which are beyond Applicant's reasonable ability to control; provided, that Applicant shall be obligated to perform or comply within a reasonable time after the event or action which precluded Applicant's timely performance no longer exists.

13. Independent Contractor. Neither Applicant, nor any of Applicant's agents or contractors are, or shall be, agents or employees of District in connection with the performance of Applicant's obligations under this Agreement. Applicant is, and shall be, an independent contractor hereunder.

14. Release and Discharge. To the extent that Applicant's proposed development of the Property, including Applicant's grading and construction activities and the location and construction of any utilities and improvements, impacts, affects or otherwise disturbs the District Sewer, Applicant fully, finally, unconditionally, and forever discharges and releases the District and its respective elected officials, appointed officials, officers, employees, contractors, agents, attorneys, administrators, assigns, and insurers—and anyone else acting on their behalf in connection with the District Sewer—from all injuries to persons or property (including the environment), whether the injuries are known or unknown, suspected or unsuspected, or anticipated or unanticipated, as well as all liabilities, claims, demands, causes of action, obligations, damages, losses, costs, attorneys' fees and expenses of any kind and nature whatsoever, known or unknown, arising out of, connected with, or related to, the District Sewer.

Applicant has read California Civil Code section 1542 ("Section 1542") and understands that Section 1542 gives Applicant the right not to release existing claims of which Applicant is not now aware, unless Applicant voluntarily chooses to do so. Applicant nevertheless hereby voluntarily waives Section 1542 and elects to assume all

risks for claims against the District relating to the connection and discharge to the District Sewer, whether known or unknown. Section 1542 reads as follows:

A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release and that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

15. Assignability. Applicant may assign this Agreement subject to District's prior written approval and to such conditions and covenants that District may require in order to effectuate the purposes of this Agreement.

16. Successors. The rights and obligations of the parties hereunder shall inure to the benefit of, and be binding upon their respective successors, assigns, administrators and heirs.

17. Joint and Several. If Applicant, as named above, consists of two or more persons or entities (irrespective of whether the form of such entity or entities is corporate, partnership, association or other form), the obligations and responsibilities under this Agreement of each and all of them are joint and several.

18. Recordation. Either Party hereto may submit this Agreement or a memorandum thereof to the San Mateo County Clerk-Recorder for recordation in County's Official Records.

19. Attorneys' Fees. If suit is brought by one Party against the other for damages or otherwise to enforce the provisions of this Agreement, the prevailing Party shall recover costs of suit including reasonable fees of expert witnesses and reasonable attorneys' fees.

20. Entire Agreement. This Agreement comprises the entire agreement between the Parties and integrates any and all prior writings, documents or understandings, between them pertaining to the subject matter hereof.

21. Paragraph Headings. Paragraph headings as used herein are for convenience of reference and shall not be deemed to amend or alter the contents of the paragraphs headed thereby.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first hereinabove written.

MONTARA WATER AND SANITARY DISTRICT, a public agency (“District”)

By: _____
General Manager

MP MOSS BEACH ASSOCIATES, L.P. (“Applicant” also “Owner”)

By:  _____
Associate Director of Housing Development

Exhibit A

Property Description

The land referred to is situated in the unincorporated area of the County of San Mateo, State of California, and is described as follows:

All of Blocks 40 and 41 and portions of Blocks 39, 42 and 43, and including portions of 17th Street, 18th Street, and all of Fairview Avenue, as shown on that certain Map entitled, "Farallon Heights, being a Resubdivision of Lot 45 and a part of Lot 46, half moon bay Colony Tract and Supplemented to Farallons City, San Mateo County, California", filed in the Office of the County Recorder of San Mateo County on July 19, 1909 in Book 6 of Maps at Page 71, more particularly described as a whole as follows:

Beginning at the point of intersection of the Southwesterly line of 16th Street with the dividing line between Lots 47 and 48 in Block 39 of said above mentioned Map; said point of beginning also being the Northeasterly corner of that certain 4.23 acre parcel conveyed to State of California, by Deed Recorded March 31, 1950 in Book 1828 of Official Records at Page 75 (File No. 47678-1), Records of San Mateo County, California; thence from said point of beginning, along the Easterly line of said last mentioned parcel, South 20° 53' West 228.75 feet; South 10° 49' 45" East 572.95 feet, and Southeasterly along the arc of a curve to the left, tangent to the last mentioned course, and having a radius of 50 feet and a central angle of 50° 33' 13", for an arc distance of 44.12 feet to the Northeasterly line of 19th Street; thence along said Northeasterly line of 19th, South 61° 22' 58" East 505 feet, more or less, to the Southeasterly corner of Block 41 of said Farallon Heights Subdivision; thence Northeasterly along the Southeasterly boundary of Blocks 41 and 40 of said subdivision crossing 18th Street, and running to the Northeasterly corner of said Block 40; thence Northeasterly crossing 17th Street, and running to the Southeasterly corner of Lot 6 in Block 39 of said Subdivision; thence running Northeasterly along the dividing line between Lots 6 and 5 of Block 39 to the Northeasterly corner of Lot 6 of Block 39 of said Subdivision; thence Northwesterly along the rear lines of Lots 6 to 27, inclusive, to the Northwesterly corner of Lot 27, which is identical with the Southeasterly corner of Lot 39 of said Block 39; thence Northeasterly along the dividing line between Lots 39 and 4 of said Block 39 to the Southwesterly boundary of 16th Street of said Subdivision; thence Northwesterly along the Southwesterly boundary of 16th Street to the point

of beginning.

EXCEPTING THEREFROM that portion thereof designated as Parcels "A" and "B" in the reversion to acreage Map filed for Record December 19, 1969 in Volume 70 of Maps at Pages 28 and 29, Records of San Mateo County, California.

APN: 037-022-070

JPN: 037-002-022-04

Exhibit B

County Letter of Decision – Conditions of Approval

Attached.

County of San Mateo
Planning and Building Department

RECOMMENDED ACTIONS, FINDINGS, AND CONDITIONS OF APPROVAL

Project File Number: PLN2022-00220

Hearing Date: March 26, 2024

Prepared By: Michael Schaller
Senior Planner

For Adoption By: Board of Supervisors

RECOMMENDED ACTIONS

1. Adopt a resolution amending the San Mateo County General Plan Land Use Map to change the land use designation of APN 037-022-070 from Medium-High Density Residential to Medium Density Residential; and
2. Authorize the Coastal Development Permit, Design Review Permit, and Grading Permit by making the required findings and adopting the conditions of approval listed below.

RECOMMENDED FINDINGS

Regarding the Environmental Review, Find:

1. That the project is statutorily exempt from review under the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.40, as documented in Attachment C to this board memorandum.

Regarding the Coastal Development Permit, Find:

2. That the project, as described in the application and accompanying materials required by Zoning Regulations Section 6328.7 and as conditioned in accordance with Section 6328.14, conforms with the plans, policies, requirements, and standards of the San Mateo County Local Coastal Program (LCP) with regards to the protection of archeological, biotic and visual resources, as well as Public Works and Housing component policies, as analyzed in Section A (2) of this staff report.
3. Where the project is located between the nearest public road and the sea, or the shoreline of Pescadero Marsh, that the project is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act of 1976

(commencing with Section 30200 of the Public Resources Code) and Chapter 3 of the Coastal Act of 1976. The proposed project does not fall within the stated locational criteria.

4. That the project conforms to the specific findings required by policies of the San Mateo County Local Coastal Program. As discussed in Section A (2) of this staff report, protection measures will be implemented to prevent any impact to archeological and biological resources, as well as minimizing impacts to water quality.
5. That the issuance of more than 60 building permits in a 12-month period in order to construct the project, is consistent with LCP Policy 3.16 because it is necessary to secure project financing. It is also consistent with LCP Policy 1.23 because the number of building permits issued for the remainder of the calendar year in which the building permits are issued, and the following two years will be restricted so that the total number of new residential units constructed over that three-year period will not exceed 120 new units.

Regarding the Design Review Permit, Find:

6. That the project has been reviewed by the Coastside Design Review Committee and determined to be in compliance with the Design Review Standards pursuant to Section 6565.17 and 6565.20 of the San Mateo County Zoning Regulations and the Community Design Manual. The Committee reviewed the proposed project at their September 14, 2023 meeting and recommended that the Planning Commission approve the project, subject to conditions which have been included in this attachment.

Regarding the Grading Permit, Find:

7. That the granting of this permit will not have a significant adverse effect on the environment as the project conforms with the applicable General Plan, LCP, and Zoning District policies and standards that seek to minimize impacts to soils, sensitive habitats, hazards, and visual quality. Implementation of the proposed grading plans prepared by a licensed civil engineer, including the erosion and sediment control plan, and associated conditions of approval will ensure that the project will not have a significant adverse effect on the environment.
8. That the project conforms to the criteria of Chapter 5, Division VII, of the San Mateo County Ordinance Code, including the standards referenced in Section 9296 as it will conform to standards in the Grading Ordinance, including those related to an erosion and sediment control plan, dust control plan, fire safety, and the timing of grading activity.

9. That the project is consistent with the goals and objectives of the General Plan. The project has been reviewed against the applicable policies of the San Mateo County Local Coastal Plan which is a subset of the County's General Plan and found to be consistent with its goals and objectives, as discussed in Section A.2 of this report.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

1. This recommendation applies only to the proposal as described in this report and materials submitted for review by the Board of Supervisors on March 26, 2024. The Director of Planning and Building may approve minor revisions or modifications to the project if they are found to be consistent with the intent of and in substantial conformance with this recommendation.
2. **Additional Site Excavation.** An archaeological salvage program shall take place prior to the beginning of earthmoving activities and shall consist of four hand-excavated 1 meter x 1 meter mitigation units. Placement of the units shall be based on available archival background data, field observations, and proposed project plans. Hand excavation shall be conducted using standard archaeological techniques with trowels, picks, and shovels at arbitrary levels and dry screened through 1/4-inch mesh. All identified artifactual material shall be collected from each level. Collected material shall be placed in level bags, and each level shall be recorded using level forms. Artifacts, soil type, color, stratigraphy, and features present shall be recorded. All artifactual material from this process shall then be placed within its appropriate level bag during the field process.
3. **Archaeological Monitoring.** Archaeological monitoring shall be conducted during all earthmoving activities involved with the project in accordance with the schedule coordinated between the general contractor and project archaeologist. This shall consist of full-time monitoring during all earthmoving activities within 50 feet of CA-SMA-431. Archaeological spot-check monitoring, consisting of periodic monitoring of the project site during ground-disturbing activities, including during demolition of the existing concrete foundations, shall take place for the remainder of the project. The timing and frequency of these spot checks shall be determined throughout the course of earthmoving activities for the proposed project based upon the construction schedule and the nature of any cultural materials encountered. Per the schedule, the archaeologist shall inspect the site and shall subsequently provide an archaeological monitoring report. This report shall document all cultural materials encountered and be submitted to project representatives within 40 working days of the completion of earthmoving activities for the project.

4. **Unanticipated Findings During Construction.** If any individual artifacts (prehistoric or historic), features, potential midden soils, or other indicators of cultural use are noted by the archaeological monitor during the earthmoving activities, work within 50 feet of the find shall be stopped until appropriate measures are formulated by the project archaeologist and accepted by the County and the project representative. If the project archaeologist is not present on the site, the County, owner, and project archaeologist shall be notified by telephone, and the project archaeologist shall examine the materials encountered within 24 hours. Any archaeological materials found at the site shall be collected and stored for further analysis by a qualified archaeologist and may require consultation with appropriate Tribal representatives, as dictated by the California Native American Heritage Commission (NAHC) and the County.

If an intact archaeological deposit is discovered during archaeological mitigation/monitoring, construction activities shall be halted within 50 feet of the find for the purpose of identifying and mapping the deposit, and appropriate investigative methods and approaches shall be formulated by the project archaeologist and discussed with the project representative. If these materials are determined to be significant, a preservation plan or data recovery program shall be prepared and submitted to the County for approval prior to implementation.

5. **Procedures for Discovery and Treatment of Human Remains.** If human remains are found during excavation or construction, work shall be halted at a minimum of 50 feet from the find, the area shall be staked off, and the owner and project archaeologist shall be notified. The owner shall contact the County Coroner, and no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains shall be performed until the coroner determines that no investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the NAHC within 24 hours of this determination. The NAHC shall identify the person or persons it believes to be the most likely descendent (MLD) of the deceased. The MLD may then make recommendations to the owner and execute an agreement for the means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods, as provided in Public Resources Code Section 5097.98.

If required, reinternment of human remains shall be performed according to California law for Native American burials (Chapter 1492, Statutes of 1982). The intent of the California state law is to protect Native American burials, isolated and disarticulated human remains, and associated cultural materials found during the course of an undertaking. It also serves to ensure proper analysis prior to their final disposition. The location and procedures of this undertaking shall be recorded

by the project archaeologist. Reinternment shall take place with all due speed upon completion of all necessary analysis. This information shall be included in the final report prepared by the project archaeologist, or if necessary, as an addendum to the report.

The owner shall rebury the Native American human remains and associated grave goods with the appropriate dignity on the property in a location not subject to further disturbance if:

- a. The NAHC is unable to identify a MLD or the MLD fails to make a recommendation within 24 hours after being notified by the commission.
- b. The descendant identified by the NAHC fails to make a recommendation for burial and mediation by the NAHC fails to provide measures acceptable to the owner.

Any associated grave goods and soil samples from the burial site shall be analyzed per the agreement between the owner and the most likely descendent. Dependent upon the nature of this agreement, diagnostic artifacts such as projectile points, shell beads, and ground stone artifacts may be studied and illustrated in the final report to be prepared by the project archaeologist. Radiocarbon dating and obsidian hydration and sourcing may be undertaken in order to provide a chronology for newly identified features.

6. **Erosion and Sediment Control Plan.** Prior to the issuance of the grading permit the applicant shall submit an erosion and sediment control plan for review and approval by County Staff. This plan shall include:
 - a. Provide a proposed schedule of grading activities, monitoring, and infrastructure milestones in chronological format. An anticipated construction schedule and/or construction duration (in weeks or months) shall be provided.
 - b. Delineate work areas including protecting surface waters, storm drain inlets, sensitive areas, and buffer zones. These areas should be consolidated and located outside steep or sensitive areas.
 - c. Protect surface water locations. Provide primary control measures (e.g., silt fence along the outer buffer zone of the creek; do-not-disturb riparian areas) and secondary control measures (e.g., fiber rolls) in disturbed areas sloping toward the creek/ocean.
 - d. Protect storm drain inlets using fiber rolls, permeable rock sacks, or other measures that keep sediment from entering the drain. Show inlet locations

and protection measure details on the ESCP Plan. Include in the ESCP Plan that filter fabric or filter baskets shall be installed in the drains and cleaned out after each rain event, or as needed to function properly. Sandbags are prohibited as they tear and can result in sand entering the storm drains.

- e. Maximize and protect areas to be undisturbed (including sensitive areas and buffer zones), using a vegetative buffer strip or 6-foot fence/barrier. Show the "limits of work" on the ESCP Plan and barriers along the "limit." Forbid work, storage, earth moving, vegetation clearing, and other disturbances outside of the "limit." Hay bales are prohibited as these can easily fall apart.
- f. Provide a separate Tree Protection Plan to identify and protect trees and driplines extending over the project site, using fencing placed along drip lines. An arborist report is required for those trees where work will encroach into driplines (for on-site and off-site trees). See the County's Significant and/or Heritage Tree Ordinances for Tree Protection Plan guidelines.
- g. Prevent runoff to off-site areas using perimeter controls (diversion berms, silt fencing, and/or fiber rolls). Silt fencing is preferred, but fiber rolls may work in some instances. Where the site is flat or the slope is gentle, installing these measures on the property line should be adequate. On slopes greater than 3:1, the measures must be installed along contour lines.
- h. Indicate the location and method for stabilizing disturbed bare-earth areas. Use seeding and/or mulching and the following, as necessary:
 - (1) For slopes less than 3:1, provide silt fencing or fiber rolls along contour lines.
 - (2) For slopes greater than 3:1, anchored erosion blankets (rice, straw, or coconut) and fiber rolls or silt fencing at the crest are required. Jute netting is preferred when used with seeding.
- i. Use diversion berms to divert water from unstable or denuded areas (e.g., top and base of a disturbed slope, grade breaks where slopes transition to a steeper slope).
- j. Direct water from construction areas to designated temporary filtration/detention areas. Show any temporary detention areas for stormwater and stabilization of those areas.
- k. Show areas and proposed protection of temporary stockpiles using anchored-down plastic sheeting in dry weather. The use of plastic sheeting during the

wet season, October 1 through April 30, is not allowed unless the stockpile is also protected with fiber rolls containing the base of the stockpile. Alternatively, in wet weather, or for longer storage, use seeding and mulching, soil blankets, or mats.

7. Prior to the issuance of the grading permit, the applicant shall submit the State approved SWPPP, showing that they have obtained coverage for this project under the State's General Construction Permit from the RWQCB.
8. **Choris's Popcorn Flower.** Prior to the start of construction, a preconstruction survey for Choris's popcorn flower shall be conducted during the appropriate blooming period. Choris's popcorn flower occurrences within 50 feet of the project work areas shall be flagged for avoidance by the Project. If the Project cannot avoid impacts to this species, the Project Proponent shall consult with the CDFW on appropriate measures and/or actions to protect or salvage the plant(s) prior to beginning construction.
9. **Special-Status Amphibians and Reptiles.** The following measures shall be implemented to minimize impacts to special-status amphibians and reptiles:
 - a. A qualified biological monitor shall be present during all initial ground-disturbing activities, including grubbing and/or vegetation removal and installation of the wildlife exclusion fence.
 - b. A preconstruction survey for California red-legged frog shall be conducted within the project site immediately prior to ground disturbance. If no individuals are detected, then construction-related activities may proceed provided project avoidance and minimization measures in this document are adhered to. If adults are present in the construction area, work shall be stopped until individuals are allowed to disperse on their own volition, or the species is relocated by a qualified biologist with permission to handle California red-legged frog.
 - c. Disturbance to vegetation shall be kept to the minimum necessary to complete the project activities. To minimize impacts to vegetation, a qualified biologist shall work with the contractor to designate the work area and any staging areas and clearly delineate areas that shall be avoided with exclusion fencing (e.g., high-visibility orange construction fencing, silt fence, ERTEC fencing, or other similar material).
 - d. Ground-disturbing construction activities (e.g., grubbing or grading) should occur during the dry season (June 1–October 15) to facilitate avoidance of California red-legged frog. Regardless of the season, no ground-disturbing

activities shall occur within 24 hours following a significant rain event (greater than ¼-inch in a 24-hour period). Following a significant rain event and the 24-hour drying-out period, a qualified biologist would conduct a preconstruction survey for California red-legged frog prior to the restart of any project ground-disturbing activities.

- e. To avoid impacts to California red-legged frog and other sensitive wildlife species, a wildlife exclusion fence (e.g., silt fence, ERTEC fencing, or other similar material) shall be installed around the perimeter of the Project, at the discretion of the qualified biologist.
 - f. The wildlife exclusion fence shall be inspected by a qualified biologist or project stormwater inspector, who has received environmental awareness training from a qualified biologist, on a weekly basis to ensure that the fence is functioning as intended throughout the duration of construction activities that may impact California red-legged frog (e.g., ground disturbance, materials staging/parking required on the north side of the project site). Removal of the wildlife exclusion fence may be conducted at the discretion of a qualified biologist if ground disturbance activities have been completed and remaining Project activities would not impact California red-legged frog (i.e., only interior site build out activities remain).
10. **Conduct Nesting Bird Surveys.** If project activities, including grass mowing and tree trimming/removal, are conducted during nesting bird season (February 15–September 15), preconstruction nest surveys shall be conducted in and near the project site (within 250 feet for large raptors and 100 feet for all other birds) by a qualified biologist within 7 days of the start of construction. If nesting birds are identified during the preconstruction survey, then the project shall be modified (i.e., a no-work exclusion buffer of appropriate size [to be determined by the qualified project biologist] shall be erected around active nests) and/or delayed as necessary to avoid impacts to the identified nests, eggs, and/or young.
11. **General Biological Resource Protection Measures.** The following general measures shall be implemented during the project:
- a. Prior to the start of the project, all construction crew members, including the project stormwater inspector, will attend an environmental awareness training presented by a qualified biologist. A training brochure describing special-status species, project avoidance and minimization measures, key contacts, and potential consequences of impacts to special-status species and potentially jurisdictional features will be distributed to the crew members during the training. During the training the qualified biologist will review with the project stormwater inspector the requirement for weekly inspection of the

wildlife exclusion fencing. Trainees will sign an environmental training attendance sheet.

- b. If any animals are encountered during project activities, said animals shall be allowed to leave the work area unharmed. Animals shall not be picked up or moved in any way.
- c. During project activities, all trash that may attract predators shall be properly contained, removed, and disposed of regularly. Following construction, trash/construction debris shall be removed from work areas.
- d. Construction materials, including, but not limited to, wooden pallets, best management practices (BMPs), equipment, or other materials, that are left on the ground for more than 24 hours shall be inspected before and during moving of the materials to prevent potential impacts to animals that may have utilized the materials as a temporary refuge. Plastic pipes, if used, shall be covered with material to prevent animals from entering the pipes.
- e. The number of access routes, number and size of staging areas, and total area of the activity shall be limited to the minimum necessary to complete the project, and their boundaries shall be clearly demarcated.
- f. Disturbance to vegetation shall be kept to the minimum necessary to complete the project activities. To minimize impacts to vegetation, a qualified biologist shall work with the contractor to designate the work area and any staging areas and clearly delineate areas that shall be avoided with exclusion fencing (e.g., high-visibility orange construction fencing, silt fence, ERTEC fencing, or other similar material).

12. **Measures to protect Montara Creek.** The following protection measures shall be implemented during the project:

- a. *Adhere to BMPs.* Regardless of the season, construction shall adhere to SWRCB BMPs, and no ground-disturbing activities shall occur within 24 hours following a significant rain event (defined as greater than ¼-inch in a 24-hour period).
- b. *Permanently Protect Exposed Surfaces.* Before completion of the project, all exposed or disturbed surfaces shall be permanently protected from erosion with reseeding and landscaping.
- c. *Cover and Secure Spoils.* All spoils, such as dirt, excavated material, debris, and construction-related materials, generated during project activities shall be

placed within the limits of the designated construction area. Spoils shall be covered or secured to prevent sediment from escaping. Once the spoil pile is no longer active, it shall be removed from the work area and disposed of lawfully at an appropriate facility.

- d. *Stabilize Soils and Use BMPs.* All exposed soil in the work area resulting from project activities shall be stabilized immediately following the completion of work to prevent erosion. Erosion and sediment control BMPs, such as silt fences, straw hay bales, gravel or rock-lined drainages, water check bars, and broadcast straw, can be used. BMPs shall be made of certified weed-free materials. Straw wattles, if used, shall be made of biodegradable fabric (e.g., burlap) and free of monofilament netting. At no time shall silt-laden runoff be allowed to enter any drainage or other sensitive areas.
- e. *Do Not Fuel Near Drainages.* All fueling and maintenance of vehicles and other equipment and staging areas shall occur at least 100 feet from any drainage and other water features. Crew members shall ensure that contamination of habitat does not occur during such operations. Prior to the onset of work, the construction contractor shall prepare a plan to be approved by the County before construction begins to allow a prompt and effective response to any accidental spills. All workers shall be informed of the importance of preventing spills and the appropriate measures to take should a spill occur.

13. **Tree Replacement and Maintenance Plan.** The following measures shall be implemented both during and after project construction:

- a. Plans affecting the trees should be reviewed by the consulting arborist with regard to tree impacts. These include, but are not limited to, site plans, improvement plans, utility and drainage plans, grading plans, landscape and irrigation plans, and demolition plans.
- b. Route underground services including utilities, sub-drains, water, or sewer around the Tree Protection Zone. For design purposes, the Tree Protection Zone trees shall be defined as the tree dripline.
- c. Any herbicides placed under paving materials must be safe for use around trees and labeled for that use.
- d. Do not lime the subsoil within 50 feet of any tree. Lime is toxic to tree roots.

- e. As trees withdraw water from the soil, expansive soil may shrink within the root area. Therefore, foundations, footings, and pavements on expansive soils near trees should be designed to withstand differential displacement.
- f. Tree protection fencing, as shown on Sheet TPZ1.00 of Attachment B shall remain until all grading and construction is completed. Where demolition must occur close to trees, such as removing curb and pavement, install trunk protection devices such as winding silt sock wattling around trunks or stacking hay bales around tree trunks.
- g. Trees to be removed shall be felled so as to fall away from Tree Protection Zone and avoid pulling and breaking of roots of trees to remain. If roots are entwined, the Consulting Arborist may require first severing the major woody root mass before extracting the trees or grinding the stump below ground.
- h. All contractors shall conduct operations in a manner that will prevent damage to trees that are to be preserved.
- i. Any brush clearing required within the Tree Protection Zone shall be accomplished with hand-operated equipment.
- j. All grading within the dripline of trees shall be done using the smallest equipment possible. The equipment shall operate perpendicular to the tree and operate from outside the Tree Protection Zone. Any modifications must be approved and monitored by the consulting arborist.
- k. If injury should occur to any tree during construction, it should be evaluated as soon as possible by the consulting arborist so that appropriate treatments can be applied.

Maintenance of Impacted Trees:

- a. Preserved trees will experience a physical environment different from that pre-development. As a result, tree health and structural stability should be monitored. Occasional pruning, fertilization, mulch, pest management, replanting and irrigation may be required.
- b. Provisions for monitoring both tree health and structural stability following construction must be made a priority. Inspect trees annually and following major storms to identify conditions requiring treatment to manage risk associated with tree failure.

14. **Implement BAAQMD BMPs.** During any construction period ground disturbance, the applicant shall ensure that the general contractor implements measures to control dust and exhaust. The applicant shall include terms in all construction contracts related to the Cypress Point project that require contractors to implement the following BMPs:
- a. Exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, unpaved access roads) shall be watered with non-potable water two times per day.
 - b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
 - c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
 - d. All roadways, driveways, and sidewalks shall be paved as soon as possible.
 - e. Idling times shall be minimized either by shutting equipment off when not in use or by reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure in Title 13, Section 2485 of the CCR). Clear signage shall be provided for construction workers at all access points.
 - f. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
 - g. A publicly visible sign shall be posted with the telephone number and the person to contact at the County regarding dust complaints. This person shall respond and take corrective action within 48 hours of a complaint or issue notification. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.
 - h. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
 - i. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - j. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be

checked by a certified mechanic and determined to be running in proper condition prior to operation.

15. **Use Low Diesel Particulate Matter Exhaust Construction Equipment.** Prior to initiating any construction activities, MidPen or their contractors shall develop a plan demonstrating that the off-road equipment used on-site to construct the project would achieve a fleet-wide average of at least 78% reduction in Diesel Particulate Matter (DPM) emissions compared to the emissions calculated for the project without mitigation. One feasible plan to achieve this reduction would include the following: all mobile diesel-powered off-road equipment larger than 25 horsepower and operating on-site for more than 2 days shall meet, at a minimum, Environmental Protection Agency (EPA) particulate matter emissions standards for Tier 4 engines or equivalent. Note that the construction contractor could use other measures to minimize construction period DPM emissions to reduce the estimated cancer risk below the thresholds. The use of equipment that meets EPA Tier 2 standards and includes California Air Resources Board (CARB) -certified Level 3 Diesel Particulate Filters or alternatively fueled equipment (i.e., non-diesel) would meet this requirement. Other measures may be the use of added exhaust devices, or a combination of measures, provided that these measures are approved by the County and demonstrated to reduce community risk impacts to less than significant.
16. **Accidental Discovery of Paleontological Resources.** In the event that paleontological resources are exposed during project work, regardless of the location or geologic units in which the fossils are found, work in the immediate vicinity of the find must stop until a Qualified Professional Paleontologist (Qualified Paleontologist/Project Paleontologist/Principal Paleontologist), who meets or exceeds the Society of Vertebrate Paleontology (SVP) definition, can evaluate the significance of the find. Ground-disturbing activities may continue in other areas outside an appropriate buffer, usually 50 feet. If the paleontologist determines the discovery to be significant, the fossil(s) shall be salvaged.
17. **Preconstruction Planning and Notification.** Prior to the start of construction activity involving below-groundwork (e.g., slab removal or excavating), a copy of the Site Management Plan (SMP) shall be provided by the applicant to all contractors for review.
18. **Implement Site-Specific Health and Safety Worker Requirements.** Prior to the start of construction, a Health and Safety Plan (HASP) shall be prepared by the General Contractor. The General Contractor and any subcontractors shall be responsible for the health and safety of their own workers, as required by Cal-OSHA, including but not limited to preparation of their own HASP and Injury and Illness Prevention Plan (IIPP). The HASP(s) shall contain provisions for limiting

and monitoring chemical exposure to construction workers, chemical and non-chemical hazards, emergency procedures, and standard safety protocols.

The General Contractor shall submit the HASP to San Mateo County Environmental Health Services (EHS) at least 2 weeks prior to beginning construction field work. HASPs shall be updated as the project proceeds if unforeseen conditions are identified and necessitate modifications.

19. **Construction Best Management Practices.** The following best management practices shall be implemented during construction:
- a. **Site Control:** Site control procedures shall be implemented by the General Contractor to control the flow of personnel, vehicles, and materials in and out of the site while working with potentially contaminated materials. To control the spread of the contaminants of potential concern, the following controls shall be taken by the General Contractor:
 - (1) The site perimeter shall be fenced by the General Contractor.
 - (2) Access and egress shall be controlled at selected locations.
 - (3) Signs shall be posted at each entrance by the General Contractor, instructing visitors to sign in at the project support area.
 - b. **Equipment Decontamination:** Decontamination procedures shall be established and implemented by the General Contractor to reduce the potential for construction equipment and vehicles to transfer potentially impacted soil onto public roadways or other off-site areas. Gravel shall be placed at all site access points by the General Contractor and excess soil shall be removed from construction equipment using dry methods (e.g., brushing or scraping) prior to moving equipment off-site.
 - c. **Personal Protective Equipment (PPE):** PPE shall be used to isolate workers from the contaminant of potential concern and physical hazards. The minimum level of protection for workers coming into direct contact with potentially contaminated materials is OSHA Level D PPE, listed below.

The level of PPE shall be evaluated by the General Contractor on a continuing basis and modified, based upon conditions encountered at the site. The minimum PPE to be utilized during construction activities shall include the following:

- (1) Coveralls or similar construction work clothing;

- (2) Reflective safety vests;
- (3) Steel-toed boots;
- (4) Hard hat;
- (5) Work gloves, as necessary;
- (6) Safety glasses, as necessary; and
- (7) Hearing protection, as necessary.

20. **Dust Control Measures.** All demolition and construction activities that have the potential to create dust shall comply with specified dust control measures. The following actions are required by the General Contractor to adequately address dust control:

- a. Construction areas shall be watered down at a sufficient frequency to eliminate visible dust. Additional watering may be required whenever the wind speed exceeds 15 miles per hour. Watering shall be performed in a manner such that runoff will not be produced at any time.
- b. At the end of each workday, all streets, sidewalks, paths, and intersections where work has occurred shall be swept or vacuumed to remove visible soil(s).
- c. All inactive soil piles expected to remain in-place for more than 7 days shall be covered with plastic sheeting or an equivalent tarp and properly secured to avoid wind damage.
- d. Signage shall be placed along Lincoln, Sierra, Carlos, and Stetson Streets to inform surrounding community members of the hotline phone number(s) to call and report visible dust problems.
- e. If proposed dust suppression efforts are unsuccessful, other measures shall be implemented to help control dust, such as wind breaks and/or dust curtains along street frontages, pending final resolution of necessary dust suppression efforts.
- f. Materials contained in all loading trucks or metal bins carrying excavated materials shall be maintained below the sides and back of the truck or metal

bin and shall be properly covered to avoid dust generation and drying of soils during transport. Excavated materials may be moistened prior to transport.

- g. Drop heights shall be minimized while loading and unloading soil.
- h. Truck tires shall be brushed prior to leaving the site, and truck loading areas will be routinely swept and cleaned to avoid creating visible dust. Soil handling activities shall be halted when the wind speed exceeds 25 miles per hour and visible dust is being created that cannot be mitigated by soil moistening.

21. **Retain a Hazardous Materials Specialist.** Prior to the start of construction activities, the applicant shall retain a qualified Hazardous Materials Specialist for consultation on the following:

- a. Soil sampling analysis shall occur prior to any construction that would result in excavation within impacted soil areas near the community room and building 12, or residential buildings 15 and 16. Inspection may use a portable, x-ray fluorescence analyzer to field screen work area(s) during construction. Work area soils also may be monitored based upon visual observations.
- b. Soil sampling analysis shall occur if previously unidentified features of concern are encountered. These include Underground Storage Tanks (USTs), sumps, clarifiers, former water supply wells or similar features of potential environmental concern.
- c. If any of the above-listed material is found to contain lead, such materials shall be disposed of in accordance with applicable federal, state, and local regulations regarding worker safety and the safe removal and disposal of lead-impacted soil.

Excavation Dewatering: During construction, if groundwater is encountered or accumulates in any excavation(s) due to rainwater, the Hazardous Materials Specialist shall be notified, and such water shall be handled in accordance with the following protocols:

- a. For relatively small volumes of water, a temporary storage tank (frac tank) shall be utilized to hold such groundwater on a short-term basis while testing and disposal is arranged.
- b. If conditions require installation of a dewatering system or larger volume of groundwater requires handling, proper RWQCB permits shall be obtained.

Required permit conditions shall be followed for discharge into the nearby existing sanitary sewer or stormwater system.

Soil Monitoring and Screening: During construction, the Hazardous Materials Specialist shall be notified by the General Contractor of the discovery of the below conditions and shall be on-site during the duration of construction activities to perform screening and possible sample collection:

- a. Discovery and removal of previously unidentified features of concern, such as USTs, sumps, clarifiers, former water supply wells or similar features of potential environmental concern.
- b. Areas of suspected contaminated soil as deemed appropriate by the Hazardous Materials Specialist or as reported by the General Contractor.

The General Contractor is responsible for notification to the applicant of suspected impacted soils or possible conditions of environmental concern. If a UST or other features are discovered, work shall be suspended in its immediate vicinity, and the applicant and Hazardous Materials Specialist will be notified. EHS will be notified of the proposed response actions. Should a UST be encountered, it shall be addressed under permit with the County.

Contaminated Soils Excavation Practices:

- a. During construction activities if soil is encountered that is suspected of being contaminated, earthwork in these suspect area(s) shall be stopped and worker access to the suspect area(s) shall be restricted. Areas shall be cordoned off, followed by notifying the Hazardous Materials Specialist. Soils suspected as being contaminated shall be evaluated through screening and/or analytical testing performed by a qualified professional tant so that appropriate handling and disposal alternatives can be determined. Site development activities may result in a net export of soil. Such soil shall be properly characterized by a Hazardous Materials Specialist in accordance with applicable regulations prior to transportation from the site.
- b. If on-site reuse of potentially contaminated soil is desired, soil samples shall be collected from such soil by the Hazardous Materials Specialist and analyzed by the Hazardous Materials Specialist for the contaminant of potential concern. If the contaminant is detected, whether above or below regulatory agency screening levels, further investigation of such soils may be performed by the Hazardous Materials Specialist. For soils considered for reuse, if the contaminant(s) is detected below the applicable ESL, reuse of the soil may be deemed appropriate, at the discretion of the applicant. If the

contaminant is detected above the applicable ESL and soils are being considered for reuse on-site, the results and conditions shall be communicated to EHS for concurrence.

- c. If soils are proposed to be hauled off-site, any impacted soil shall be profiled for proper disposal at landfill facilities under appropriate waste manifests. Prior to off-site disposal, additional soil samples may be collected and analyzed in accordance with the requirements of disposal facility(s). Soil suspected of being contaminated during excavation, shall be stockpiled, or otherwise segregated from "clean" soil. Such soil shall be stockpiled on-site on top of and covered by an "impermeable" liner (e.g., 6-mil plastic sheeting) or other appropriate materials to reduce infiltration by rainwater and contamination of underlying soil while its disposition is being determined. Any such stockpiles shall be checked daily by the General Contractor to verify that they are adequately covered.

Excavation of Surplus Soil:

- a. During construction, if excavation of surplus soil is proposed, surplus soils generated during grading activities shall be profiled by the Hazardous Materials Specialist for acceptance at appropriate facilities. Criteria for acceptance (e.g., concentrations of specific contaminants, odors, additional analytical testing, etc.) shall be determined by the acceptance facility(s) as part of the acceptance process.

Imported Fill Best Practices:

- a. During construction, an evaluation of import fill materials shall be conducted by the Hazardous Materials Specialist and General Contractor to ensure such fill meets the geotechnical and environmental requirements for the proposed project. All selected sources of import fill shall have adequate documentation or certification to verify that the fill source is appropriate for the site. Documentation shall include detailed information on previous land use of the fill source, any Phase I ESAs performed and findings, and the results of any analytical testing performed.
- b. If no documentation is available or the documentation is inadequate or if no analytical testing has been performed, samples of the potential fill material shall be collected and analyzed by the Hazardous Materials Specialist prior to delivery of such soil to the site. The Hazardous Materials Specialist shall provide guidance to the General Contractor regarding acceptability of imported fill. No fill material shall be accepted if contaminant levels exceed

current residential environmental screening goals and/or regional background concentrations.

Notifications:

- a. During construction, notifications of the discovery of the contaminants in field screening, observations, or analytical results or other conditions of potential environmental concern shall be immediately made to the applicant, General Contractor, and Hazardous Materials Specialist. If analytical testing shows that the contaminant is above its applicable screening level, the applicant and the General Contractor shall be notified. The discovery of any subsurface features shall be reported to the Hazardous Materials Specialist, followed by notifying the County Environmental Health Services. If such discovery or conditions require notification to another General Contractor or subcontractors, then such notification shall be made by the General Contractor.

Documentation:

- a. Upon completion of excavation and earthwork performed in accordance with the SMP, the Hazardous Materials Specialist shall prepare a report that includes a site map showing areas of excavation and import fill, sample locations, and tables summarizing data. The report shall include appendices with copies of permits, including any dewatering permits, manifests, or bills of lading for removed soil and/or groundwater, and laboratory reports for soil and water profiling not previously submitted. The certified final project report will be prepared for EHS and MidPen Housing Corporation.

22. Implement Construction Noise Best Management Practices.

- a. Construction activities shall be conducted in accordance with the provisions of Section 4.88.360 of the San Mateo County Code of Ordinances, which limits construction work to the hours between 7:00 a.m. and 6:00 p.m. on weekdays and 9:00 a.m. and 5:00 p.m. on Saturdays. No construction shall occur at any time on Sundays, Thanksgiving, and Christmas.
- b. The noise impacts of construction equipment may be minimized through modification of the equipment, the placement of equipment on the site, and by imposing constraints on equipment operations. Construction equipment should be well-maintained and used judiciously to be as quiet as possible. The project proponent shall include the following BMPs in all contracts related to project construction activities near sensitive land uses:

- (1) Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
 - (2) Unnecessary idling of internal combustion engines should be strictly prohibited.
 - (3) Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors as feasible. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used to reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors.
 - (4) Use “quiet” air compressors and other stationary noise sources where technology exists.
 - (5) Establish construction staging areas 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.
 - (6) Locate material stockpiles, as well as maintenance/equipment staging and parking areas, as far as feasible from residential receptors.
 - (7) Control noise from construction workers’ radios to a point where they are not audible at existing residences bordering the project site.
 - (8) 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.
- c. Designate a “disturbance coordinator” who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler) and will 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.

23. **Implement Construction Vibration Best Management Practices.** Prior to the start of ground-disturbing activities, the contractor shall use administrative controls

to minimize construction impacts, such as notifying neighbors of scheduled construction activities. During construction activities, the contractor shall schedule construction activities with the highest potential to produce perceptible vibration during the hours with the least potential to affect nearby businesses, so perceptible vibration can be kept to a minimum.

24. **Comply with the C/CAG Transportation Demand Management (TDM) Policy and Implement TDM Plan.** The County of San Mateo is subject to the City/County Association of Governments of San Mateo County (C/CAG) Land Use Impact Analysis Program Policy, also known as the "Transportation Demand Management (TDM) Policy". Any new development project that would generate at least 100 Average Daily Trips (ADT) must comply with the TDM Policy. Projects subject to the TDM Policy must prepare a TDM Checklist that meets C/CAG's required trip reduction targets through required and recommended TDM measures. Requirements are detailed on C/CAG's website at <https://ccagtdm.org/>. The proposed project is projected to generate at least 100 ADT and therefore must comply with the TDM Policy. The applicant has submitted a preliminary TDM Checklist in accordance with the C/CAG policy, which has been reviewed by staff. Building Prior to the issuance of any building permit, the property owner(s) shall submit a Final TDM Plan with TDM Checklist to the Current Planning Section that demonstrates compliance with the C/CAG TDM Policy, subject to review and approval by the Director of Planning and Building. The Final TDM Plan shall:
- a. Describe how the project will achieve the minimum percentage trip reduction requirements as defined by C/CAG through a combination of C/CAG's required and recommended TDM measures, as outlined in the C/CAG TDM Checklist;
 - b. Augment and/or include additional TDM measures:
 - (1) M3 – TDM Coordinator/Contact Person will be designated on site.
 - (2) M4 – Actively Participate in Commute.org or TMA Equivalent: Certified participation in Commute.org or TMA.
 - (3) Develop and distribute educational materials that includes pedestrian, bicycle, and vehicle safety-related information, including but not limited to a bus stop location map highlighting stops that do not require travel along or across SR-1, pedestrian and bicycle route network map, and other site-specific safety-related information.
 - c. Detail how the project will achieve each identified TDM measure; and

- d. Commit to monitoring and reporting requirements, including providing an ongoing point of contact for TDM measure implementation and coordination, completion of TDM Self-Certification Forms and project occupant surveys every two years for the initial six years after project occupancy, and completion of TDM Self-Certification Forms and project occupant surveys every three years after the initial six years, until post-occupancy year 20.

The approved Final TDM Plan must be implemented to the satisfaction of the Director of Planning and Building prior to the occupancy of any project structures. Facilities, programs, monitoring, and reporting requirements of the approved Final TDM Plan, or comparable measures approved by C/CAG and/or the Director of Planning and Building, shall be maintained and implemented for the life of the project. The County reserves the right to assess and monitor compliance with the Final TDM Plan. In the event there are concerns regarding compliance with implementation of the Final TDM Plan, the County and property owner(s) shall confer to discuss appropriate corrective actions.

25. **Bicycle and pedestrian improvements.** To reduce project-related vehicle trips and non-auto modes of travel to improve mode share, the applicant, in coordination with the County, shall implement or facilitate the implementation of the following pedestrian and bicycle improvements, unless determined by the Director of Planning and Building to be infeasible. All proposed improvements shall be designed, if possible, to meet accessibility requirements and the needs of all users consistent with County and Caltrans' Complete Streets policies. The project applicant will notify the County if proposed improvements cannot be implemented due to constraints related to property ownership or physical feasibility. Plans for these improvements, including applications for any encroachment permits required, will be submitted in conjunction with the building permit process. Implementation must be completed prior to occupancy of common buildings.

- a. Off-Site Pedestrian Network and Access to Transit Improvements

- (1) Carlos Street

- (a.) Add sidewalk on Carlos Street from the project entrance to Sierra Street

- (b.) Add pavement markings and signage at the project driveway to alert drivers to cross traffic.

- (2) Sierra Street

- (a.) Clear/plane existing sidewalk that fronts project site on Sierra Street from Carlos Street to Stetson Street.
 - (b.) Add curb ramp, high visibility crosswalk, and advanced yield markings and sign for pedestrians to cross Sierra Street from project site to Stetson Street.
 - (3) Stetson Street/Kelmore Street
 - (a.) Add a curb ramp with truncated domes on the northeast corner if feasible with fire station configuration and drainage.
 - (b.) Add a high-visibility crosswalk for pedestrians to cross Kelmore Street and connect to the existing sidewalk on the east side of Stetson Street.
 - (4) Stetson Street/California Avenue
 - (a.) Add a high-visibility crosswalk with advanced stop bar to cross Stetson Street (along California Avenue toward Etheldore Street).
 - (5) California Avenue/Etheldore Street
 - (a.) Add high-visibility crosswalk with advanced stop bar for pedestrians to cross California Avenue and access the northbound bus stop.
 - (b.) Add high-visibility crosswalk to cross Etheldore Street and access the southbound bus stop.
 - (6) California Avenue, south of Etheldore Street
 - (a.) If feasible, and in coordination with the property owner of the adjacent parcel, add approximately 80 feet of new sidewalk on the north side of California Avenue to connect to the existing sidewalk and central Moss Beach.
- b. Off-Site Bicycle Network Improvements
- (1) Sierra Street
 - (a.) Provide sharrows on County-maintained sections of Sierra Street between project site and California Avenue to connect to the

planned Class III Bikeway on California Avenue, as identified in the Unincorporated San Mateo County Active Transportation Plan.

(2) California Avenue

- (a.) Provide sharrows on County-maintained sections of California Avenue between Sierra and Carlos Streets to assist with implementation of the planned Class III Bikeway along California Avenue between Tierra Alta Street and North Lake Street, as identified in the Unincorporated San Mateo County Active Transportation Plan.

26. **Contribution to improvements implemented as part of the Moss Beach SR-1 Congestion and Safety Improvements Project.** The project's Transportation Impact Analysis and Mitigation Plan has determined that the project will result in traffic impacts to existing intersections: Highway 1 and 16th Street, Highway 1 and Carlos Street, Highway 1 and Etheldore St/Vallemar St, and Highway 1 and California Avenue. Appropriate improvements for each of these locations will be identified through the Moss Beach SR-1 Congestion and Safety Improvements Project. The project applicant is required to contribute funds based on the project's impact to offset the costs of implementation of the Moss Beach SR-1 Congestion and Safety Improvements Project. The amount of this contribution will be determined at the time that applications for project building permits are submitted, in accordance with the Transportation Impact Fee program to be established by the County. If this program is not established at the time of building permit submittal, the amount will be determined based on a formula acceptable to the County that establishes the project's fair share contribution, and that does not exceed an amount that would render the project infeasible to finance. The applicant must submit the required contribution prior to the issuance of any building permit for the project.
27. **Contribution to substantial improvements pursued by the County for pedestrian and bicycle access on Carlos Street.** The applicant will contribute to any substantial long-term improvements pursued by the County that will improve access for pedestrians and bicyclists on Carlos Street. The amount of this contribution will be determined at the time that applications for project building permits are submitted, based on a formula acceptable to the County that establishes the project's fair share contribution, and that does not exceed an amount that would render the project infeasible to finance. The applicant must submit the required contribution prior to the issuance of any building permit for the project.

28. **Design Review Committee.** Reduce the visual appearance of two of the three large housing buildings:
- a) Building E: Break roofline at the three exterior stairways and introduce different colors for the building segments on the building ends, per the alternate color scheme shown at the hearing (with green accent siding on the end volumes).
 - b) Building A: Reduce 2nd floor mass relative to 1st floor mass, with focus on reducing appearance of mass as viewed from within the development. Have the building step-up/step-down with the topography by using a secondary roof form, similar to how Building B slopes down on one end. Breaking the roofline, similar to the Building E design, and/or staggering the volumes, similar to the Building C design, may also be effective to reduce visual mass.
29. **Construction Management Plan.** Prior to the beginning of demolition or grading activities, the applicant shall prepare a construction management plan for review and approval by the County's Planning and Public Works Departments. The plan shall include the following items and requirements to reduce, to the maximum extent feasible, any safety hazards and traffic congestion during construction:
- a) A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, signs, and designated construction access routes.
 - b) Construction access to the project site shall be limited, as much as possible, to the Carlos Street entrance, except for those instances when a component of project construction requires access from alternate locations.
 - c) Identification of haul routes for movement of construction vehicles that will minimize impacts on motor vehicle traffic, and circulation and safety. Impacts to Highway 1 during peak traffic hours shall be minimized to the greatest extent possible.
 - d) Notification procedures for adjacent property owners and public safety personnel regarding when detours and lane closures, if any, will occur.
 - e) Provisions for monitoring surface streets used for haul routes so that any damage and debris attributable to the haul trucks can be identified and corrected by the project sponsor.

Department of Public Works

30. The project shall comply with County drainage policy to prevent stormwater from development from flowing across property lines. For projects that trigger size and/or slope thresholds, prior to the issuance of Building permits (for Provision C3

Regulated Projects), the applicant shall have prepared, by a registered civil engineer, a drainage analysis of the proposed project and submit it to the Department of Public Works and Planning and Building Department for review and approval. The drainage analysis shall consist of a written narrative and a plan. The flow of the stormwater onto, over, and off of the property shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the pattern of flow. The analysis shall detail the measures necessary to certify adequate drainage. Post-development flows and velocities shall not exceed those that existed in the pre-developed state. Recommended measures shall be designed and included in the improvement plans and submitted to the Department of Public Works and Planning and Building Department for review and approval.

31. The applicant shall, at their expense, record documents which address future maintenance responsibilities of any private drainage and/or roadway facilities which may be constructed. Prior to recording these documents, they shall be submitted to the Department of Public Works for review and approval.
32. Prior to the issuance of the Grading permit, the applicant shall submit a driveway "Plan and Profile," to the Department of Public Works, showing the driveway access to the parcel (garage slab) complying with County Standards for driveway slopes (not to exceed 20%) and to County Standards for driveways (at the property line) being the same elevation as the center of the access roadway. When appropriate, as determined by the Department of Public Works, this plan and profile shall be prepared from elevations and alignment shown on the roadway improvement plans. The driveway plan shall also include and show specific provisions and details for both the existing and the proposed drainage patterns and drainage facilities.
33. No proposed construction work within the County right-of-way shall begin until County requirements for the issuance of an encroachment permit, including review of the plans, have been met and an encroachment permit issued. Applicant shall contact a Department of Public Works Inspector 48 hours prior to commencing work in the right-of-way.

Montara Water and Sanitary District

34. District Access to the Existing MWSD's Water Facilities. Access for maintenance and repair purposes must be maintained at all times, 24 hours daily, seven days a week, on a year-round basis, both during and after construction. Public water facility access shall be designed and maintained according to MWSD's standard specifications. Easements for public water facilities shall be twenty feet in width and centered on the water line.

35. Protection of Existing District's Facilities in 16th Street. Existing facilities, including but not limited to line meters, valve vaults, water mains and casings, and fire hydrants, cannot be relocated and must be protected in place and out of the travelled right-of-way zone. Existing easements and protections for these facilities will adhere to MWSD's standard specifications.
36. Existing Water Facilities on Site and in the Vicinity. Existing water mains and other water facilities currently located onsite must be located, protected, and re-located, as necessary, in close coordination with MWSD. The District requires that plans for any activity in the area of the District's pipelines or facilities be submitted to MWSD for review and written approval.
37. Erosion and Sediment Control. The Erosion Control Plan and Stormwater Pollution Prevention Plan for the development are to be provided to the District, upon their respective approval by the lead agency.
38. Solid Waste Services. The development must provide on its premises garbage cans or refuse receptacles for receiving all garbage, rubbish, and waste matter between times of collection and removal. These services will comply with the requirements and regulations listed in District Code, as applicable.

Coastside Fire Protection District

39. Address numbers and directional signs may be required at the entrance to the driveway/access road, road forks, and intersections. When located on the street the numbers shall be visible from each direction of travel. This remote signage shall consist of a 6-inch by 18-inch green reflective metal sign with 3-inch reflective Numbers/Letters similar to Hy-Ko 911 or equivalent.
40. Fire Access Roads: Fire suppression operations involve heavy pieces of apparatus that must set up and operate close to the building. California Fire Code and Fire District ordinances require construction that allows fire apparatus to be placed directly outside the building. Additionally, it is the developer/owner's responsibility to assure well-marked fire lanes are provided around the entire outside perimeter of the building. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required, such protection shall be installed and made serviceable prior to and during the time of construction and before combustibles are on the project site. Approved signs and painted curbs or lines shall be provided and maintained to identify fire apparatus access roads and state the prohibition of their obstruction. Fire lanes shall be in accordance with Coastside Fire Protection District specification. Contact the Fire Prevention Bureau for those specifications.

41. Fire apparatus access roads to be an approved asphalt surface. Grades 15% or greater to be surfaced w/ asphalt, or brushed concrete. Grades 15 % or greater shall be limited to 150 feet in length with a minimum of 500 feet between the next section. For roads approved less than 20 feet, 20 feet wide turnouts shall be on each side of 15% or greater section. No grades over 20 percent. (Plan and profile required) CFC 503.
42. Fire Access Roads – The applicant must have a maintained asphalt surface road for ingress and egress of fire apparatus. The San Mateo County Department of Public Works, the Coastside Fire Protection District Ordinance 2019-03, and the California Fire Code shall set road standards. As per the 2019 CFC, dead-end roads exceeding 150 feet shall be provided with a turnaround in accordance with Coastside Fire Protection District specifications. As per the 2019 CFC, Section Appendix D, road width shall not be less than 20 feet. Fire access roads shall be installed and made serviceable prior to combustibles being placed on the project site and maintained during construction. Approved signs and painted curbs or lines shall be provided and maintained to identify fire access roads and state the prohibition of their obstruction. If the road width does not allow parking on the street (20-foot road) and on-street parking is desired, an additional improved area shall be developed for that use. Fire apparatus access roads to be an approved all-weather surface. Grades 15% or greater to be surfaced w/ asphalt, or brushed concrete. Grades 15 % or greater shall be limited to 150 feet in length with a minimum of 500 feet between the next section. For roads approved less than 20 feet, 20 feet wide turnouts shall be on each side of 15% or greater section. No grades over 20 percent. (Plan and profile required) CFC 503.
43. “No Parking - Fire Lane” signs shall be provided on both sides of roads 20 to 26 feet wide and on one side of roads 26 to 32 ft. wide. CFC D103.6
44. All bridges used for fire department access shall meet Cal-Trans HS-20-44 loading standards and have a minimum rated capacity of 25 tons, (live load). A registered civil or structural engineer shall certify rated capacities. All bridges shall have the rated capacity posted on both entries. Turnouts are required at each end of one-lane bridges.
45. An approved fire hydrant (Clow 2065) must be located every 400 feet measured by way of drivable access from the proposed project. The hydrant must have a minimum flow of 1,500 gallons per minute at 20 pounds per square inch residual pressure for a minimum of 2 hours. If you have not already done so, please submit a site plan showing all underground piping to the San Mateo County Building Inspection Section or City of Half Moon Bay for review and approval.

46. Show location of fire hydrant on a site plan. A fire hydrant is required within 500 feet of the building and flow a minimum of 1000 gpm at 20 psi. This information is to be verified by the water purveyor in a letter initiated by the applicant and sent to San Mateo County Fire/CAL Fire or Coastside Fire Protection District. If there is not a hydrant within 500 feet with the required flow, one will have to be installed at the applicant's expense.
47. Exit Doors: Exit doors shall be of the pivoted type or side hinged swinging type. Exit doors shall swing in the direction of exit when serving an occupant load of 50 or more. Special Doors: Revolving, sliding, and overhead doors shall not be used as required exits. Power operated doors complying with CBC Standard No. 10-1 may be used for exit purposes. Additional Doors: When additional doors are provided for egress purposes, they shall conform to all the provisions of CBC chapter 10.
48. Exit Door Hardware: Exit door(s) shall be operable from the inside without the use of a key, special knowledge, or effort. Exception: Main exit doors may be equipped with a keyed-locking device if there is a readily visible sign on or adjacent to the door stating: "THIS DOOR TO REMAIN UNLOCKED WHENEVER THE BUILDING IS OCCUPIED". The letters on the sign shall not be less than 1-inch in height.
49. Exit Illumination: Signs shall be internally or externally illuminated by two electric lamps or shall be of an approved self-luminous type. Power Supply: Current supply to one of the lamps for exit signs shall be provided by the premises wiring system. Power to the other lamp shall be from storage of batteries or an on-site generator set. Include exit illumination with electrical plans and submit to the San Mateo County Building Inspection Section for review and approval.
50. Exit Signage: Where required: When more exits from a story are required by Chapter 10 of the CBC, exit signs shall be installed at stair enclosures, horizontal exits, and other required exits from the story. When two or more exits are required from a room or area, exit signs shall be installed at the required exits from the room or area and where otherwise necessary to clearly indicate the direction of egress. Exception: Main exit doors, which obviously are clearly identifiable as exits (glass door). Show exit plans on plans submitted to the San Mateo County Building Inspection Section or City of Half Moon Bay for review and approval.
51. Exit signs shall be internally illuminated with approved emergency lighting.
52. Exit shall meet section 10 of the 2016 CFC.

53. Provide exit access travel distance from all areas to exits demonstrating they meet Section 1016.
54. Exiting Plan: Provide an existing plan with appropriate code compliant exits and hardware to accommodate the calculated live loads of the building. The Existing plan must meet Chapter 10 (Means of Egress) requirements of the 2016 CFC. Detailing – Show all proposed walls, and doors. – Show all door locations, fire-rating (if applicable), direction of swing, self-closing mechanisms, width, etc.
55. Provide exit analysis on Community Center ensuring exit design meets Chapter 1024.
56. Exits sign and Egress Illumination shall meet the Section 1005, 1008 and 1013 of the CFC 2016.
57. Occupancy Load Sign: Any room having an occupant load of 50 or more where fixed seats are not installed, and which is used for classroom, assembly or similar purpose, shall have the capacity of the room posted in a conspicuous place.
58. Occupancy Load Signs where required 2019 CFC Chapter 10.
59. ADD Note to plans: As per Coastside Fire Protection District Ordinance 2019-03, the roof covering of every new building or structure, and materials applied as part of a roof covering assembly, shall have a minimum fire rating of Class “B” or higher as defined in the current edition of the California Building Code.
60. Vegetation Management (LRA) – Add note to plans: The Coastside Fire Protection District Ordinance 2019-03, the 2019 California Fire Code 304.1.2 A fuel break of defensible space is required around the perimeter of all structures to a distance of not less than 30 feet and may be required to a distance of 100 feet or to the property line. This is neither a requirement nor an authorization for the removal of living trees. Trees located within the defensible space shall be pruned to remove dead and dying portions, and limbed up 6 feet above the ground. New trees planted in the defensible space shall be located no closer than 10 feet to adjacent trees when fully grown or at maturity. Remove that portion of any existing trees, which extends within 10 feet of the outlet of a chimney or stovepipe or is within 5 feet of any structure. Maintain any tree adjacent to or overhanging a building free of dead or dying wood.
61. Gates shall be a minimum of 2 feet wider than the access road/driveway they serve. Overhead gate structures shall have a minimum of 15 feet of vertical clearance. Locked gates shall be provided with a Knox Box or Knox Padlock.

Electric gates shall have a Knox Key Switch. Electric gates shall automatically open during power failures. CFC 503.6, 506.

62. A Knox padlock or key switch will be required if there is limited access to property. CFC 506.1. For application and instructions please email smcfdfiremarshal@fire.ca.gov if you need further assistance.
63. Emergency Building Access: The proposed project will require the installation of "Knox Boxes". These emergency key boxes are required when access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life saving or fire-fighting purposes. The Chief will determine the location for the key box and provide an authorized order form. All security gate systems controlling vehicular access shall be equipped with a "Knox" key operated emergency entry device. For application and instructions please email jriddell@fire.ca.gov and ramores@fire.ca.gov if you need further assistance, please contact Coastside Fire Protection District.
64. Automatic Fire Sprinkler System: The proposed project must be equipped with an approved NFPA 13R fire sprinkler system throughout the apartments. You will not be issued a building permit until fire sprinkler plans are received, reviewed, and approved by the Fire District. If you have not already done so, please submit the required plans to the San Mateo County Building Inspection Section.
65. Please be advised that the sprinkler system design for the community building shall be based on an at least Light Hazard or higher classification based and type of construction.
66. An Automatic Fire Sprinkler System in the apartments must have an NFPA 13R classification or higher. Section 903.2.8 of the 2019 CFC.
67. Unobstructed fire sprinkler coverage: shall extend to all areas in the occupancy. Any areas creating compartmentalization due to new walls shall have additional sprinkler heads installed to provide unobstructed coverage. Any heat producing appliances that are hooked up to an electrical power source, natural or propane gas, and are operational shall not have sprinkler heads located within their respective heat zones.
68. Lighting Layout – Provide lighting layout. Show full dimensions of light fixtures and relationship to adjacent sprinkler heads.
69. Clearly identify fire service lines on plans and verify that line meets the minimum size for fire sprinkler hydraulic calculations.

70. Provide complete General Information Sign, placed at the riser on plans (NFPA 13 section 25.6.2).
71. Fire Sprinkler Hardware: Along with the automatic fire sprinkler system, this project is required to install all related fire sprinkler hardware (Post Indicator Valve, Fire Department Connection and Exterior Bell). You will not be issued a building permit until plans have been submitted, reviewed, and approved by the Fire District. Please submit plans showing the location of all required fire sprinkler hardware to the San Mateo County Building Inspection Section.
72. An Automatic Fire Sprinkler System will be required and must have an NFPA 13R classification or higher. Section 903.2.8 of the 2016 CFC.
73. Fire Alarm System: This project requires an approved NFPA 72 Fire Alarm System throughout. The system is to monitor any flow through the required automatic fire sprinkler system, any fire sprinkler valve tamper and all heat and smoke detectors. The system will also include an exterior bell and interior horn/strobes, which are required to be wired to the alarm system and the flow switch for the fire sprinkler system. The FACP shall be protected with a smoke detector as per NFPA 72, Section 1-5.6 and a manual pull station. A wiring inspection is required to be conducted by the Fire District prior to covering walls and ceiling areas. All systems and components must be tested per manufacturer's specifications and NFPA 72. Battery backup shall meet or exceed requirements for amp-hour rating and must be tested as per manufacturer's specification and NFPA 72.
74. If a kitchen is provided in the Community Center, engineered fire suppression system and hood and duct: The kitchen cooking area shall be protected as required by a UL-300 compliant engineered fire suppression system and a hood and duct grease laden vapor extraction system. Submit plans to the San Mateo County Building Inspection Section for approval by the Fire District. In addition, the kitchen area shall have a minimum of at least one 40-pound "K" rated fire extinguisher mounted in the path of egress.
75. Hood system shall have a current tag containing the service provider, date of service, and shall be provided in a conspicuous location.
76. Fire Extinguishers: There must be at least one 2A10BC fire extinguisher for each 3,000 sq. ft., travel distance not to exceed 75 feet with at least one extinguisher per floor per Title 19, California Code of Regulations. Show location of extinguishers on plans.

77. Provide information on exterior doors, windows and wall vents showing that they meet 2019 CBC Sec. 708A. This includes the existing exterior doors, windows, and wall vents.
78. Provide Penetration protection in all membranes through fire rated assemblies (i.e., dampers, fire caulking).
79. All doors in corridors shall have a 3/4 fire rated door and jamb with closer and smoke gasket. 2109 CFC Sec.1020.
80. Elevator to comply with Chapter 30 of the 2019 CBC.
81. Solar Photovoltaic Systems: These systems shall meet the requirements of the 2019 CFC Section 605.11.
82. Traffic calming devices shall be prohibited unless approved by the fire official. Section 503.4.1. 2019 CFC
83. The project is located in an area where there are no documented fire flows available at this time. In order to determine required fire flows, please provide information on Building Classification including Type of Construction, and Mixed occupancy use.
84. Fire Alarm systems that meet the 2016 NFPA 72 will be required.
85. A Certificate of Completion for Fire Sprinkler System requirement at final.
86. A Certificate of Completion for Fire Alarm required at final.
87. A Certificate of Completion for Fire Suppression System required at final.
88. A Certificate of Completion for Underground required at final.
89. Community Facilities District: The Fire District requires the formation of a Mello-Roos Community Facilities District (CFD) for all new construction of three or more residential units. Please contact the Fire District administration office for more details. Please be advised that the formation of a CFD takes approximately three months. The formation of a CFD is a condition of development and required to be completed prior to Fire District final approval and sign-off on the project.