

**CITY OF HAYWARD
PLANNING DIVISION
SITE PLAN REVIEW
September 15, 2016**

SITE PLAN REVIEW APPLICATION NO. 201600993 – Bijan Mashaw

(Applicant/Owner) – Request to construct a new approximately 4,200 square foot single family home and related site improvements on an approximately 0.7-acre vacant parcel located at the terminus of Dryden Court in the Single Family Residential (RS) District with Special Lot Standards Combining District (B6). (Assessor's Parcel Number 081D-2086-064-00).

CONDITIONS OF APPROVAL

1. Site Plan Review Application No. 201600993 is approved subject to the Architectural Plans dated May 9, 2016 and the Grading and Drainage Plans dated July 13, 2016 (included as Attachments II and III to the accompanying Staff Report) and the conditions listed below. This permit becomes void three years after the effective date of approval, unless (a) either a building permit has been issued or a building permit application has been submitted for processing and said application has not expired; or (b) an extension is requested by September 27, 2019. If a building permit is issued for construction or improvements authorized by the site plan approval, said approval shall be void two years after issuance of the building permit, or three years after approval of the application, whichever is later, unless the construction authorized by the building permit has been substantially completed or substantial sums have been expended in reliance upon the site plan review approval.
2. **Mitigation Measure GEO-1:** The project could result in impacts related to Geology and Soils in that new construction on the site with slopes ranging from 20 to over 30% could be susceptible to strong ground shaking or unstable soils created by planned cuts and fills. Impacts can be mitigated to a level of less than significant if construction level drawings include new foundation supports to extend to reach hard bedrock and all additional applicable Geotechnical Engineer recommendations set forth in the Summit Engineering report dated February 2016. Building permit plan submittal shall be accompanied by a design level report prepared by a licensed civil engineer that includes the following:
 - Review of the foundation, grading and drainage plans;
 - Inspection of excavation operations, and particularly those for drilled pier foundations, placement of fill and backfill materials and installation of surface drains and sub-drains behind retaining walls; and,

- Preparation and submittal of a Final Soil's Engineer Report prior to issuance of a Certificate of Occupancy for the structure that indicates whether construction was done according to expected soils characteristics, or new features were encountered which required special engineering conditions.
3. The applicant shall submit a final complete Grading Permit and supporting materials to the satisfaction of the City Engineer. All materials shall be reviewed and approved by the Public Works – Engineering Division prior to the issuance of Grading Permits and commencement of work on the proposed project.
 4. Unless otherwise stated, project must comply with all Conditions of Approvals for Parcel Map 5842.
 5. Applicant shall record, or provide evidence of, a reciprocal easement and maintenance agreement with the adjacent property to the south of the project site (APN 81D-2086-063-00) for the maintenance of the common facilities, including but not limited to the common driveway, prior to the issuance of Building Permits.
 6. 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.
 7. Prior to final inspection all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the Planning Director.
 8. Any proposal for alterations to the proposed site plan and/or design including exterior colors and materials, which does not require a variance to any zoning code, must be approved by the Planning Director prior to implementation.
 9. Any graffiti painted on the property shall be painted out or removed within 72 hours of occurrence or notification by the City's Code Enforcement.
 10. The garage shall be maintained for off-street parking and shall not be converted to a living or storage area. Individual laundry facilities, water heater or the HVAC unit shall not be located within the garage unless there is adequate space to accommodate three cars within the garage. An automatic garage door opening mechanism shall be provided for the garage door.

11. 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.
12. 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.
13. Violation of these conditions or the Hayward Municipal Code is cause for revocation of permit after a public hearing before the duly authorized review body.

Building Division

14. Provide all the governing codes on plans. Applicable codes shall include the 2013 CA Building Code; 2013 CA Electrical Code; 2013 CA Mechanical Code; 2013 CA Plumbing Code; 2013 CA Green Building Standards Code; 2013 CA Energy Efficiency Standards and the City of Hayward Municipal Code and Ordinances.
15. The property is located within a Wildland-Urban Interface Fire Area therefore all materials and construction methods for exterior wildfire exposure shall comply with CRC Section R327. See also Condition Nos. 70-74 under Fire Department below.
16. Supplemental building construction and improvement tax is required at the time of issuance of building permit.
17. School fee payment is required prior to issuance of building permit.

Development Services – Landscaping

18. Park Dedication In-Lieu Fees are required for all new dwelling units. Fees shall be those in effect at the time of issuance of the building permit.

19. Mulch shall be dark brown and may not be black.
20. Fertilizer shall be Organic Materials Review Institute (OMRI)-certified and shall not include the use of synthetic fertilizers.
21. The applicant shall submit detailed landscape and irrigation plans, including water budget calculations with the building permit submittal.
22. Upon completion of landscape and irrigation installation, City Landscape Architect shall conduct an inspection for compliance with the approved landscape and irrigation improvement plans. Prior to requesting a landscape inspection, 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 based on site inspection of all landscape and irrigation installation.
23. Landscaping shall be maintained in a healthy, weed-free condition at all times.

Development Services – Engineering

24. 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.
25. Prior to building permit issuance, the developer shall obtain design approval and bond for all necessary public improvements along project frontage, including but not limited to the following
 - a. Remove and replace damaged curb, gutter, driveway, and sidewalk along the project frontage, as directed by City inspector.
 - b. Remove, replace, and plant street trees along project frontages per City Landscape Architect direction.
26. 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.
27. Plans for all public improvements shall be prepared on Mylar (22-inch by 34-inch 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 any first certificate of occupancy for the project.
28. 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.
 29. Prior to any work within public right of way or City easement, the developer shall obtain an encroachment permit from the City.
 30. It is applicant's responsibility to get permits or approvals from all affected agencies or private parties. A copy of these conditions of approval shall be included with the building permit application submittal.

Water Quality

31. Developer shall comply with the regional permits requirements for both pre-construction and post-construction requirements. Storm water management shall be in compliance with Municipal Regional Permit.
32. Project shall incorporate at least one of the following Best Management Practice (BMP) site measures to ensure compliance with the C3 storm water control measure requirements and shall be indicated on the building plan set:
 - a. Direct runoff into cisterns or rain barrel for use.
 - b. Direct roof runoff onto vegetated area.
 - c. Direct runoff driveways, walkways, or patios onto vegetated areas.
 - d. Construct sidewalks, walkways, and/or patios with permeable surface.
 - e. Construct driveways, and/or uncovered parking lots with permeable surfaces. (permeable pavers, shall have a 100% permeability by using Hydro-Flo Pavers or equal).
33. 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.

34. Developer 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.

Storm Drain

35. 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.
36. 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. 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.
 - c. On-site storm runoff shall be captured and conveyed thru an energy dissipater structure prior to discharging into the street.
 - d. 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.
 - e. 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.

Utilities

37. All service to the development 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. Underground utility plans must be submitted for City approval prior to installation.
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.

During Construction

41. 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. Applicant/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 project street frontages, 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 hydroseed 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. Applicant/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.
42. The minimum soils sampling and testing frequency shall conform to Chapter 8 of the Caltrans Construction Manual. Applicant shall require the soils engineer to daily submit all testing and sampling and reports to the City Engineer.
43. 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.

Prior to Occupancy

44. All common area landscaping, irrigation and other required improvements shall be installed according to the approved plans.
45. All site 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. Where facilities of other agencies are involved, such installation shall be verified as having been completed and accepted by those agencies.
46. 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.
47. Prior to final inspections, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the Planning Director.
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 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.

Public Works – Utilities (Water and Sewer Service)

50. Water & 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 42.5 fixture units, which requires a minimum one-inch domestic water meter. Note that this estimate does not include any allowance for residential fire sprinklers or irrigation. Please note that 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 one-inch. Residential combined domestic and fire services are allowed, per City Standard Detail (SD)-216.
 - Per SD-216, flow-through fire sprinkler systems do not require the installation of an above ground backflow prevention assembly. This will require the installation of a N36 meter box or a B16 and a B9 meter box.
 - The owner/developer is required to pay water facilities fees and installation charges for connections to water mains and work performed by City forces.
 - b. Sewer Services – The owner/developer is responsible for payment of sewer capacity fees.
51. Water meters must be located a minimum of two feet from top of the driveway flares as per City SD 213 thru 218.
 52. 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 feet “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 one (1) grade above the minimum pressure rating that is required for the application.
 53. The sanitary sewer lateral shall be installed per City SD-312. Cleanouts shall be installed at the house connection and changes in alignment.
 54. 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

Public Works – Solid Waste

55. Standard refuse, yard trimmings, and recycling containers shall be used. The total space required for the Standard Service (one thirty-two-gallon garbage cart, one sixty-four-gallon yard trimmings cart, and two-eighteen-gallon recycling bins) is approximately three feet by nine feet. Sufficient space is required to be designated in the garage or behind a fence to allow residents to keep the containers out of public view.
56. Residents are required to place their refuse and yard trimmings carts and recycling bins at the curb for weekly collection service by contracted service providers.
57. Pursuant to Hayward Municipal Code 5-1.16, residents shall not place carts at the curb any earlier than 6:00 a.m. the day before scheduled collection, and are required to retrieve them no later than midnight the day the carts are emptied.
58. All materials generated during construction and demolition must be delivered to an authorized facility to maximize recycling. To obtain a building permit, submit a City of Hayward Construction & Demolition Debris Recycling Statement available from Jennifer Yee, Sustainability Technician at (510) 583-4709.

Fire Department

59. Submit for proper building permits for the construction of the building to the Building Department.
60. Residential units are required to install fire sprinkler systems in accordance with NFPA 13D.
61. Maximum 80 PSI water pressure should be used when water data indicates a higher static pressure. Residual pressure should be adjusted accordingly.
62. Underground fire service line serving NFPA 13D sprinkler system shall be installed in accordance with the Hayward Public Work Department SD-216. Water meter shall be minimum one-inch in diameter.
63. An audible alarm bell (device) shall be installed on the fire sprinkler system riser.
64. An interior audible alarm device shall be installed within the dwelling in a location so as to be heard throughout the home. The device shall activate upon any fire sprinkler system waterflow activity.

65. All bedrooms and hallway areas shall be equipped with smoke detectors, hard-wired with battery backup.
66. 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.
67. A minimum 4-inch self-illuminated address shall be installed on the front of the dwelling in a location so as to be visible from the street. Otherwise, a minimum 6-inch address shall be installed on a contrasting background and shall be in a location approved by the Fire Department.
68. 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. Shake or treated wood shake roofs are prohibited. The building construction shall comply with the requirements contained in the 2013 California Residential Code Section R327.
69. Provide spark arrestors with 1/4" metal mesh screens on all chimneys. Homeowners should inspect spark arrestors every year to ensure mesh screen integrity.
70. Outdoor storage of firewood, kindling, or compost material within 30 feet of any structure is prohibited, unless the material is stored in an approved bin or enclosure.
71. The chimney shall be located a minimum of ten feet away from existing tree canopies.
72. Attic vents shall be 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.