

HAYWARD CITY COUNCIL

RESOLUTION NO. 17-

Introduced by Councilmember _____

RESOLUTION ADOPTING THE MITIGATED NEGATIVE
DECLARATION AND THE MITIGATION MONITORING AND
REPORTING PROGRAM AND APPROVING SITE PLAN REVIEW
APPLICATION NO. 201505614 AND RELATED GRADING
PERMIT PERTAINING TO CONSTRUCTION OF A NEW SINGLE-
FAMILY RESIDENCE AT 26446 PARKSIDE DRIVE

WHEREAS, on December 7, 2015, Richard Janzen (Applicant) submitted Site Plan Review No. 201505614, requesting grading plan review and Site Plan Review approval to construct a new single-family residence on a steeply sloped, approximately 0.87-acre vacant lot located at 26446 Parkside Drive (Assessor Parcel Number 425-0430-005-00); and

WHEREAS, an Initial Study and Mitigated Negative Declaration were prepared to assess the potential environmental impacts of the Project; and

WHEREAS, the Planning Commission considered the Project at a public hearing held on May 25, 2017, and unanimously recommended that the City Council adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, and approve the Project; and

WHEREAS, notice of the hearing was published in the manner required by law and the hearing was duly held by the City Council on June 20, 2017.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby finds and determines as follows:

CALIFORNIA ENVIRONMENTAL QUALITY ACT

1. Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15220, an Initial Study ("IS") was prepared for this project with the finding that a Mitigated Negative Declaration ("MND") was appropriate because all potential impacts could be mitigated to a level of less than significant with the implementation of Mitigation Measures that were incorporated as Conditions of Approval for the Project.
2. That the proposed MND was prepared by the City of Hayward, acting as the Lead Agency, and that the MND was circulated with a minimum 20-day public review period between April 21, 2017 and May 11, 2017.

3. That the proposed MND was independently reviewed, considered and analyzed by the City Council and reflects the independent judgment of the City Council; that such independent judgment is based on substantial evidence in the record (even though there may be differences between or among the different sources of information and opinions offered in the documents, testimony, public comments and such responses that make up the proposed MND and the administrative record as a whole); that the City Council adopts the proposed MND and its findings and conclusions as its source of environmental information; and that the proposed MND is legally adequate and was completed in compliance with CEQA.
4. That the proposed MND identified all potential adverse impacts, and based on the MND and the whole record before the City Council, there is no substantial evidence that the Project, with mitigation measures incorporated, will have a significant effect on the environment.
5. That the project complies with CEQA, and that the proposed MND was presented to the City Council, which reviewed and considered the information contained therein prior to approving the project. The custodian of the record of proceedings upon which this decision is based in the Development Services Department of the City of Hayward located at 777 B Street, Hayward, CA 94544.

SITE PLAN REVIEW

6. The development is compatible with on-site and surrounding structure and uses and is an attractive addition to the City in that the proposed development of the single-family residence at the above-referenced location is in conformity with the hillside development regulations, including on-site and adjacent structures and residential uses. The project site is located near a primarily Single-Family Residential (RS) zoning district and within a Residential Natural Preserve (RNP) zoning district where numerous single-family residences currently exist with similar architectural characteristics and styles.
7. The development of the proposed single-family residence takes into consideration the physical and environmental constraints and is designed to step with the slope of the site. The development will conform to the City's Tree Preservation Ordinance, which requires preservation of existing trees to the greatest extent feasible and mitigation for the proposed removal of existing mature, protected trees. The applicant has incorporated mitigation measures such as five 24-inch and 48-inch box Live Oak trees, twelve Dwarf Strawberry trees, four fruit trees, and the installation of permeable pavers along the driveway and entry equal to or more than the appraised value of the existing fourteen trees identified for removal. The project has developed a Tree Preservation Plan which identifies which trees shall be preserved and protected during construction and grading activities, which will assist in maintaining the consistent tree canopy feature along the frontage (Parkside Drive) of the subject site.

- 8. The proposed single-family residence complies with applicable City development policies, including but not limited to the *Hayward 2040 General Plan*, the Hayward Municipal Code, and the City’s Hillside Design and Urban/Wildlife Interface Guidelines. The proposed architectural design of the single-family residence is consistent with the City’s Hillside Design and Urban/Wildlife Interface Guidelines as it requires structures to be designed and constructed to step along the slope of the hillside to avoid excessive grading and flattening of the hillsides and natural terrain. In addition, the development consistent with the following goal relating to Land Use and Community Character:

Land Use Policy LU-1.7 Design Guidelines: The City shall maintain and implement commercial, residential, industrial, and hillside design guidelines to ensure that future development complies with General Plan goals and policies.

Land Use Policy LU-3.7 Infill Developments in Neighborhoods: The City shall protect the pattern and character of existing neighborhoods by requiring new infill developments to have complimentary building forms and features.

Land Use Goal LU-7: Preserve the rural and natural character of hillside development areas.

- 9. The proposed single-family residence, as conditioned, will be compatible with the surrounding residential development as the project will be subject to all applicable provisions of the HMC including construction, maintenance, landscaping, etc. In addition, the proposed development of one single-family residence will be located within an already established single-family residential neighborhood consistent with the pattern and character of the existing homes. In addition, the proposed development will comply with the recorded Conservation Easement limiting development of the residence to the front 120 feet of the approximately 400 feet total in lot depth of the property, thereby maintaining a compatible development with the natural terrain and preserve property features, such as the hillside terrain, vegetation, and Ward Creek along the northern property line.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward, based on the foregoing findings, hereby adopts the Mitigated Negative Declaration and related Mitigation Monitoring and Reporting Program, acknowledges review of the proposed grading plans and approves Site Plan Review Application No. 201505614, subject to the attached Conditions of Approval.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2017

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

CITY OF HAYWARD PLANNING DIVISION
SITE PLAN REVIEW APPLICATION NO. 201505614
CONDITIONS OF APPROVAL

GENERAL CONDITIONS OF APPROVAL:

1. The permittee shall assume the defense of and shall pay on behalf of and hold harmless the City, its officers, employees, volunteers and agents from and against any or all loss, liability, expense, claim costs, suits and damages of every kind, nature and description directly or indirectly arising from the performance and action of this permit.
2. All outstanding fees owed to the City, including staff time spent processing this application, shall be paid in full prior to issuance of a building permit
3. The proposed single-family residence shall conform to these conditions of approval and the narrative/plans on file with the Planning Division stamped "Exhibit A".
4. Any proposal for alterations to the proposed site plan and/or design, which does not require a variance to any zoning code, must be approved by the Planning Director prior to implementation.
5. A copy of these conditions of approval shall be included on a full-sized sheet(s) in the building permit plan set.
6. Prior to final inspection all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the Planning Director.
7. This approval shall be void three years after the effective date of approval unless a building permit application with plans matching the approved plans have been submitted and accepted for processing by the Building Official.
8. If determined to be necessary for the protection of the public peace, safety and general welfare, the City of Hayward may impose additional conditions or restrictions on this permit. Violations of any approved land use conditions or requirements will result in further enforcement action by the Code Enforcement Division. Enforcement includes, but is not limited to, fines, fees/penalties, special assessment, liens, or any other legal remedy required to achieve compliance including the City of Hayward instituting a revocation hearing before the Planning Commission.

MITIGATION MEASURES

9. The applicant shall be responsible for adhering the Mitigation Monitoring and Reporting Program (MMRP) for the adopted Mitigated Negative Declaration in compliance with the California Environmental Quality Act (CEQA) Guidelines.
 - a. The applicant shall be responsible for scanning a copy of the adopted MMRP into the Building Division plan check submittal.
 - b. The applicant shall be responsible for implementing the recommendations and mitigations measures identified in the

Geotechnical Engineering Report prepared by Henry Justiniano & Associated (dated July 28, 2015) in regards to seismic design, site preparations, foundations, retaining walls, concrete slab-on grade, and drainage in accordance with the MMRP.

- c. The recommendations and mitigation measures shall be incorporated into the grading permit application and final construction level drawings (civil, drainage, landscape, site plans) and shall be submitted to the Building Division, Public Works Department – Engineering Division, Landscape Division, and Planning Division for review and approval.

BUILDING DIVISION:

10. Applicant shall apply for all necessary building permits and/or all other related permits from the Building Division. All structures shall be constructed and installed in accordance with the California Building Code, Uniform Mechanical and Plumbing Code, National Electrical Code, and the California Fire Code as adopted by the City of Hayward.
11. Plans shall demonstrate compliance with Chapter 5 of the 2016 California Green Building Standards Code (CGBSC Section 301.3). The code sections relevant to the additions and alterations shall only apply to the portions of the building being added or altered within the scope of the permit work. Provide the “California Green Residential Checklist” onto the plan sheets. In the building permit submittal, add an additional column to the checklist to indicate where the appropriate requirements are noted within the set of plans.
12. Unless otherwise permitted or required by the dryer manufacturer’s instructions and approved by the AHJ, domestic dryer moisture exhaust ducts shall not exceed a total combined horizontal and vertical length of 14’-0”, including two 90 degree elbows. A length of 2 feet shall be deducted for each 90-degree elbow in excess of two per California Mechanical Code 504.4.2.1. Please amend plans accordingly.
13. Given the property is located within a Wildland-Urban Interface Fire Area, the materials and construction method for exterior wildfire exposure shall comply with Section R327 of the California Residential Code.
14. The plans submitted for plan check shall provide capability for electric vehicle charging in new single-family dwelling.
15. The proposed single-family residence shall be subject to the payment of school fees as set forth by the Hayward Unified School District (HUSD).

ENGINEERING:

16. Prior to building permit issuance, developer must pay all applicable development fees, as determined by the City Engineer in accordance with the

- most current approved fee schedule adopted by the City Council, including but not limited to, utility connection fees.
17. No building permit can be issued prior to improvement plan approval and the overall site grading approval; and NO occupancy permit can be issued prior to initial acceptance of the site and public improvements.
 18. Unless indicated otherwise, the design for development shall comply with the following:
 - a. All improvements shall be designed and constructed in accordance with the City of Hayward Municipal Code – Chapter 10, Articles 1 and 3, and Standard Specifications and Details.
 - b. All construction shall meet the California Building Codes (CBC) and all applicable City of Hayward Building Codes and amendments, including Green Building standards.
 - c. Design and construction of all pertinent life safety and fire protection systems shall meet the California Fire Code and all applicable City of Hayward Fire Codes and amendments.
 19. A Registered Civil Engineer shall prepare all Civil Engineering improvement plans; a Licensed Architect shall prepare all architectural plans; and a Licensed Landscape Architect shall prepare all landscape unless otherwise indicated herein.
 20. A detailed drainage plan, to be approved by the Alameda County Flood Control and Water Conservation District (ACFC&WCD) and the City Engineer, designing all on-site drainage facilities to accommodate the runoff associated with a ten (10) year storm and incorporating onsite storm water detention measures sufficient to reduce the peak runoff to a level that will not cause capacity of downstream channels to be exceeded. Existing offsite drainage patterns, i.e., tributary areas, drainage amount and velocity shall not be altered by the development. The detailed grading and drainage plan with supporting calculations and a completed Drainage Review Checklist shall be approved by the City Engineer and by the ACFC&WCD prior to issuance of any construction or grading permit.
 21. All existing public utilities shall be protected in place and if necessary relocated as approved by the City Engineer. No permanent structure is permitted within City easements and no trees or deep rooted shrubs are permitted within City utility easements, where the easement is located within landscape areas.
 22. Prior to any work within public right of way or City easement, the developer shall obtain an encroachment permit from the City.
 23. Prior to building permit issuance, the developer shall obtain design approval and bond for all necessary public improvements along Parkside Drive frontage, including but not limited to the following:

- a. Install new rolled curb and gutter along the entire frontage. Proposed improvements shall be designed per approved Precise Plan Line H-550 for Parkside Drive.
- b. Reconstruct half of street width along the entire frontage with 6-inch hot mix asphalt.
- c. Install a new LED street light.

Plans for all public improvements shall be prepared on Mylar (22"x34" sheets) and developer shall submit a digital format of the Record Drawings (AutoCAD format is preferred) upon completion of improvements. The public facilities such as water meters, RP backflow preventers, sewer clean outs, etc., shall be placed so access is maintained and kept clear of traffic. All improvements must be in accordance with the City of Hayward standard detail and specs and built to the city Engineer's satisfaction, and accepted by the City prior to issuance of occupancy for the project.

- 24. Grading and clearing activities shall be in compliance with Chapter 10, Article 8 of the Hayward Municipal Code, including, but not limited to the submittal of a Work Schedule to the Public Works Department – Engineering Division, for the proposed grading schedule, schedule for the installation of interim erosion and sediment control measures, and the construction of public improvements.
- 25. Prior to building permit issuance, developer shall execute a public improvement agreement and post bonds with the City that shall secure the construction of the public improvements. Insurance shall be provided per the terms of the agreement.
- 26. Developer shall comply with the regional permits requirements for both pre-construction and post-construction requirements. Storm water management shall be in compliance with the Municipal Regional Permit (MRP).
- 27. It is applicant's responsibility to get permit or approval from all affected agencies or private parties. Please provide a copy of these permits or approval to the City with your building permit application submittal.
- 28. Improvements for storm drain systems shall incorporate the following:
 - a. The locations and design of storm drains shall meet the City's standard design and be approved by the City Engineer and if necessary, the Alameda County Flood Control and Water Conservation District (ACFC&WCD). Any alternative design shall be approved by the City Engineer prior to installation.
 - b. Storm drain pipes in streets and alleys shall be a minimum of twelve inches in diameter with a minimum cover of three feet over the pipe.
 - c. The latest edition of the Alameda County Flood Control and Water Conservation District's Hydrology and Hydraulics Criteria Summary shall be used to determine storm drainage runoff. A detailed grading and drainage plan with supporting calculations and a completed

Drainage Review Checklist shall be submitted, which shall meet the approval of the Alameda County Flood Control and Water Conservation District (ACFC&WCD) and the City. Development of this site shall not augment runoff to the ACFC&WCD's downstream flood control facilities. The hydrology calculations shall substantiate that there will be no net increases in the quantity of runoff from the site versus the flow rate derived from the original design of downstream facilities.

- d. The project shall not block runoff from, or augment runoff to, adjacent properties. The drainage area map developed for the project hydrology design shall clearly indicate all areas tributary to the project area. The developer is required to mitigate unavoidable augmented runoffs with offsite and/or on-site improvements.
 - e. No surface runoff is allowed to flow over the sidewalks and/or driveways. Area drains shall be installed behind the sidewalks to collect all runoff from the project site.
 - f. All storm drain inlets must be labeled "No Dumping - Drains to Bay," using City-approved methods.
 - g. The starting water surface elevation(s) for the proposed project's hydraulic calculations and the corresponding determination of grate/rim elevations for all the on-site storm drainage structures shall be based on Federal Emergency Management Agency's Flood Insurance Study for the 100-year storm event.
 - h. Post-development flows should not exceed the existing flows. If the proposed development warrants a higher runoff coefficient or will generate greater flow, mitigation measures shall be implemented.
29. The developer is responsible for ensuring that all contractors are aware of all storm water quality measures and implement such measures. Failure to comply with the approved construction BMPs will result in the issuance of correction notices, citations or a project stop order.
30. Contractor/Applicant shall perform all elements of the best management practices for compliance with the requirements of the National Pollution Elimination Discharge System Permit as regulated by the San Francisco Bay Regional Water Quality Control Board. The U.S. Environmental Protection Agency (EPA) has empowered the San Francisco Bay Regional Water Quality Control Board (RWQCB) to administer the National Pollution Elimination Discharge System (NPDES) permit. The NPDES permit requires all dischargers, including but not limited to construction activities, to eliminate as much as possible pollutants entering our receiving waters. Contact the RWQCB for questions regarding your specific requirements at (800) 794-2482.
31. The project plan measures shall also include erosion control measures to prevent soil, dirt, debris and contaminated materials from entering the storm

- drain system, in accordance with the regulations outlined in the ABAG Erosion and Sediment Control Handbook.
32. All service to project shall be an "underground service" designed and installed in accordance with the Pacific Gas and Electric Company, AT&T (phone) Company and local cable company regulations. Transformers and switch gear cabinets shall be placed underground unless otherwise approved by the Planning Director and the City Engineer.
 33. Sewer service is available from the City of Hayward and is subject to standard conditions and fees in effect at the time of application.
 34. Water service is available from the City of Hayward and is subject to standard conditions and fees in effect at the time of application.
 35. Water mains and services, including the meters must be located at least 10 feet horizontally from and one-foot vertically above any parallel pipeline conveying untreated sewage (including sanitary sewer laterals), and at least four feet from and one foot vertically above any parallel pipeline conveying storm drainage, per the current California Waterworks Standards, Title 22, Chapter 16, Section 64572. The minimum horizontal separation distances can be reduced by using higher grade piping materials with the City's approval.
 36. All water series from existing water mains shall be installed by City Water Distribution Personnel at the applicant/developer's expense. This includes relocating existing services and water main tie-ins. The developer may only construct new services in conjunction with the construction of new water mains. Only Water Distribution Personnel shall perform operation of valves on the Hayward Water
 - a. All water meters shall be radio-read type.
 - b. Water meters shall be located a minimum of two feet from the top of driveway flare as per City Standard SD-213 thru SD-218.
 37. Each structure shall have its own fire service, sized per the requirements of the Fire Department. Fire Services shall have an above ground Double Check Valve Assembly per City Standard SD-201 and SD-204. Residential Domestic and Fire Services can be combined per city Standard SD-216.
 38. All proposed surface-mounted hardware (fire hydrants, electroliers, etc.) along the proposed streets shall be located outside of the sidewalk within the proposed Public Utility Easement in accordance with the requirements of the City Engineer or, where applicable, the Fire Chief.
 39. All utilities shall be designed in accordance with the requirements of the City of Hayward and applicable public agency standards.
 40. The improvements associated with the Pacific Gas and Electric Company, AT&T (phone) company and local cable company shall be installed to the satisfaction of the respective companies.

41. To avoid or reduce the potential impact related to the site specific geotechnical hazards related to seismic hazards, the project developer shall implement the following mitigation measures:
 - a. The applicant shall submit a final grading plan subject to review by the City Engineer prior to issuance of grading permits.
 - b. New construction will comply with the latest California Building Code and mitigation measures outlined in the Geotechnical Investigation report.
 - c. For each building constructed in the development plan area, the required site specific geotechnical investigation shall address expansive soils and provide appropriate engineering and construction techniques to reduce potential damage to buildings.
 - d. To reduce the potential impacts related to the presence of low to moderately expansive clays in the subsurface soils of the project site, mitigation measures to avoid the effects of expansive soils outlined in the Geotechnical Investigation shall be followed.
42. The minimum soils sampling and testing frequency shall conform to Chapter 8 of the Caltrans Construction Manual. The developer shall require the soils engineer to daily submit all testing and sampling and reports to the City Engineer.
43. The developer shall ensure that unpaved construction areas are sprinkled with water as necessary to reduce dust generation. Construction equipment shall be maintained and operated in such a way as to minimize exhaust emissions. If construction activity is postponed, graded or vacant land shall immediately be revegetated.
44. The following control measures for construction noise, grading and construction activities shall be adhered to, unless otherwise approved by the Planning Director or City Engineer:
 - a. Grading and site construction activities shall be limited to the hours 8:00 AM to 5:00 PM Monday through Friday with no work on weekends and Holidays unless revised hours and days are authorized by the City Engineer. Building construction hours are subject to Building Official's approval.
 - b. Grading and construction equipment shall be properly muffled.
 - c. Unnecessary idling of grading and construction equipment is prohibited.
 - d. Stationary noise-generating construction equipment, such as compressors, shall be located as far as practical from occupied residential housing units.
 - e. Applicant/developer shall designate a "noise disturbance coordinator" who will be responsible for responding to any local complaints about construction noise. Letters shall be mailed to

surrounding property owners and residents within 300 feet of the project boundary with this information.

- f. The developer shall post the property with signs that shall indicate the names and phone number of individuals who may be contacted, including those of staff at the Bay Area Air Quality Management District, when occupants of adjacent residences find that construction is creating excessive dust or odors, or is otherwise objectionable. Letters shall also be mailed to surrounding property owners and residents with this information prior to commencement of construction.
- g. Daily clean-up of trash and debris shall occur on Vista Bahia Way, and other neighborhood streets utilized by construction equipment or vehicles making deliveries.
- h. Gather all construction debris on a regular basis and place them in a dumpster or other container which is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to storm water pollution.
- i. Remove all dirt, gravel, rubbish, refuse and green waste from the sidewalk, street pavement, and storm drain system adjoining the project site. During wet weather, avoid driving vehicles off paved areas and other outdoor work.
- j. The site shall be watered twice daily during site grading and earth removal work, or at other times as may be needed to control dust emissions.
- k. All grading and earth removal work shall follow remediation plan requirements, if soil contamination is found to exist on the site.
- l. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- m. Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites;
- n. Sweep public streets daily if visible soil material is carried onto adjacent public streets;
- o. Apply (non-toxic) soil stabilizers or hydro-seed to inactive construction areas (previously graded areas inactive for 10-days or more);
- p. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
- q. Broom sweep the sidewalk and public street pavement adjoining the project site on a daily basis. Caked on mud or dirt shall be scraped from these areas before sweeping;

- r. No site grading shall occur during the rainy season, between October 15 and April 15, unless approved erosion control measures are in place.
 - s. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site prior to: 1) start of the rainy season; 2) site dewatering activities; or 3) street washing activities; and 4) saw cutting asphalt or concrete, or in order to retain any debris or dirt flowing into the City storm drain system. Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and prevent street flooding. Dispose of filter particles in the trash;
 - t. Create a contained and covered area on the site for the storage of bags of cement, paints, flammables, oils, fertilizers, pesticides or any other materials used on the project site that have the potential for being discharged to the storm drain system through being windblown or in the event of a material spill;
 - u. Never clean machinery, tools, brushes, etc., or rinse containers into a street, gutter, storm drain or stream. See "Building Maintenance/Remodeling" flyer for more information;
 - v. Ensure that concrete/gunite supply trucks or concrete/plasters finishing operations do not discharge washwater into street gutters or drains; and
 - w. The developer shall immediately report any soil or water contamination noticed during construction to the City Fire Department Hazardous Materials Division, the Alameda County Department of Health and the Regional Water Quality Control Board.
45. In the event that human remains, archaeological resources, prehistoric or historic artifacts are discovered during construction of excavation, the following procedures shall be followed: Construction and/or excavation activities shall cease immediately and the Planning Division shall be notified. A qualified archaeologist shall be retained to determine whether any such materials are significant prior to resuming groundbreaking construction activities. Standardized procedure for evaluation accidental finds and discovery of human remains shall be followed as prescribed in Sections 15064.f and 151236.4 of the California Environmental Quality Act.
46. Prior to final inspections, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the Planning Director.
47. All buildings shall be designed using the California Building Codes in effective at the time of submitting building permit applications.
48. All public improvements, including the complete installation of all improvements relative to streets, fencing, sanitary sewer, storm drainage, water system, underground utilities, etc., shall be completed and attested to by the City Engineer before approval of occupancy of any unit. Where

- facilities of other agencies are involved, such installation shall be verified as having been completed and accepted by those agencies.
49. The developer/subdivider shall be obligated for the following additional fees. The amount of the fee shall be in accordance with the fee schedule:
 - a. Supplemental Building Construction and Improvement Tax,
 - b. School Impact Fee
 50. The developer shall submit an AutoCAD file format (release 2010 or later) in a CD of approved 'as-built' improvement plans indicating the following:
 - a. Approved landscape and irrigation improvements;
 - b. All underground facilities, sanitary sewer mains and laterals, water services (including meter locations), Pacific Gas and Electric, AT&T (phone) facilities, local cable company, etc.;
 - c. All the site improvements, except landscaping species, buildings and appurtenant structures; and
 - d. Final Geotechnical Report.
 51. The project shall implement the provision of C.3.i Required Site Design Measures for Small Projects and Detached Single-Family Home Projects such as:
 - a. Direct roof runoff into cisterns or rain barrels for reuse.
 - b. Direct roof runoff onto vegetated areas.
 - c. Direct runoff from walkway, and/or patio onto vegetated areas.
 - d. Direct runoff from driveway and/or uncovered parking areas onto vegetated areas.
 52. Submit 3 copies of Soils Report prior to the issuance of a Building Permit for review and approval by the City Engineer shall be wet stamped, signed by the engineer and in bound form.
 53. The following items shall be completed and submitted with the improvement and/or grading plans:
 - a. C.3 and C.6 Data Collection Form
 - b. Numeric Sizing Criteria used for stormwater treatment (Calculations).

LANDSCAPING:

54. Park Dedication In-Lieu Fees are required for all new dwelling units. Fees shall be those in effect at the time of the Building Permit Approval. All Park dedication in-lieu fees shall be paid prior to issuance of a Certificate of Occupancy for a residential unit.
55. A tree preservation bond will be required for all trees that are to remain, and the bond will be in effect throughout the construction period and until

- completion of the entire project improvements. If any trees that are designated as saved are removed or damaged during construction shall be replaced with trees of equal size and equal value.
56. Trees shall be preserved in accordance with the Tree Preservation Ordinance and shall be protected in accordance with the project arborist's recommendations. Prior to the commencement of clearing and grading operations, all trees to be preserved or removed shall be indicated on the grading, site and landscape plans, and trees to remain in place shall be noted and provided with tree protection measures in compliance with City codes.
 57. All tree work shall comply with the Migratory Bird Treaty Act as well as California Fish and Wildlife Code Section 3503-3513 to not disturb nesting birds. To the extent feasible tree pruning and removal shall be scheduled outside of the breeding season. Breeding surveys shall be conducted prior to tree work. Qualified biologists shall be involved prior to grading and construction activities to establish work buffers for active nests.
 58. A tree removal permit shall be obtained prior to the removal of any tree in addition to grading permit.
 59. Minimum fifty (50) gallon lidded rainwater catchment device per each single-family home shall be required as well as incorporation of onsite rain garden and porous paving are encouraged in accordance with Section 10-12.15 of the HMC.
 60. A building permit shall not be issued unless a complete set of the approved Landscape Improvement Plan is attached.
 61. Upon completion of landscape and irrigation installation, the project landscape architect shall conduct an inspection for compliance with the approved landscape and irrigation improvement plans, and the conditions of approval above. Once the installation is fully accepted, Attachment C. Document of Final Acceptance and Appendix C. Certificate of Completion Part 1 through Part 7 shall be completed by the project landscape architect and submitted to City Landscape Architect and request for a landscape inspection for the City's approval for issuance of Certificate of Occupancy.

FIRE DEPARTMENT:

62. Fire Sprinkler Protection Required – An automatic fire sprinkler system shall be designed and installed conforming to NFPA 13D (modified). Standards. Automatic fire sprinkler protection shall be within all living areas as dictated by NFPA 13D Standards. Additional fire sprinkler protection is required in attics, garages, under decks, crawl spaces, patios, porches and foyers. A separate fire permit is required for the fire sprinkler system installation. A State Licensed C-16 Fire Sprinkler Contractor shall be responsible for the fire sprinkler system installation.

63. Maximum Sprinkler System Design Pressure - A maximum static pressure of 80 PSI should be used when test data indicates higher pressures. Residual pressures used in the calculation should also be adjusted accordingly.
64. Underground Fire Service Line – Underground fire service line connection to the city main shall be installed in accordance with the Hayward Public Work Department SD-216. Water meter shall be minimum one-inch in diameter.
65. Interior Audible Alarm Device Required – An interior audible alarm device shall be installed within the dwelling in a location so as to be heard throughout the home, with bedroom doors closed. The device shall activate upon any fire sprinkler system water flow activity.
66. Single Station Smoke Alarms/Detectors Required – All bedrooms and hallway areas shall be equipped with smoke alarms/detectors, hard-wired with battery backup. Installation shall conform to the California Residential Code (CRC) and NFPA 72.
67. Interconnection of Smoke Alarms – When a flow switch is not installed on the riser of flow thru sprinkler system, smoke alarms shall be interconnected to sound an audible alarm in all sleeping areas within the dwelling unit.
68. Exterior Alarm Bell Required – An audible alarm bell (device) shall be installed on the exterior of the building nearby the fire access road. The device shall activate upon any fire sprinkler system water flow activity or interconnected smoke alarms.
69. Single Station CO Detectors required – CO detectors should be placed near the sleeping area on a wall about 5 feet above the floor. The detector may be placed on the ceiling. Each floor needs a separate detector.
70. Materials and Construction Method for Exterior Wildfire Exposure – The building is located within the City of Hayward Wildland/Urban Interface Area, and shall meet the construction requirements (as reflected on the approved plans) as stated in the City of Hayward Hillside Design and Urban/Wildland Interface Guidelines, which includes Class A roofing materials and exterior non-combustible siding materials (stucco), double-pane windows. Do not use wood shake or treated wood shake roofs. The building construction shall comply with the requirements contained in the 2013 California Residential Code Section R327.
71. Fences - Within ten feet of a structure, construct fences with an open wire mesh or noncombustible material to prevent fire from spreading to the structure.
72. Spark Arrestor Required - Provide spark arrestors with 1/4" metal mesh screens on all chimneys. Homeowners should inspect spark arrestors every year to ensure mesh screen integrity.
73. Outdoor Storage - Restrict outdoor storage of firewood, kindling, or compost material within 30 feet of any structure, unless the material is stored in an approved bin or enclosure.

74. Chimney - Locate chimney at least ten feet away from existing tree canopies.
75. Roof eaves - Enclose all roof eaves with minimum required attic vents covered with metal mesh in accordance with Chapter 7A of California Building Code. The dimensions of mesh openings shall be a minimum 1/16-inch and shall not exceed 1/8-inch.
76. Building Address Required – A minimum 4” self-illuminated address shall be installed on the front of the dwelling in a location to be visible from the street. Otherwise, a minimum 6” address shall be installed on a contrasting background and shall be in a location approved by the Fire Department.

UTILITIES:

77. Water and Sewer Service are available and subject to standard conditions and fees in effect at time of application and payment of fees:
 - a. Water Services – Based on the water fixtures shown on the plans, it is estimated the finished structures will have a potential domestic water demand of 59.5 fixture units, which requires a minimum 1” domestic water meter. Note that this estimate does not include any allowance for residential fire sprinklers or irrigation.
 - b. A separate fire permit is required for the fire sprinkler system installation. The water meter size will be determined by the Fire Department’s requirements for that permit; however, the minimum size water meter for residential fire sprinklers is 1”. Residential combined domestic and fire services are allowed, per City Standard SD-216 (copy attached).

Per SD-216, flow-through fire sprinkler systems do not require the installation of an above ground backflow prevention assembly. They do require the installation of a N36 meter box or a B16 and a B9 meter box.
 - c. The current cost for the installation of a 1” water service line and 1” water meter is \$11,606 (\$3,500 installation fee + \$12,158 facilities fee). The landscape plan indicates that the property will have 5,300 square feet of irrigated landscape. Residential properties will more than 5,000 square feet of irrigated landscape must have a separate dedicated irrigation water meter. Based on the GPM demand shown on the plans of 0.1 GPM, a 5/8” irrigation meter will be required.
 - d. The current cost for the installation of a ¾” water service line and 5/8” irrigation water meter is \$9,984 (\$3,500 installation fee + \$6,484 facilities fee).
 - e. The applicant/developer shall install a Reduced Pressure Backflow Prevention Assembly on the irrigation water meter, per City Standard

SD-202. Backflow Prevention Assemblies shall be at least the size of the water meter or the water line on the property side of the meter, whichever is bigger.

- f. Sewer Services – The owner/developer is responsible for payment of sewer connection fees at the current rates that the time the application for water and sewer service is submitted. The sewer connection fee for a single-family residential connection is \$7,700.
78. Water meters must be located a minimum of two feet from top of the driveway flares as per City Standard Detail 213 thru 218. Department of Utilities & Environmental Services 777 B Street, Hayward, CA 94541-5007 TEL (510) 583-4727 FAX (510) 583-3610

Water mains and services, including the meters, must be located “at least 10 feet horizontally from and one foot vertically above, any parallel pipeline conveying untreated sewage, ...” (such as a sanitary sewer lateral) per the current California Waterworks Standards, Title 22, Chapter 16, Section 64572.

Note that the CA Waterworks Standards allow for horizontal separation of water and sewer lines to be less than 10’ “by utilizing upgraded piping material” and is approved by the “Department.” “Upgraded piping material” generally means to use piping material with a pressure rating at least 1 grade above the minimum pressure rating that is required for the application.

79. The sanitary sewer lateral shall be installed per City Standard Detail SD-312. Cleanouts shall be installed at the house connection and changes in alignment.

SOLID WASTE & RECYCLING:

80. Please submit the Construction and Demolition Debris Recycling Statement at the time of your building permit. The applicant shall will only need to submit the top “applicant” half of the form during the building permit. The bottom half of the form should be completed upon completion of the project to receive final building inspection approval. The form can be located online at <http://www.hayward-ca.gov/services/city-services/construction-and-demolition-debris-disposal>.