RESOLUTION NO. 2021-110

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOSTER CITY, ADOPTING THE STANDARD CONDITIONS OF APPROVAL AND MITIGATION MONITORING AND REPORTING PROGRAM, APPROVING THE CEQA FINDINGS, AND CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT, FOR CONSTRUCTION OF A SEVEN-STORY, APPROXIMATELY 89'-0"-TALL, ±83,187 SQUARE-FOOT LIMITED- SERVICE HOTEL WITH 151 GUEST ROOMS – SOUTHWEST CORNER OF METRO CENTER BOULEVARD AND SHELL BOULEVARD IN TOWN CENTER NEIGHBORHOOD (TC) – APN 094-522-350– MPQ FOSTER CITY METRO CENTER LLC – EA2019-0001

CITY OF FOSTER CITY

WHEREAS, MPQ Foster City Metro Center LLC, as project applicant, has requested City Council approval of an Environmental Assessment and Rezoning with an amendment to the General Development Plan (GDP) for construction of a seven-story, approximately 89'-0" tall, approximately 83,187 square-foot limited-service hotel with 151 guest rooms at the southwest former of Metro Center Boulevard and Shell Boulevard (APN 094-522-350) in the Town Center neighborhood; and

WHEREAS, the City of Foster City, in accordance with the requirements of the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) and implementing guidelines ("CEQA") adopted by the Secretary of Resources, and the City of Foster City Environmental Review Guidelines, has prepared an Environmental Impact Report (EIR) (SCH #2019049065), Standard Conditions and Mitigation Monitoring and Reporting Program (SCAMMRP), and CEQA Findings, which, combined, adequately analyze the environmental impacts of the proposed Project and mitigate potential environmental impacts such that they are reduced to levels below established thresholds of significance (EA2019-0001); and

WHEREAS, a Notice of Preparation (NOP) of an EIR for the project was prepared and circulated for the required 30-day public review period commencing on April 9, 2019 and ending on May 10, 2019; and

WHEREAS, on April 18, 2019, a Public Scoping Session was held to identify topics appropriate for review under the provisions of the California Environmental Quality Act (CEQA) and analysis in the Environmental Impact Report (EIR); and

WHEREAS a Draft EIR (March 2020) was prepared by Urban Planning Partners, Inc. and circulated by the City for the required 45-day public review period commencing on March 13, 2020 and ending on April 27, 2020. Comments were received by two outside agencies during the 45-day public review period; and

WHEREAS, on April 27, 2020, the City transmitted for filing a Notice of Completion (NOC) of the Draft EIR and, in accordance with requirements of CEQA and provisions of the State CEQA Guidelines, forwarded the Draft EIR to the State Clearinghouse for distribution to those State agencies having discretionary approval of, or jurisdiction by lawover, natural resources affected by the Project; and

WHEREAS, the City provided notice to all interested persons and agencies inviting comments on the Draft EIR in accordance with the provisions of CEQA, the State CEQA Guidelines and the City of Foster City Environmental Review Guidelines; and

WHEREAS, on May 7, 2020, a noticed Public Hearing was held to receive comments on the adequacy of the Draft EIR. Comments were received by one property owner prior to the Public Hearing; and

WHEREAS, a Notice of Public Hearing was duly posted for consideration of the Final EIR (consisting of the Draft EIR and Response to Comments document) dated May 2020 at the Planning Commission meeting on June 18, 2020, and, on said date, the PublicHearing was opened, held and closed; and

WHEREAS, at the June 18, 2020, public hearing, the Planning Commission, by adoption of Resolution P-07-20, on a vote of 5-0 recommended to the City Council certification of the Final EIR; and

WHEREAS, a Notice of Public Hearing was duly posted for consideration of the Standard Conditions and Mitigation and Monitoring Program (SCAMMRP) dated June 2020 and Statement of Findings under the California Environmental Quality Act (CEQA Findings) dated May 2021 at the Planning Commission meeting on June 17, 2021, and, on said date, the Public Hearing was opened, held and closed; and

WHEREAS, at the June 17, 2021, public hearing, the Planning Commission, by adoption of Resolution P-09-21, on a vote of 5-0 recommended to the City Council Standard Conditions of Approval and Mitigation and Monitoring Program (SCAMMRP) dated June 2020 and Statement of Findings under the California Environmental Quality Act (CEQA Findings) dated May 2021; and

WHEREAS, a Notice of Public Hearing was duly posted for certification of the Final Environmental Impact Report, approval of the Standard Conditions and Mitigation and Monitoring Program (SCAMMRP) dated June 2020, and adoption of the Statement of Findings under the California Environmental Quality Act (CEQA Findings) at the Planning Commission meeting on July 19, 2021, and, on said date, the Public Hearing was opened,held and closed; and

WHEREAS, the City Council of the City of Foster City has reviewed and considered the proposed project, all written correspondence, verbal testimony, staff reports, and supporting documents and reports prepared, and the information containedin the Final EIR; and

WHEREAS, at the July 19, 2021 City Council Public Hearing, the Council requested that a Condition of Approval be added, requiring that the hotel development source one hundred percent of its electricity from Peninsula Clean Energy or its successor agency; and

WHEREAS, copies of the Final EIR and other documents and materials which constitute the records of the proceedings upon which this decision is based are available for public review on the City of Foster City website and from the custodian of these records, namely, the Community Development Department, located at City Hall, 610 Foster City Boulevard, Foster City; and

WHEREAS, copies of the Final EIR are available for public review on the City of Foster City website and at the Community Development Department, City Hall, 610 Foster City Boulevard, Foster City; and

WHEREAS, a lead agency must adopt a Standard Conditions of Approval and Mitigation Monitoring and Reporting Program (SCAMMRP) for changes to a project that it adopts or makes a condition of project approval in order to ensure compliance with themeasures during project implementation; and

WHEREAS, the Standard Conditions of Approval and Mitigation Monitoring and Reporting Program (SCAMMRP) set forth in the attached Exhibit A, which is incorporated herein by reference, accurately reflects the mitigation measures contained in the Final EIR.

NOW, THEREFORE, BE IT RESOLVED that the City Council, based on the facts and analysis in the Final EIR, all written and oral testimony, and evidence submitted in connection with the Final EIR and exhibits, continues to find, and continues to recommendthat the City Council find that:

1. The Final EIR, including documents incorporated by reference, including the information contained therein prior to adoption of this Resolution, has been reviewed and considered by the City Council, including the information contained therein prior to adoption of this Resolution; and

2. The Final EIR has been completed in accordance with CEQA, the State CEQA Guidelines, and the City of Foster City Environmental Review Guidelines; and

3. The Final EIR adequately describes the environmental impacts of the proposed project; and

4. The Final EIR reflects the City's independent judgment and analysis.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Foster City does hereby: 1) adopt the Standard Conditions and Mitigation Monitoring and Reporting Program (SCAMMRP) in Exhibit A; 2) approve the Statement of Findings under the California Environmental Quality Act (CEQA Findings); and 3) certify the Final EIR prepared by Urban Planning Partners, Inc. dated June 2020, comprised of the Draft EIR dated March 2020 and the Response to Comment document dated June 2020, as completed and adequate.

PASSED AND ADOPTED as a resolution of the City Council of the City of Foster City at the regular meeting held on the 19th day of July, 2021, by the following vote:

AYES: Councilmembers Awasthi, Froomin, Hindi, Sullivan, and Mayor Gehani

NOES: None

ABSENT: None

ABSTAIN: None

DocuSigned by:
Sanjay Gehani
6015CCD8CE83493...
SANJAY GEHANI, MAYOR

ATTEST:

DocuSigned by:
Priscilla Schaus
6131E59FA33B4AB...
PRISCILLA SCHAUS, CITY CLERK

EXHIBIT A

HOTEL IN METRO CENTER AREA, SOUTHWEST CORNER OF METRO CENTER BLVD. AND SHELL BLVD. USE PERMIT CONDITIONS OF APPROVAL

(Conditions attached to approval of UP2019-0006
by the Planning Commission on June 17, 2021)

1. COMMUNITY DEVELOPMENT DEPARTMENT

GENERAL

1.1. **Entitlement of the project is effective only upon: 1) the City Council's adoption of a Rezoning (RZ2019-0002) approving an amendment to Ordinance 434 to accommodate development of the approximately 83,187 square-foot, seven-story hotel with 151 guest rooms and associated site improvements at the vacant lot located at the southwest corner of Metro Center Boulevard and Shell Boulevard; and 2) certification of the Environmental Impact Report (EIR) and adopting the Standard Conditions and Mitigation Monitoring and Reporting Program (SCAMMRP) and Findings under the Environmental Quality Act (EA2019-0001) for the project.**

1.2. The project shall be built according to plans approved by the Planning Commission on June 17, 2021 labeled "Foster City Hotel," sheets 1-48 (P001 – L103), prepared by Lowney Architecture, and dated May 2021. Any modification to the project shall require Planning Commission or Community Development Director review and approval. The Community Development Director shall have the authority to approve minor changes; as determined by the Community Development Director, changes not deemed minor shall be referred to the Planning Commission for review and approval. The Community Development Director shall additionally have the authority to allow for minor changes to the Conditions of Approval which do not result in substantial change to the project. Once constructed or installed, all improvements shall be maintained in accordance with the approved plans. Any changes which affect the exterior character of the work, including minor changes to materials and colors, shall be resubmitted for approval. The construction or placement of unapproved features or unapproved changes to buildings or structures which were a part of approved plans can and will result in the issuance of a "Stop Work Order" by the City, the need to revise plans and obtain City approval for all changes prior to recommending work, and the possibility of penalty fees being assessed for unauthorized work.

1.3. The project approval shall expire two (2) years from the date of approval on June 17, 2021. No extensions of the Use Permit shall be considered or granted except that Use Permits issued in conjunction with a Tentative Subdivision Map for a planned unit development shall expire no sooner than the approved Tentative Map, or any extension thereof, whichever occurs later (Municipal Code Section 17.06.180).

1.4. This Use Permit may be modified by the implementation of new or revised conditions when, in the judgment of the Planning Commission, imposition of such new or revised conditions is essential in order to address a violation of the Foster City Municipal Code or EMID Code to protect the public health, safety, morals, or general welfare.

1.5. **Any modifications/revisions to the approved number of guest rooms, site plan, elevations, floor plans, landscaping, and/or site improvements shall be reviewed and approved by the Community Development Director or if the Community Development Director so determines, the Planning Commission.**

1.6. A plan for phasing of construction, if any, shall be approved by the Planning Commission.

1.7. **All on-site signage must be consistent with the Metro Center Design Guidelines approved by the Planning Commission on July 7, 1988 as amended by the Foster City Planning Commission, and must be submitted under separate Sign Permit application per Municipal Code requirements. Prior to installation, all on-site signage, including address signs, must be approved by the City.**

1.8. All exterior kiosks or other landscape features, temporary or permanent, shall be approved by the City prior to installation.

1.9. **Any proposed event at the subject site shall require approval of a Temporary Use Permit.**

1.10. The project applicant and/or owner shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless City/Estero Municipal Improvement District Parties, from and against, any and all Claims arising directly or indirectly from the project.

1.11. Pursuant to Section 66020 of the California Government Code, the applicant shall have 90 days from date of project approval, or 90 days from the date of the imposition of the fees, dedications, reservations or other exactions to be imposed on a development project, to protest any fees, dedications, reservations or other exactions.

1.12. **At all times, compliance with the provisions of the Urban Water Management Plan and (UWMP) and Water Supply Contingency Plan (WSCP) shall be ensured.**

1.13. **Prior to issuance of any building permit, a letter shall be submitted to the City, verifying third-party certification, by a qualified professional, of the building's Leadership in Energy and Environmental Design (LEED) Silver rating by the Green Building Certification Institute.**

Private Site Improvements

1.14. Applicant shall provide suitable securities acceptable to the City in the amount of 100% (performance), 100% (labor and material) and 50% (one-year warranty) bond.

1.15. The performance bond and the labor and material bonds shall be released upon satisfactory completion of improvements.

1.16. The warranty bond will be released when requested by the owner and upon completion of warranty inspection and necessary repairs.

1.17. The applicant shall provide a document verifying the cost of the *private improvements* to the satisfaction of the Community Development Department.

Landscaping Installation and Maintenance Costs

1.18. **Existing trees located at the perimeter of the subject site which are dead, dying, or in declining health shall be replaced with specimen trees of a variety resulting in a cohesive landscape design, as recommended by an arborist report prepared by a certified arborist and of minimally 24-inch box size, subject to review and approval by the Community Development Director.**

1.19. **Plans submitted for Building permit shall include placement of additional trees consistent with the Metro Center Design Guidelines of minimally 24-inch box size, along the southeast property line of the subject property, to provide screening of views from the hotel to the Cityhomes East townhomes complex residential units which are located adjacent to the southeast property line of the subject site. The number, variety, location, and spacing of such trees shall be subject to review and approval by the Community Development Director.**

1.20. The applicant shall provide suitable securities acceptable to the City, in the amount of 100% (performance), 100% (labor and material), and a 50% (maintenance) of all landscaping installation and maintenance costs guaranteeing the installation of landscaping and related site improvements and maintenance costs for the 12-month period following installation and acceptance.

1.21. The performance bond and the labor and material bonds shall be released upon satisfactory completion of improvements.

1.22. The warranty bond will be released when requested by the owner and upon completion of warranty inspection and necessary repairs.

1.23. The applicant shall provide a document verifying the cost of both *landscape installation and landscape maintenance* for 12 months (one copy to the Engineering Division and one copy to the Community Development Department).

1.24. **All applicable Mitigation Measures required in the "Metro Center Hotel Project" Environmental Impact Report and the Mitigation Monitoring and Reporting Program (MMRP) recommended by the Planning Commission for approval by the City approved by the City Council by Resolution shall at all times be in use and adhered to pursuant to Exhibit B attached hereto and incorporated herein. Once certified by the City Council, the "Metro Center Hotel Project" EIR and MMRP shall become binding on the project.**

1.25. **All private irrigation system(s) shall have a private electrical service, separate from the existing street light circuit providing electricity to the existing on-site irrigation system.**

1.26. **The site shall maintain minimally 88 parking spaces at all times, as approved by the Planning Commission based on the parking impact analysis report prepared by Hexagon Consultants, dated May 24, 2021. Any further reduction in the number of parking spaces shall be reviewed and approved by the Planning Commission.**

1.27. **Prior to issuance of a Building permit, a Parking Capacity Agreement, approved by the City Attorney, shall be recorded with the County Clerk/Recorder's office. This Use Permit shall be valid only in conjunction with the Parking Capacity Agreement.**

1.28. **Shared parking must be provided consistent with (all) shared parking agreement(s) in effect, as may be amended. A minimum of five (5) parking spaces shall be designated as shared spaces available for use by visitors to the Cityhomes East townhomes development, located adjacent to, and southeast of, the subject property.**

1.29. **Any changes to the location of the generator that will modify the approved elevations, shall be designed to the satisfaction of the Community Development Director.**

PRIOR TO ISSUANCE OF ANY PERMIT

1.30. **All discrepancies, errors, or omissions in the plans must be fully reconciled, corrected, and resolved in the plans submitted for Building Permit.**

1.31. **Plans submitted for Building permit shall include a left turn lane designed by the applicant, which shall be constructed on northbound Shell Boulevard, allowing vehicles to turn from northbound Shell Boulevard into the existing drive aisle adjacent to the southeast boundary of the site, providing ingress to, and egress from, the parking structure on the adjacent lot to the southwest of the subject property, to the satisfaction of the City. The left turn lane shall provide for queueing of not fewer than three (3) vehicles, unless otherwise agreed to by the City**.

1.32. Prior to the commencement of any work, the general contractor shall:

a) Along with the project applicant, attend a pre-construction meeting with the Community Development Director, Chief Building Official and other departments the Community Development Director invites to discuss the project conditions of approval, working hours, site maintenance and other construction matters; and

b) Acknowledge in writing that they have read and understand the project conditions of approval, particularly those pertaining to construction practices and site safety, and will make certain that all project sub-contractors have read and understand them prior to commencing work and that a copy of the project conditions of approval will be posted on site at all times during construction.

1.33. Prior to commencement of any site work or the introduction of any earth moving equipment or building materials onto the site, the applicant shall insure that a temporary 6 (six) foot tall chain-link fence (no portion of which contains barbed wire) with a dark green (or other color approved by the Community Development Director) vinyl or canvas interior liner placed on the exterior of the fence shall be placed around any yard or any portion of a yard which the Chief Building Official shall identify as requiring such. This fence shall be in place as approved until the Chief Building Official shall allow it to be removed or changed. The fence may only be expanded or contracted in size upon approval of the Chief Building Official. Failure to adhere to this condition of approval shall result in the permit being brought to the Planning Commission for its review and introduction of stricter site and building construction regulations. The gate to the fence shall be locked at all times that the fenced area is left unattended by either the owner or resident, the contractor or subcontractors. All construction materials and equipment, including temporary or portable equipment, such as generators, storage containers or facilities, shall be stored within the interior of the fenced area when construction activities are not occurring. If placed

anywhere on site, portable toilets shall be placed within the interior of the fenced area at all times.

1.34. (Mitigation Measure) Prior to commencement of any site work or placement of any construction trailers, the applicant shall submit a Site Logistics Plan showing proposed haul routes, placement of the construction trailers (if any) and areas for materials/equipment materials/equipment delivery, materials/equipment storage, waste collection and maintenance/fueling of vehicles/equipment. The Site Logistics Plan shall be subject to approval by the Community Development Director.

1.35. (Mitigation Measure) The Site Logistics Plan designated storage areas for material delivery, storage, and waste collection shall be as far away from catch basins, gutters, drainage courses, and water bodies as possible. All hazardous materials and wastes used or generated during project site development activities shall be labeled and stored in accordance with applicable local, state, and federal regulations. In addition, an accurate up-to-date inventory, including Material Safety Data Sheets, shall be maintained on-site to assist emergency response personnel in the event of a hazardous materials incident.

1.36. The Site Logistics Plan designated area for all maintenance and fueling of vehicles and equipment shall be bermed or over a drip pan that will not allow run-off of spills. Vehicles and equipment shall be regularly checked and have leaks repaired promptly at an off-site location. Secondary containment shall be used to catch leaks or spills any time that vehicle or equipment fluids are dispensed, changed, or poured.

1.37. The Site Logistics Plan shall locate equipment staging in areas that will create the greatest possible distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.

1.38. **Prior to the approval of a building permit final inspection for the first building permit issued, payment of the required Affordable Housing Commercial Linkage Fee must be made per Chapter 17.88 of the City's Municipal Code.**

1.39. **Payment of all required Transient Occupancy Tax must be made per Chapter 3.20 of the City's Municipal Code.**

1.40. **Payment of all required impact fees must be made as required by applicable provisions of the City's Municipal Code, as may be amended.**

1.41. **(Mitigation Measure) AIR-1: During project construction, the contractor shall use off-road diesel equipment with Tier 2 or higher engines equipped with Level III diesel particulate filters certified by the California Air Re-sources Board. Contract specifications shall include this requirement prior to the start of construction.**

PRIOR TO UNDERGROUND UTILITIES

1.42. The location and size of all building utility service connections, including water and gas & electric service, fire service and irrigation connections, shall be indicated on the drawings, to be reviewed and approved by the City. All changes to building utility connections shall be approved by the Community Development Department prior to construction. Building utility connections shall be located, sized and screened in such a manner that they have

the least possible impact on the design of the building and site. The architect or landscape architect of record shall be directly involved in the design and placement of all site and building service connections and shall sign their respective plans submitted to the City which locate, size and/or screen building utility connections.

1.43. During development of improvement plans, the location(s) of all above-ground utility equipment (Post Indicating Valves (P.I.V.), Backflow/Cross-Connection Devices, Fire Department Connections (FDC), fire hydrants and other such utilities shall be staked and the locations approved by staffs of the Planning/Code Enforcement Division, Building Inspection Division, Fire Department, and Public Works Department. Prior to final approval of the plans, the applicant shall arrange a joint field meeting with representatives from each of the Departments/Divisions listed above to confirm and verify locations for each above-ground utility component.

PRIOR TO ARCHITECTURAL AND STRUCTURAL SHELL

1.44. Elevations shall be included in the building permit plans indicating colors and materials, listing manufacturers' names and product identification, and shall be approved by the Community Development Director.

1.45. Prior to installation of exterior materials, finished and colors, a roughly 5' x 5' mock-up of colors and materials shall be constructed on-site for review and approval by the City. City staff shall ensure that the use of exterior reflective materials is minimized and that any proposed reflective materials minimize day and nighttime glare.

1.46. No rooftop equipment of any kind or exterior conduit shall be visible from the ground level on the site or from adjacent public rights-of-way or ground level on adjacent properties. At initial project construction and in the future, cross-sections and details of the proposed rooftop equipment, sight line studies demonstrating the visual impact of equipment, and related screening shall be submitted to the Community Development Director for approval.

1.47. All vents shall be shown on the exterior elevations. Where feasible, venting shall be directed to the roof and consolidated to minimize its visibility, subject to approval by the Community Development Director.

1.48. Prior to the issuance of a building permit, the applicant shall provide a letter to the City from the Manager, Customer Services, of the United States Postal Service/San Mateo Post Office, stating that the Postal Service has reviewed proposed plans and methods for providing postal service to the proposed building(s) or development and has approved them.

1.49. The applicant shall provide a letter describing the sustainable practices that are included in the project and referencing the sheets in the building permit drawings that demonstrate the inclusion of the sustainable practices for review and approval by the Community Development Director.

1.50. **All practicable measures must be taken to provide for efficiency of water use. A list of the project design features, fixtures, and methods which allow for conservation of water, including, but not limited to, efficient water usage and water reuse and/or recycling, must be provided to City staff for review. Modifications to the project may be required as deemed necessary to facilitate maximum efficiency of water use, as determined by the Community Development Director or authorized**

designee.

1.51. Details of any trash/recycling receptacles and enclosures shall be included, showing that the trash/recycling enclosures shall be covered, the drainage connected to the sanitary sewer and that it meets any other relevant stormwater control requirements (see https://www.flowstobay.org/newdevelopment).

1.52. Plans for trash enclosures and recycling facilities, including truck access to these facilities, shall be reviewed by the service provider and a letter provided from the service provider indicating that their comments, if any, have been satisfactorily resolved.

1.53. Trash and recyclables access and haulaway routes(s) shall be clearly shown in the plans submitted for Building permit. The placement and design of trash/recycling receptacles shall additionally be included in plans submitted for Building permit. The trash/recycling receptacles shall be of a consistent design throughout the site. Trash/recycling receptacles sufficient in number and distribution shall be provided, subject to review and approval by the Community Development Director. Prior to the issuance of any Building permit, a letter from Recology, indicating review and approval of all aspects of trash/recyclables design proposed, including access and haulaway routes, shall be required.

1.54. Prior to issuance of the architectural/structural shell permit, all emergency vehicle access and location of building numbers shall be identified to the satisfaction of the City.

1.55. Prior to issuance of the architectural/structure shell permit, an addressing plan shall be provided, including proposed addresses and size, location and illumination of address signage, subject to approval by City.

PRIOR TO LANDSCAPE AND FLATWORK

1.56. Documentation and plans showing compliance with Chapter 8.80 of the EMID Code, including, but not limited to, submittal of the Outdoor Water Use Efficiency Checklist, shall be submitted.

1.57. **(Mitigation Measure) An exterior lighting plan including fixture and standard design, coverage and intensity shall be submitted, to be reviewed and approved by the Community Development Department and the Police Department. In its review of the lighting plan, the City shall ensure that any outdoor night lighting proposed for the project is downward-facing, not overly bright at the property line and shielded so as to minimize nighttime glare and lessen impacts to neighboring properties and to the viewing decks/balconies and guest rooms of the hotel. The City shall also ensure that all development plans for the proposed project conform to the performance standards provided under Section 17.68.080 of the Foster City Municipal Code.**

1.58. Landscape plans shall include details of any fencing, walls and gates, to be reviewed and approved by the Community Development Director and the Chief Building Official.

1.59. A planting plan neatly and accurately drawn to scale, indicating types, quantities, locations and sizes of all plant material including existing major vegetation designated to remain and street trees, method of protecting planting areas from vehicular traffic, and planting areas to be irrigated on separate valves shall be submitted for Planning staff review and

approval.

1.60. The planting plans shall show that the applicant will install and maintain landscaping in the unpaved areas within the public right-of-way abutting the development to the satisfaction of the Planning/Code Enforcement Division.

1.61. The plans shall show that all trees planted closer than four (4) ft. from any public or private walkway, driveway or major structure shall be shielded with root barriers that are designed to the satisfaction of the City.

1.62. **The location of backflow prevention devices for the irrigation system shall be adequately screened with planting material incorporating minimum clearance required for access by authorized personnel. The method of screening shall be approved by Planning staff prior to issuance of a building permit. Backflow prevention devices shall be painted a black color, to the satisfaction of the Community Development Director.**

1.63. Landscape plans shall show that all planting areas shall be protected from common vehicular traffic by the provision of a 6-inch-high concrete curb. Rolled curbs are not acceptable.

1.64. Evidence that a licensed landscape architect registered with the State of California has prepared or reviewed and found acceptable the planting and irrigation plans, cost estimate, and documents describing the existing soil conditions, grading and soil preparation.

1.65. Planting plans shall include documentation describing the existing soil conditions, proposed grading, and soil preparation as they relate to providing a compatible growing medium for the selected plant material.

1.66. At initial planting, all trees shall be a minimum of 24-inch box size or larger. At least fifteen percent (15%) of the total number of trees approved as a part of the Landscape Plan shall be specimen trees to be planted along public rights-of-way or other locations as determined in the field by the Community Development Director. As and when trees are replaced, they will be replaced by trees of the same species which shall be a minimum of 24-inch box size or larger. Only specimen size trees shall replace specimen size trees.

1.67. (Mitigation Measure) The Developer shall submit a letter signed and stamped by the licensed landscape architect verifying that the plants that have been selected for the bioretention area/swale are drought tolerant, inundation tolerant, and require minimal maintenance consistent with the C.3/C.6 Checklist, as provided in Appendix A of the C.3 Regulated Projects Guide of the San Mateo Countywide Water Pollution Prevention Program.

1.68. **Plant materials used on the exterior of the buildings and site, both in the initial installation and any future modifications, shall be consistent with the approved landscape plans and the Metro Center Design Guidelines. Any future modifications shall require review and approval by the Community Development Director.**

1.69. Prior to issuance of a Building Permit, the applicant shall design a comprehensive pedestrian walkway system throughout the development to the satisfaction of the City and in compliance with the General Plan. The pedestrian walkway system shall be constructed according to plan.

GENERAL CONSTRUCTION PRACTICES

1.70. Construction activities shall be limited to the hours of 8 a.m. to 5 p.m. on weekdays unless deviations from this schedule are approved in advance by the City. Nonconstruction activities may take place between the hours of 7 a.m. and 8 a.m. on weekdays and 9 a.m. and 4 p.m. on Saturdays but must be limited to quiet activities and shall not include the use of engine-driven machinery. No actual construction activities may take place between 7 a.m. and 8 a.m., except when post-tension slab foundations are being poured, the concrete pumper may be set up but no concrete may be poured. Forklifts shall be allowed to operate onsite between the hours of 5 p.m. and 6:30 p.m. on weekdays. **Construction noise levels shall not exceed the interior noise level of 50 $dBAL_{eq}$ (hourly average) or the maximum noise level of 70 $dBAL_{max}$ within occupied noise sensitive land uses.** The Planning Commission reserves the right to rescind this condition and further restrict construction activities in the event that the public health, safety and welfare are not protected due to noise levels emanating from the construction project.

1.71. Any requested deviations from the allowed hours for construction activities shall be submitted to the Community Development Director a minimum of two (2) working days in advance for review and approval. Any approved deviations from the allowed hours shall be communicated to the Building Inspection Division and the Police Department.

1.72. All construction shall be completed in a professional manner and appearance.

1.73. All work shall conform to the applicable City/District codes. Good housekeeping practices shall be observed at all times during the course of construction. Superintendence of construction shall be diligently performed by a person or persons authorized to do so at all times during working hours. The storing of goods and/or materials on the sidewalk and/or the street will not be allowed unless a special permit is issued by the Engineering Division.

1.74. If paleontological resources are discovered during project activities, all work within 25 feet of the discovery shall be redirected and the Community Development Director immediately notified. A qualified paleontologist shall be contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. Paleontological resources include fossil plants and animals, and evidence of past life such as trace fossils and tracks. Ancient marine sediments may contain invertebrate fossils such as snails, clam and oyster shells, sponges, and protozoa; and vertebrate fossils such as fish, whale, and sea lion bones. Fossil vertebrate land animals may include bones of reptiles, birds, and mammals. Paleontological resources also include plant imprints, petrified wood, and animal tracks.

1.75. Upon completion of the assessment, the paleontologist shall prepare a report documenting the methods and results, and provide recommendations for the treatment of the paleontological resources discovered. This report shall be submitted to the project applicant, the Foster City Community Development Department, and the paleontological curation facility.

1.76. Adverse effects to paleontological resources shall be avoided by project activities. If avoidance is not feasible (as determined by the City, in conjunction with the qualified paleontologist), the paleontological resources shall be evaluated for their significance. If the resources are not significant, avoidance is not necessary. If the resources are significant, adverse effects on the resources shall be avoided, or such effects shall be

mitigated. Mitigation can include, but is not necessarily limited to: excavation of paleontological resources using standard paleontological field methods and procedures; laboratory and technical analyses of recovered materials; production of a report detailing the methods, findings, and significance of recovered fossils; curation of paleontological materials at an appropriate facility (e.g., the University of California Museum of Paleontology) for future research and/or display; an interpretive display of recovered fossils at a local school, museum, or library; and public lectures at local schools on the findings and significance of the site and recovered fossils. The City shall ensure that any mitigation involving excavation of the resource is implemented prior to project construction or actions that could adversely affect the resource.

1.77. If deposits of prehistoric or historic archaeological materials are encountered during project activities, all work within 25 feet of the discovery shall be redirected and the Community Development Director immediately notified. A qualified archaeologist shall be contacted to assess the find, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. Prehistoric materials can include flaked-stone tools (e.g., projectile points, knives, choppers) or obsidian, chert, basalt, or quartzite toolmaking debris; bone tools; culturally darkened soil (i.e., midden soil often containing heat-affected rock, ash and charcoal, shellfish remains, faunal bones, and cultural materials); and stone-milling equipment (e.g., mortars, pestles, handstones). Prehistoric archaeological sites often contain human remains. Historical materials can include wood, stone, concrete, or adobe footings, walls, and other structural remains; debris-filled wells or privies; and deposits of wood, glass, ceramics, metal and other refuse.

1.78. Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results of the analysis, and provide recommendations for the treatment of the archaeological deposits discovered. The report shall be submitted to the project applicant, the Foster City Community Development Department and the Northwest Information Center. Project personnel shall not collect or move any archaeological materials or human remains. Adverse effects to such deposits shall be avoided by project activities. If avoidance is not feasible (as determined by the City, in conjunction with the qualified archaeologist), the archaeological deposits shall be evaluated for their eligibility for listing in the California Register. If the deposits are not eligible, avoidance is not necessary. If the deposits are eligible, avoidance of project impacts on the deposit shall be the preferred mitigation. If adverse effects on the deposits cannot be avoided, such effects must be mitigated. Mitigation can include, but is not necessarily limited to: excavation of the deposit in accordance with a data recovery plan (see CEQA Guidelines Section 15126.4(b)(3)(C)) and standard archaeological field methods and procedures; laboratory and technical analyses of recovered archaeological materials; production of a report detailing the methods, findings, and significance of the archaeological site and associated materials; curation of archaeological materials at an appropriate facility for future research and/or display; preparation of a brochure for public distribution that discusses the significance of the archaeological deposit; an interpretive display of recovered archaeological material sat a local school, museum, or library; and public lectures at local schools and/or historical societies on the findings and significance of the site and recovered archaeological materials. The City shall ensure that any mitigation involving excavation of the deposit is implemented prior to the resumption of actions that could adversely affect the deposit.

1.79. If human remains are encountered, work within 25 feet of the discovery shall be directed and the County Coroner and the Community Development Director immediately notified.

At the same time, an archaeologist shall be contacted to assess the situation and consult with agencies as appropriate. The project applicant shall also be notified. Project personnel shall not collect or move any human remains and associated materials. If the human remains are of Native American origin, the Coroner shall notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The project sponsor shall comply with these recommendations. The report shall be submitted to the project applicant, the Foster City Community Development Department, the MLD, and the Northwest Information Center.

1.80. **(Mitigation Measure) NOISE-1: The project applicant shall comply with the following restrictions to reduce potential noise impacts. The contractor shall maintain the following distances from the project site boundary (i.e., noise-generating equipment shall not be operated within these "buffer areas") during different phases of construction: 5 feet for architectural coating; 13 feet for site preparation, building construction, and paving; 29 feet for grading. Should construction activities be required within these buffer areas, consistent with Municipal Code Section 17.68.030(F) – Exemptions, the project applicant shall obtain prior authorization from the director of planning and development services. The project applicant shall also comply with any special mitigation measures as determined by the Community Development Director (referred to as director of planning and development services in the ordinance), which could include but are not limited to the control measures in applicable SCOAs to reduce temporary construction noise impacts. The applicable SCOAs are SCOA 2.7, SCOA 1.72, SCOA 2.37, SCOA 2.38, and SCOA 2.10. Other special mitigation measures could include, but are not limited to the following:**

- ***Electrical Power. Electrical power, rather than diesel equipment, shall be used to run compressors and similar power tools and to power temporary structures, such as construction trailers or caretaker facilities.***
- ***Workers' Radios. All noise from workers' radios shall be controlled to a point that they are not audible at sensitive receptors near construction activity.***
- ***Smart Back-up Alarms. Mobile construction equipment shall have smart back-up alarms that automatically adjust the sound level of the alarm in response to ambient noise levels.***
- ***Sound Barrier. Construct or use temporary noise barriers, as needed, to shield noise from the noise-generating construction phases from adjacent residential units to the south of the project site to the extent feasible. To be most effective, the barriers shall block line of sight between noise-generating construction equipment and adjacent residential windows and shall be placed as close as possible to the noise source or the sensitive receptors. Examples of barriers include portable acoustically lined enclosure/housing for specific equipment (e.g., jackhammer and pneumatic-air tools, which generate the loudest noise), temporary noise barriers (e.g., solid plywood fences or portable panel systems, minimum 8 feet in height), and/or acoustical blankets, as feasible.***

- ***Noise Monitoring. Monitor the effectiveness of noise attenuation measures by taking noise measurements at the project site boundary during grading and foundation work (which are typically the noisiest phases of construction).***

1.81. **(Mitigation Measure) NOISE-2: The project applicant shall comply with the following restrictions to reduce potential vibration impacts to adjacent buildings. The contractor shall maintain the following distances from adjacent buildings during use of the stipulated equipment: 110 feet for an impact pile driver; 20 feet for any piece of nonimpact equipment (e.g., a vibratory roller, a large bulldozer, or a loaded truck. Should site conditions require the use of this construction equipment within that area, a structural engineer or other appropriate professional shall be retained to prepare a vibration impact assessment (assessment) for the adjacent buildings. The assessment shall be conducted in accordance with Federal Transit Administration (FTA) guidance and include project-specific information such as the composition of the buildings, location of the various types of equipment used during each phase of the project, and the soil characteristics in the project area. If the assessment finds that the project may cause damage to these buildings, the structural engineer or other appropriate professional shall recommend design means and methods of construction to avoid the potential damage, if feasible. The assessment and its recommendations shall be reviewed and approved by the City of Foster City prior to construction activities. If there are no feasible design means and methods to eliminate the potential for damage, the structural engineer or other appropriate professional shall undertake an existing conditions study (study) of any buildings that may experience damage. The study shall be included in the project noise control plan and establish the baseline condition of adjoining buildings including, but not limited to, the location and extent of any visible cracks or spalls on the buildings. The study shall include written descriptions and photographs of the buildings. Upon completion of the project, the building shall be resurveyed, and any new cracks or other changes in the building shall be compared to pre-construction conditions and a determination shall be made as to whether the proposed project caused the damage. If it is determined that project construction has resulted in damage to the building, the damage shall be repaired to the pre-existing condition by the project sponsor, provided that the property owner approves of the repair.**

PRIOR TO OCCUPANCY

1.82. Prior to any occupancy, the temporary construction fencing and all construction related equipment and materials shall be removed from the subject building prior to the final inspection and issuance of the Certificate of Occupancy.

1.83. **Prior to occupancy/use, the Community Development Department shall be provided a PDF file including a complete set of plans and graphic information for this project.**

1.84. Prior to occupancy, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City and so reported on the sign-off sheet in the Use Permit file. The project shall be built in substantial compliance with the approved plans on record in the City.

1.85. Prior to occupancy, for commercial buildings, the street number numerals shall be no less than 6 inches in height and shall be of a contrasting color to the background surface to which they are attached. Rear building entrance doors shall also be clearly marked with

building number identification so that they can be found quickly in emergencies. All building identification numbers shall be provided with a light source or internally illuminated during the hours of darkness. If internally illuminated signage is proposed, prior approval from the Community Development Department shall be obtained.

1.86. **Prior to occupancy, site identification signage shall be provided, including the source of illumination (which may include internal illumination for visibility during hours of darkness). If internally-illuminated signage is proposed, prior approval from the Community Development Department shall be obtained. Design of identification signage shall comply with relevant provisions of the Metro Center Design Guidelines approved by Planning Commission on July 7, 1988, as may be amended.**

1.87. Prior to final occupancy, additional plant materials may be required by the Community Development Director and shall be planted prior to final occupancy in order to screen utility connections, valves, backflow devices, and all above ground appurtenances, etc. to the satisfaction of the Community Development Director. This determination shall be made in the field after all screen utility connections, valves, backflow devices, and all above ground appurtenances, etc. have been installed and inspected

OPERATIONAL REQUIREMENTS

1.88. All improvements shall be maintained in a professional manner and appearance.

1.89. Upon occupancy of the project building(s) constructed as part of this Use Permit, the current and future owners shall be responsible for maintaining all common areas landscaping and landscaping in the adjoining public right-of-way in a healthy and vigorous condition. All landscape plant material and all hardscape and project amenities shall be maintained as originally approved by the City. Modification of plant material other than routine pruning or maintenance shall require approval of the City. The integrity of the original landscape plan shall at all times be kept intact.

1.90. At all times the requirements of the City's sign regulations including but not limited to those contained in Chapter 15.12 (Sign Control), and Chapter 8.05 (Regulation of Smoking) of the Foster City Municipal Code shall be followed. Signs announcing temporary sales or events and all other public convenience signs shall receive all required permits.

1.91. Truck arrival and unloading operations shall be conducted in accordance with all applicable City Ordinance requirements. If noise associated with truck arrival or unloading operations becomes a problem, all future site lessees, operators and/or owners shall work with the City to develop a plan to minimize noise, including requiring an adjustment of truck arrival and/or unloading times.

1.92. The applicant or any future owner shall provide and conduct regular maintenance of the site in order to eliminate and control the accumulation of trash, excess/waste materials and debris, including keeping all containers free of overflowing trash and materials. If the Community Development Director finds that the lack of a designated smoking area is resulting in an excess accumulation of trash, the Community Development Director may require the owner to establish a signed designated smoking area in compliance with Chapter 8.05 (Regulation of Smoking) of the Foster City Municipal Code.

1.93. **The current and future owners shall be responsible for implementing the Transportation Demand Management (TDM)/Transportation Systems Management (TSM) Program required by the City/County Association of Governments, dated June 4, 2021, on file with the Community Development Department and attached as Exhibit C. The current and future owners shall be responsible for implementing the TDM/TSM Plan, which must comply with provisions of Municipal Code Chapter 10.76, Transportation Systems Management, and Chapter 17.36, PD Planned Development Combining District, as may be amended. . The owner or its successor in interest shall file an annual report by January 31 of each year with the Foster City Community Development Department documenting efforts undertaken and results achieved in the previous year pursuant to the TDM program; such report shall include information regarding adequacy of the on-site parking capacity in satisfying the demand for parking generated by the hotel use. If, in the sole opinion of the Community Development Director, it is determined that the hotel use is out of compliance with the provisions of the TDM, subsequent action may be taken, up to, and including, referral to the Planning Commission for review.**

1.94. **A Transportation Systems Management Plan (TSM) shall be submitted by the applicant/owner. The current and future owners shall be responsible for implementing the Transportation Systems Management Plan, which must comply with provisions of Municipal Code Chapter 10.76, Transportation Systems Management, and Chapter 17.36, PD Planned Development Combining District, as may be amended.**

1.95. All davits, if applicable, shall be stowed behind the parapet or roof screen wall when not in use.

1.96. All roll-up doors shall be kept in good repair and painted as frequently as necessary in order to keep them clean and to maintain their approved color.

1.97. The store service area and parking lots shall at all times be kept free of storage materials, pallets, boxes and other materials. These areas of the store and site shall be policed as often as necessary in order to keep the rear and service area of the store and site neat and clean.

1.98. The applicant/property owners/tenants shall control accumulations of petroleum wastes and other pollutants in the streets and parking areas by frequent sweeping.

1.99. Tree canopies shall be maintained to provide a minimum clear area under the canopy of six (6) feet. Groundcover areas shall be maintained to provide a maximum height of two (2) feet. The property owner shall provide and conduct regular maintenance of the landscaping to preserve the required plant heights.

1.100. **The project shall comply with the provisions of the City's Smoking Ordinance at all times (Chapter 8.05 Regulation of Smoking) including, prohibition on smoking indoors and outdoors, except as may be permitted in designated areas as long as the area is marked with signage identifying the smoking area and the area is enclosed, separately ventilated, and not the only space available for a particular activity or service (e.g., mailroom, cafeteria/lunchroom, etc.). Smoking may also be permitted in outside areas, provided the area is not within fifty feet of entrances/doorways Notwithstanding the above, the property owner, proprietor, or manager may declare the entire property as nonsmoking and post 'no smoking' signs per the City's regulations, such that smoking is not permitted anywhere on the subject site.**

1.101. **The trash enclosure has been designed to facilitate trash/recyclables service that includes the truck operator's transporting of the trash/recyclables receptacles in and out of the trash room (enclosure). No staging of bins outside of the trash enclosure shall be allowed, unless some alternative method is approved by the Community Development Director.**

1.102. **No parking shall be allowed in the drive aisle adjacent to the southeasterly property line of the subject lot.**

1.103. **The property owner and/or property manager and the Metro Center common-interest-development association shall be responsible for enforcement of the parking restrictions on their property.**

2. BUILDING

GENERAL

2.1. Notwithstanding any depictions or statements in the project application or drawings, the project shall be subject to the California Building Standards (Title 24 of the California Code of Regulations) as adopted and amended by the City of Foster City and the San Mateo Consolidated Fire Department, in effect as of the date of application for building permit.

PRIOR TO ISSUANCE OF ANY PERMIT

2.2. Prior to issuance of any building permits, one (1) complete electronic set of construction plan drawings shall be submitted to the Building Inspection Division. All Use Permit conditions of approval shall be included on plan sheet(s) in the drawing set.

2.3. (Mitigation Measure) Two (2) sets of a site specific, design level, fault zone geotechnical report satisfactory to the Chief Building Official, including one electronic or pdf version, shall be submitted for review and approval to the Building Division and contain design

recommendations for grading, footings, retaining walls, and provisions for anticipated differential settlement for each construction site within the project area. Specifically:

- Each investigation shall include an analysis of expected ground motions at the site identified faults. The analysis shall be in accordance with applicable City ordinances and policies, and consistent with the most recent version of the California Building Code, which requires structural design that can accommodate ground accelerations expected from identified faults. The analysis presented in the geotechnical investigation report shall provide recommendations to minimize seismic damage to structures from total and differential settlements and to protect steel and concrete (and any other material that may be placed in the subsurface) from long-term deterioration caused by contact with corrosive on-site soils. All design measures, recommendations, design criteria, and specifications set forth in the final geotechnical investigation report shall be implemented.
- The investigations shall determine final design parameters for the walls, foundations, foundation slabs, surrounding related improvements, and infrastructure (utilities, roadways, parking lots and sidewalks). The investigations shall be reviewed and approved by a registered geotechnical engineer. All recommendations by the project engineer, geotechnical engineer, shall be included in the final design, as approved by the City of Foster City.
- The geotechnical report shall include a map prepared by a land surveyor or civil engineer that shows all field work and location of the “No Build” zone. The map shall include a statement that the locations and limitations of the geologic features are accurate representations of said features as they exist on the ground, were placed on this map by the surveyor, the civil engineer or under their supervision, and are accurate to the best of their knowledge.
- The geotechnical report for the project shall include evaluation of fixtures, furnishings, and fasteners with the intent of minimizing collateral injuries to building occupants from falling fixtures or furnishings during the course of a violent seismic event. Recommendations that are applicable to foundation design, earthwork, and site preparation that were prepared prior to or during the projects design phase, shall be incorporated in the project.
- Final seismic considerations for the site shall be submitted to and approved by the Building Division prior to commencement of the project.
- If deemed necessary by the Chief Building Official, a peer review may be required for the geotechnical report. Personnel reviewing the geologic report shall approve the report, reject it, or withhold approval pending the submission by the applicant or subdivider of further geologic and engineering studies to more adequately define active fault traces.
- A licensed geotechnical engineer or their representatives shall be retained to provide geotechnical observation and testing during all earthwork and foundation construction activities. The geotechnical engineer shall be allowed to evaluate any conditions differing from those encountered during the geotechnical investigation and shall provide supplemental recommendations, as necessary. At the end of construction, the geotechnical engineer shall provide a letter regarding contractor compliance with project plans and specifications and with the recommendations of the final geotechnical investigation report and any supplemental recommendations issued during construction. The letter shall be submitted for review to the Building Division.
- In locations underlain by Bay Mud and/or non-engineered fill, the designers of proposed building foundations and improvements (including sidewalks, roads, driveways, parking areas, and utilities) shall consider these conditions. The design-level geotechnical investigation shall include measures to ensure potential damage related to compressible materials or soils and non-uniformly compacted fill are minimized. Mitigation options may range from removal of the problematic soils, and replacement, as needed, with properly

conditioned and compacted fill to design and construction of improvements to withstand the forces exerted during the expected settlements. All mitigation measures, design criteria, and specifications set forth in the site-specific design-level geotechnical report, and the City of Foster City Building Department standards shall be followed to reduce impacts associated with problematic soils to a less-than-significant level.

- In locations underlain by expansive soils the designers and engineers of proposed building foundations and improvements (including piles, sidewalks, roads, driveways, parking areas, and utilities) shall consider the site's potential to be underlain by soils with high shrink-swell potential. A site-specific design-level geotechnical investigation, prepared by a licensed professional, shall include measures to ensure potential damage related to expansive soils and non-uniformly compacted fill and engineered fill are minimized. Mitigation options may range from removal of the problematic soils, and replacement, as needed, with properly conditioned and compacted fill to design and construction of improvements to withstand the forces exerted during the expected shrink-swell cycles and settlements. All design criteria and specifications set forth in the design-level geotechnical investigation shall be implemented to reduce impacts associated with problematic soils.
- The final geotechnical investigation report shall provide recommendations to minimize the potential damage to structures from total and differential settlement and to protect steel and concrete (and any other material that may be placed in the subsurface) from long-term deterioration caused by contact with corrosive on-site soils. All design measures, recommendations, design criteria, and specifications set forth in the final geotechnical investigation report shall be implemented.
- The final geotechnical investigation report shall provide recommendations to minimize the potential damage to utilities and flatwork due to settlement. Analysis and investigation shall include, but not be limited to, historic, and proposed grade changes, sensitivity to new loading, increased densities due to over-excavation and re-compaction, secondary compression, and induced settlement within the building area in the evaluation of the potential range of future settlements, and the need for special measures such as flexible utility connections, hanging underslab utilities, hinges slabs at building/flatwork transitions, etc.

2.4. The applicant shall provide a Waste Management Plan for all aspects of construction from start to finish with estimated quantities of debris expected to be generated by the project, how it will be recycled/disposed of, and an accompanying deposit in accordance with Chapter 15.44 of the Foster City Municipal Code and California Green Building Code. A separate Waste Management Plan will be required for projects that require Demolition (see Section 3.0).

2.5. (Mitigation Measure) Prior to issuance of a building permit, the Construction Best Management Practices (BMPs) from the San Mateo Countywide Stormwater Pollution Prevention Program shall be included as notes on the building permit drawings.

2.6. Prior to the commencement of any work, the general contractor shall:

a. Along with the project applicant, attend a pre-construction meeting with the Community Development Director, Chief Building Official and other departments the Community Development Director invites to discuss the project conditions of approval, working hours, site maintenance and other construction matters; and

b. Acknowledge in writing that they have read and understand the project conditions of approval, particularly those pertaining to construction practices and site safety,

and will make certain that all project sub-contractors have read and understand them prior to commencing work and that a copy of the project conditions of approval will be posted on site at all times during construction.

2.7. (Mitigation Measure) The construction contractor shall designate a "noise disturbance coordinator" who shall be responsible for responding to any local complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaints (e.g., beginning work too early, bad muffler) and institute reasonable measures warranted to correct the problem. A contact number for the disturbance coordinator shall be conspicuously posted at the construction site.

2.8. The construction contractor shall protect all downstream sanitary sewer lines from construction debris while performing sanitary sewer construction. Means to prevent construction debris must be used and shall be inspected by the construction inspector.

2.9. Prior to commencement of any site work or the introduction of any earth moving equipment or building materials onto the site, the applicant shall insure that a temporary 6 (six) foot tall chain-link fence (no portion of which contains barbed wire) with a dark green (or other color approved by the Community Development Director) vinyl or canvas interior liner placed on the exterior of the fence shall be placed around any yard or any portion of a yard which the Chief Building Official shall identify as requiring such. This fence shall be in place as approved until the Chief Building Official shall allow it to be removed or changed. The fence may only be expanded or contracted in size upon approval of the Chief Building Official. Failure to adhere to this condition of approval shall result in the permit being brought to the Planning Commission for its review and introduction of stricter site and building construction regulations. The gate to the fence shall be locked at all times that the fenced area is left unattended by either the owner or resident, the contractor or subcontractors. All construction materials and equipment, including temporary or portable equipment, such as generators, storage containers or facilities, shall be stored within the interior of the fenced area when construction activities are not occurring. If placed anywhere on site, portable toilets shall be placed within the interior of the fenced area at all times.

2.10. (Mitigation Measure) Prior to commencement of any site work or placement of any construction trailers, the applicant shall submit a Site Logistics Plan showing proposed haul routes, placement of the construction trailers (if any) and areas for materials/equipment materials/equipment delivery, materials/equipment storage, waste collection and maintenance/fueling of vehicles/equipment. The Site Logistics Plan shall be subject to approval by the Community Development Director.

- The Site Logistics Plan designated storage areas for material delivery, storage, and waste collection shall be as far away from catch basins, gutters, drainage courses, and water bodies as possible. All hazardous materials and wastes used or generated during project site development activities shall be labeled and stored in accordance with applicable local, state, and federal regulations. In addition, an accurate up-to-date inventory, including Material Safety Data Sheets, shall be maintained on-site to assist emergency response personnel in the event of a hazardous materials incident.

- The Site Logistics Plan designated area for all maintenance and fueling of vehicles and equipment shall be bermed or over a drip pan that will not allow run-off of spills. Vehicles and equipment shall be regularly checked and have leaks repaired promptly at an off-site

location. Secondary containment shall be used to catch leaks or spills any time that vehicle or equipment fluids are dispensed, changed, or poured.

- The Site Logistics Plan shall locate equipment staging in areas that will create the greatest possible distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.

2.11. (Mitigation Measure) The contractor shall prepare a Waste Disposal and Hazardous Materials Transportation Plan prior to construction activities where hazardous materials or materials requiring off-site disposal would be generated. The Plan shall include a description of analytical methods for characterizing wastes, handling methods required to minimize the potential for exposure, and shall establish procedures for the safe storage of contaminated materials, stockpiling of soils, and storage of dewatered groundwater. The required disposal method for contaminated materials (including any lead-based paint, asbestos, or other hazardous building materials requiring disposal, see SCOA 3.19, below), the approved disposal site, and specific routes used for transport of wastes to and from the project site shall be indicated. The Plan shall be prepared prior to demolition or development activities and submitted to the City.

2.12. Prior to excavation or earthworking activities, the applicant shall use reasonable means to determine the presence of soil and/or groundwater contamination associated with fill materials present on-site and potential for aerially-deposited lead in soil in proximity to SR 92. Those reasonable means may consist of soil and/or groundwater sampling, and/or conducting a Phase I ESA (for those areas for which a Phase I ESA has not been prepared) and, if necessary, a Phase II ESA in accordance with the most recent ASTM International Standard. A qualified environmental professional (e.g., Professional Geologist, Professional Engineer) shall complete these investigations. Where the results of the studies indicate that soil and/or groundwater contamination is present, required oversight from a regulatory agency shall be included (e.g., SMCEHD) and any necessary remediation shall be conducted. The findings of the investigation(s) shall be documented in a written report and shall be submitted to the City and, if required, to the regulatory oversight agency.

2.13. Hazardous materials and wastes generated during demolition activities, such as fluorescent light tubes, mercury switches, lead based paint, asbestos containing materials, and PCB wastes, and subsurface hazardous building materials generated during grading and trenching activities, such as asbestos-cement piping, shall be managed and disposed of in accordance with the applicable universal waste and hazardous waste regulations. Federal and state construction worker health and safety regulations shall apply to the removal of hazardous building materials and demolition activities, and any required worker health and safety procedures shall be incorporated into the contractor's specifications for the project. The disposition of hazardous building material wastes shall also be considered in the preparation of the Waste Management Plan required pursuant to the City's Ordinance 523. Documentation of the surveys and abatement activities shall be provided to the City prior to the demolition of structures located at the project site.

2.14. **Plans submitted for Building permit shall include a left turn lane designed by the applicant, which shall be constructed on northbound Shell Boulevard, allowing vehicles to turn from northbound Shell Boulevard into the existing drive aisle adjacent to the southeast boundary of the site, providing ingress to, and egress from, the parking structure on the adjacent lot to the southwest of the subject property, to the satisfaction of the City. The left turn lane shall provide for queueing of not fewer than three (3) vehicles, unless otherwise agreed to by the City**.

2.15. **Should the location of any generator proposed to be modified, provision of study/ies adequate to ensure consistency with all relevant requirements of Building and/or other relevant codes must be provided, including, but not limited to, an air re-entrainment study and/or other applicable study as determined necessary by the Chief Building Official.**

PRIOR TO GRADING AND DRAINAGE

2.16. Subsequent to issuance of a grading permit by the Building Inspection Division and prior to commencement of any work pertaining to on-site drainage facilities, grading, or paving, or any work in the City's right-of-way, the applicant shall notify the Engineering Division at least forty-eight (48) hours in advance to schedule an inspection.

PRIOR TO UNDERGROUND UTILITIES

2.17. Should the geotechnical report find that there will be potential differential settlement or if deemed necessary by the Chief Building Official, mitigation measures will be provided and may include flexible connections or alternative measures acceptable to the Chief Building Official for gas, electric, sewer, water and other utilities and hinged, reinforced slabs shall be provided at transitions from building to sidewalks, walkways and driveways. The final geotechnical investigation report shall provide recommendations to minimize the potential damage to structures from differential settlement

2.18. Prior to issuance of a building permit, the improvement plans shall show all proposed electric, cable TV, gas and communication lines within the development to the satisfaction of the Engineering and Building Divisions. All utilities shall be underground.

2.19. During development of improvement plans, the location(s) of all above-ground utility equipment (Post Indicating Valves (P.I.V.), Backflow/Cross-Connection Devices, Fire Department Connections (FDC), fire hydrants and other such utilities shall be staked and the locations approved by staffs of the Planning/Code Enforcement Division, Building Inspection Division, Fire Department, and Public Works Department. Prior to final approval of the plans, the applicant shall arrange a joint field meeting with representatives from each of the Departments/Divisions listed above to confirm and verify locations for each above-ground utility component.

Water Distribution System

2.20. (Mitigation Measure) To properly evaluate necessary improvements, a complete water system capacity study of the on-and-off site water system which services the proposed project shall be prepared by a registered civil engineer approved by the City/District Engineer, and retained by the project developer prior to approval of a building permit. The study shall include: a map showing the project location, utility drawings for the project area (pdf and CAD files), a project description (type of development, number of units, land use, acreage, etc.), and a system demand analysis (including average daily demand, maximum daily demand, peak hour demand, and fire flow requirements), specific to the proposed development. The study shall include a detailed water pipe hydraulic flow analysis to determine whether the existing water distribution system is properly sized to meet the projected new water demands on the project site. All needed construction improvements to upsize the existing water distribution system to meet the demands of the

new project shall be constructed to meet California Fire Code and Foster City Fire Department requirements, by the applicant at the applicant's sole cost.

2.21. Prior to the issuance of a building permit, the applicant shall submit a design for all required backflow prevention devices in accordance with the Department of Health Services requirements. A backflow device shall be installed at each connection point to the City/District water system for both domestic and fire lines. The size and type of the backflow prevention devices are subject to approval by the Engineering Division. In addition, the required double check valve assembly shall be located on the drawings and provisions included for screening adjacent to property line. All backflow prevention assembly devices shall meet the California Health and Safety Code (CA H&SC) and installed in accordance with the USC specifications.

2.22. Prior to the issuance of a building permit, the applicant shall submit a request for all required water meters, including payment for the meters. The applicant shall provide calculations supporting the size and type of the meters. The size and type of the meters are subject to approval by the Engineering Division. Water meters shall be located at the property line.

2.23. Private sub-meters shall be provided for each individual dwelling unit if individual meters are not provided. The required water sub-meters shall be installed prior to occupancy.

PRIOR TO ARCHITECTURAL AND STRUCTURAL SHELL

2.24. The Final Map, including a tract map for condo purposes, if any, shall be recorded. Demolition and grading permits may be issued prior to recordation of the Final Map.

2.25. Prior to the issuance of a building permit, should mailboxes be required by the Postal Service and allowed by the City, the applicant shall submit for staff review and approval a mailbox design and its specific placement prior to any installation, meeting the guidelines for mailbox placement and the City's Mailbox Ordinance

2.26. The plans shall demonstrate compliance with the Indoor Water Conservation requirements contained in EMID Code Chapter 8.7, including, but not limited to, submittal of the Indoor Water Use Efficiency Checklist. The Checklist shall be updated, if necessary, prior to issuance of the Tenant Improvement.

2.27. Prior to issuance of the architectural/structure shell permit, an addressing plan shall be provided, including proposed addresses and size, location and illumination of address signage, subject to approval by City.

2.28. An acoustical analysis, electronic or pdf version, shall be submitted, prepared by a licensed professional, specifying the manner in which interior noise levels will be reduced to the required Community Noise Equivalency Level (CNEL) per Title 24 of the California Administrative Code and Chapter 17.68 of the Foster City Municipal Code. The details of noise attenuation recommended in the report will be subject to the review and approval of the Chief Building Official.

2.29. Rooftop solar installations shall meet the California Fire Code and Electrical Codes for labels and clearance. Rooftop access will be required as per the California Building Code, California Fire Code and California Electric Code.

Prior to issuance of the building permit, plans for the fire sprinkler system and fire alarm system in accordance with the California Fire Code, Title 15 of the Foster City Municipal Code, and NFPA 13 and 72 shall be submitted and approved by the Chief Building Official and Fire Marshal. Installation shall be completed and approved prior to building occupancy.

- General:
  - All PIV, OS & Y valves and Zone valves, etc. must be tamper switched.
  - All Fire Department connections (FDCs) must be within 50 ft. or less of a water supply (fire hydrant). FDCs must have a minimum of two inlets. Each building shall have an independent fire sprinkler system and FDC.
  - The required double check valve assembly shall be located on the drawings and provisions included for screening.

- Fire Sprinklers:
  - If elevators are provided, fire sprinkler heads shall be included in all elevator pits if required by CBC.
  - A combination fire sprinkler and fire standpipe shall be provided for each building.
  - All new buildings/new construction except for Single Family houses (R3) shall install a National Fire Protection Association (NFPA) 13 Fire Sprinkler system. Single family homes shall have fire sprinkler systems complying with NFPA 13D.
  - A horn strobe shall be installed in the area of the FDC at a location approved by the Fire Marshal.

- Fire Pumps:
  - A fire pump if required to meet minimum fire flow requirements, shall be provided to meet the fire sprinkler and standpipe demand(s).
  - Electric fire pumps are only acceptable with generator backup.

- Fire Alarm System:
  - Fire alarm system(s) shall be zoned by address, floor, area and type of device.
  - The fire alarm system(s) for the building shall have a horn/strobe system in each residential unit and a speaker/strobe system in the common areas.

2.30. Roof access shall be provided from at least one stairway in each building.

PRIOR TO LANDSCAPE AND FLATWORK

2.31. (Mitigation Measure) Submit documentation and plans showing compliance with Chapter 8.8 of the EMID Code, including, but not limited to submittal of the Outdoor Water Use Efficiency Checklist.

2.32. Landscape plans shall include details of any fencing, walls and gates, to be reviewed and approved by the Community Development Director and the Chief Building Official.

2.33. The location of backflow prevention devices for the irrigation system shall be adequately screened with planting material. Method of screening shall be approved by Planning staff prior to issuance of a building permit.

2.34. Domestic backflow prevention devices shall be consistent with the most recent list of approved devices maintained by the County Department of Health.

2.35. Prior to issuance of a Building Permit, the applicant shall design a comprehensive pedestrian walkway system throughout the development to the satisfaction of the City and in compliance with the General Plan. The pedestrian walkway system shall be constructed according to plan.

GENERAL CONSTRUCTION PRACTICES

2.36. Construction activities shall be limited to the hours of 8 a.m. to 5 p.m. on weekdays unless deviations from this schedule are approved in advance by the City. Nonconstruction activities may take place between the hours of 7 a.m. and 8 a.m. on weekdays and 9 a.m. and 4 p.m. on Saturdays but must be limited to quiet activities and shall not include the use of engine-driven machinery. No actual construction activities may take place between 7 a.m. and 8 a.m., except when post-tension slab foundations are being poured, the concrete pumper may be set up but no concrete may be poured. Forklifts shall be allowed to operate onsite between the hours of 5 p.m. and 6:30 p.m. on weekdays. **Construction noise levels shall not exceed the interior noise level of 50 dBA$_{eq}$ (hourly average) or the maximum noise level of 70 dBA$_{max}$ within occupied noise sensitive land uses.** The Planning Commission reserves the right to rescind this condition and further restrict construction activities in the event that the public health, safety and welfare are not protected due to noise levels emanating from the construction project.

2.37. In order to minimize construction noise impacts, all engine-driven construction vehicles, equipment and pneumatic tools shall be required to use effective intake and exhaust mufflers; equipment shall be properly adjusted and maintained; all construction equipment shall be equipped with mufflers in accordance with OSHA standards.

2.38. (Mitigation Measure) The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site. The following controls shall be implemented at all construction sites within the project to control dust and/or mud production and fugitive dust.

- Water all active construction areas at least twice daily and more often during windy periods; active areas adjacent to existing sensitive land uses shall be kept damp at all times, or shall be treated with nontoxic stabilizers to control dust;
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard;
- Pave, apply water three times daily, or apply (nontoxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites;
- Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites; and
- Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
- Blowing dust shall be reduced by timing construction activities so that paving and building construction begin as soon as possible after completion of grading, and by landscaping disturbed soils as soon as possible.
- Water trucks shall be present and in use at the construction site.

- All portions of the site subject to blowing dust shall be watered as often as deemed necessary by the City in order to ensure proper control of blowing dust for the duration of the project.
- Watering on public streets shall not occur.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations (CCR). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
- Streets will be cleaned by street sweepers or by hand as often as deemed necessary by the City.
- Watering associated with on-site construction activity shall take place between the hours of 8 a.m. and 7 p.m. and shall include at least one late-afternoon watering to minimize the effects of blowing dust.
- All public streets and medians soiled or littered due to this construction activity shall be cleaned and swept on a daily basis during the workweek to the satisfaction of the City.

2.39. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to The General Contractor shall provide qualified supervision on the job site at all times during construction.

All work shall conform to the applicable City/District codes. Good housekeeping practices shall be observed at all times during the course of construction. Superintendence of construction shall be diligently performed by a person or persons authorized to do so at all times during working hours. The storing of goods and/or materials on the sidewalk and/or the street will not be allowed unless a special permit is issued by the Engineering Division.

2.40. (Mitigation Measure) If the presence of hazardous materials is found on site, site remediation may be required by the applicable state or local regulatory agencies. Specific remedies would depend on the extent and magnitude of contamination and requirements of the regulatory agency(ies). Under the direction of the regulatory agency(ies) and the City, a Site Remediation Plan shall be prepared, as required, by the applicant. The Plan shall: 1) specify measures to be taken to protect workers and the public from exposure to the potential hazards and, 2) certify that the proposed remediation would protect the public health in accordance with local, state, and federal requirements, considering the land use proposed. Excavation and earthworking activities associated with the proposed project shall not proceed until the Site Remediation Plan has been reviewed and approved by the regulatory oversight agency and is on file with the City.

2.41. (Mitigation Measure) Engineering fill brought on-site shall be demonstrated, by analytical testing, not to pose an unacceptable risk to human health or the environment. Threshold criteria for acceptance of engineered fill shall be selected based on screening levels and

protocols developed by regulatory agencies for protection of human health and leaching to groundwater (e.g., Water Board ESLs[1]). The engineered fill shall be characterized by representative sampling in accordance with U.S. EPA's SW-846 Test Methods, by a qualified environmental professional and demonstrated to meet the threshold criteria above. The results of the sampling and waste characterization shall be submitted by the contractor(s) to the City and SMCEHD prior to construction.

2.42. (Mitigation Measure) All excess fill shall be disposed of in accordance with City requirements. The construction contractor shall protect all downstream sanitary sewer lines from construction debris while performing sanitary sewer construction. Means to prevent construction debris must be used and shall be inspected by the construction inspector.

2.43. Within sixty (60) days following the completion of the demolition phase of a covered project, and again within sixty (60) days following the completion of the construction phase of a covered project, the contractor shall submit documentation to the Building Inspection Division that demonstrates compliance with Chapter 15.44 of the Foster City Municipal Code. Documentation includes submission of a completed Final Compliance Report with corresponding recycling, salvage, and disposal receipts/tickets from the facilities, to demonstrate where the debris was recycled, salvaged, or disposed.

OPERATIONAL REQUIREMENTS

2.44. Upon occupancy of the project building(s) constructed as part of this Use Permit, the current and future owners shall be responsible for maintaining the accessibility of all accessible paths, parking areas or any other accessible features.

2.45. Prior to occupancy, a documented program of inspection, testing, for continuous maintenance (ITM) activities of all fire protection and life safety systems, and risk management requirements for building water systems, shall be submitted and approved by the Chief Building Official and Fire Marshal. The documented program shall be in accordance with the California Fire Code, Title 15 of the Foster City Municipal Code, NFPA 13, 70B, 72, and ANSI/ASHRAE Standard 188.

3. PUBLIC WORKS/ENGINEERING

GENERAL

3.1. **Submit improvement plans for the construction of all public and private improvements in accordance with the latest City Standard Drawings and Specifications. Should the applicant propose the use of development and/or construction standards for any improvements and/or land uses which are different than those presently set forth in the City's Codes and Ordinances, Standard Specifications and Standard Plans, such standards must be presented to and approved by the City. The applicant shall cause Standard Specifications and Standard Drawings to be prepared in a format to be approved by the Engineering Division.**

3.2. Before commencing any work in the City's right-of-way (including trenching of complete streets), the applicant shall obtain an encroachment permit, posting the required bonds

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and insurance. The Engineering Division may require that trenchless methods be used for crossings and connections under streets.

3.3. **Prior to issuance of an Encroachment Permit, pedestrian and/or bicycle paths/sidewalks for public use shall be designed in accordance with the City Standard Details/Specifications and to the satisfaction of the Engineering Division. A combined pedestrian/bicycle walkway, approximately 13' in width, shall be included in the plans.**

3.4. **No portion of the building, including overhangs, shall encroach into, over, or upon public utility easements.**

3.5. **The existing driveway to the parking structure and parking areas shall be repaired, reconstructed, and improved to the satisfaction of the Engineering Division.**

3.6. Bonds: Prior to issuance of a building permit, all required bonds shall be submitted and all required fees shall be paid to the City/District as follows:

Public Improvements (Utilities & Streets) that are part of the Development

- Applicant shall provide suitable securities acceptable to the City in the amount of 100% (performance), 100% (labor and material) and a 50% (one-year warranty) bond.
- The performance bond and the labor and material bonds shall be released upon satisfactory completion of improvements.
- The warranty bond will be released when requested by the owner after one year and upon completion of warranty inspection and necessary repairs.
  1..1.
- Applicant shall provide a document verifying the cost of the *public improvements* to the satisfaction of the Engineering Division

3.7. Fees**:** Prior to or at the time of submittal of design drawings for review, an itemized estimate of the cost of construction of *all public and/or site improvements* must be submitted for review and approval.

The approved estimate will be used for determining the amount required to cover incurred costs for engineering review, plan checking, contract administration, inspection, and testing by the Public Works Department. The minimum deposit amount required is *6 percent of the estimated cost for the public and/or site improvements, or $20,000, as determined by the Engineering Division.*

The deposit must be renewed upon demand, to maintain a minimum balance of $4,000. All costs of plan checking, inspection, and contract administration by the Public Works Department will be charged against this deposit. At any time that the deposit is depleted below a balance of $2,000, plan checking/inspections will stop until the balance has been renewed to above $4,000. The unused balance of the deposit will be returned to the applicant upon completion of the work.

3.8. **Plans submitted for Building permit shall include a left turn lane designed by the applicant, which shall be constructed on northbound Shell Boulevard, allowing vehicles to turn from northbound Shell Boulevard into the existing drive aisle**

adjacent to the southeast boundary of the site, providing ingress to, and egress from, the parking structure on the adjacent lot to the southwest of the subject property, to the satisfaction of the City. The left turn lane shall provide for queueing of not fewer than three (3) vehicles, unless otherwise agreed to by the City.

PRIOR TO ISSUANCE OF ANY PERMIT

3.9. HYD-1: If the project would be constructed prior to substantial completion of the Foster City Levee Protection Improvements Project, the applicant shall submit plans and hydrological calculations to demonstrate that the new structures would not interfere with the flow of water or increase existing flooding conditions during a 100year (or greater) flood event. The plans and hydrological calculations shall be submitted for City review and approval prior to the issuance of a grading permit.

3.10. The applicant shall provide a Waste Management Plan for all aspects of construction from start to finish with estimated quantities of debris expected to be generated by the project, how it will be recycled/disposed of, and an accompanying deposit in accordance with Chapter 15.44 of the Foster City Municipal Code and California Green Building Code. A separate Waste Management Plan will be required for projects that require Demolition (see Section 3.0).

3.11. (Mitigation Measure) Prior to issuance of a building permit, the Construction Best Management Practices (BMPs) from the San Mateo Countywide Stormwater Pollution Prevention Program shall be included as notes on the building permit drawings.

- Prior to issuance of a building permit, any development involving one or more acres of total land area must obtain a General Permit from the State Water Resources Control Board. This permit requires the owner/developer to do the following:
- Submit a Notice of Intent (NOI) to the State Water Resources Control Board prior to commencement of construction activity;
- Copies of the NOI and the SWPPP must be submitted to the Engineering Division along with proof of compliance.

3.12. (Mitigation Measure) Prior to issuance of a building permit, the plans shall demonstrate compliance with the San Mateo Countywide Water Pollution Prevention Program, (see www.flowstobay.org including, but not limited to, submittal of checklists related to impervious surface and stormwater:

- C.3 and C.6 Checklist
- Project applicant checklist for NPDES Permit Requirements
- Stormwater Control Plan: Any improvements identified in the SWCP shall be constructed prior to first occupancy to the satisfaction of the Engineering Division.

3.13. (Mitigation Measure) The applicant shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) designed to reduce potential adverse impacts to surface water quality during the construction period. The SWPPP shall be prepared by a Qualified SWPPP Practitioner (QSP). The SWPPP shall include the minimum BMPs required for the identified Risk level. BMP implementation shall be consistent with the BMP requirements in the most recent version of the California Stormwater Quality Association Stormwater Best Management Handbook-Construction. The SWPPP shall be designed to address the following objectives:

- All pollutants and their sources, including sources of sediment associated with

construction activity are controlled;

- Where not otherwise required to be under a Regional Water Board permit, all non-stormwater discharges are identified and either eliminated, controlled, or treated;
- Site Best Management Practices (BMPs) are effective and result in the reduction or elimination of pollutants in stormwater discharges and authorized non-stormwater discharges from construction activity to the Best Available Technology and Best Conventional Technology (BAT/BCT) standard; and
- Stabilization BMPs installed to reduce or eliminate pollutants after construction are completed.
- Best Management Practices (BMPs) shall be designed to mitigate construction-related pollutants and at a minimum, include the following:
    - Practices to minimize the contact of construction materials, equipment, and maintenance supplies (e.g., fuels, lubricants, paints, solvents, adhesives) with stormwater. The SWPPP shall specify properly-designed centralized storage areas that keep these materials out of the rain.
    - Reduce erosion of exposed soil which may include, but are not limited to: soil stabilization controls, watering for dust control, perimeter silt fences, placement of hay bales, and sediment basins. The potential for erosion is generally increased if grading is performed during the rainy season because disturbed soil can be exposed to rainfall and storm runoff.
    - If grading must be conducted during the rainy season, the primary BMPs selected shall focus on erosion control (i.e., keeping sediment on the site). End-of-pipe sediment control measures (e.g., basins and traps) shall be used only as secondary measures. Ingress and egress from the construction site shall be carefully controlled to minimize off-site tracking of sediment. Vehicle and equipment wash-down facilities shall be designed to be accessible and functional during both dry and wet conditions.

- The SWPPP shall specify a monitoring program to be implemented by the construction site supervisor, and shall include both dry and wet weather inspections. In addition, in accordance with State Water Resources Control Board requirements, monitoring shall be required during the construction period for pollutants that may be present in the runoff that are “not visually detectable in runoff.”

- To educate on-site personnel and maintain awareness of the importance of stormwater quality protection, site supervisors shall conduct regular tailgate meetings to discuss pollution prevention. The frequency of the meetings and required personnel attendance list shall be specified in the SWPPP.

- A QSD shall be responsible for implementing BMPs at the site. The QSD shall also be responsible for performing all required monitoring, and BMP inspection, maintenance and repair activities. The developer shall retain an independent monitor to conduct weekly inspections and provide written monthly reports to the Engineering Division to ensure compliance with the SWPPP. Water Board personnel, who may make unannounced site inspections, are empowered to levy considerable fines if it is determined that the SWPPP has not been properly prepared and implemented.

The SWPPP shall be prepared to the satisfaction of the Engineering Division.

3.14. Prior to commencement of work, as required by California Government Code 4216, Underground Service Alert (USA) shall be contacted by the contractor to provide

information on the location of underground utilities in the public right of way prior to earth work activities at the site. In addition to contacting USA, the applicant and/or contractor shall also be responsible for verifying locations of all utilities on the project site. This shall be included as notes on the building permit drawings.

3.15. Prior to issuance of a building permit a pre-construction condition visual or video survey of the roadway shall be prepared for review and approval by the Engineering Division. The roadway survey shall determine the PCI (Pavement Condition Index) of the pavement/roadway adjacent to the project and along the approved construction haul routes shall be performed by an engineering firm approved by the Engineering Division. The survey shall be paid for by the project developer and shall establish a baseline PCI for the streets affected during construction. Prior video survey may be considered.

3.16. Prior to issuance of a building permit, a pre-construction visual survey of the condition of the existing curb, gutter, and sidewalk adjacent to the property shall be performed. The applicant shall prepare a pre-condition survey report with photos to be submitted to the Engineering Division for review. Report shall document pre-existing condition of curb and gutter, as well as sidewalk hazards/defects that are in need of repair.

3.17. Prior to issuance of a building permit, the applicant shall prepare a pre-construction CCTV survey report on the existing wastewater collection system gravity mains form the on-site system to the main in the street, to be submitted to the Engineering Division for review. Previous recent video surveys may be used.

3.18. Prior to issuance of a building permit, the existing storm drain pipe lines on the project site and downstream thereof to the nearest lagoon outlet shall be televised to determine their existing condition. Applicant shall submit a map illustrating the route to be televised for approval of the Engineering Division prior to the survey. The existing storm drain inlets shall be cleaned and protected as necessary during the project.

3.19. (Mitigation Measure) Prior to issuance of a building permit, the applicant shall arrange a joint field meeting with representatives of the Water Department to perform a visual survey of the condition of the existing water distribution system (including testing of valves and appurtenances) in the vicinity of the project site. The applicant shall prepare a pre-construction survey report to be submitted to the Engineering Division for review. Report shall document the condition of valves and other appurtenances tested and extent of water system mains surveyed.

3.20. (Mitigation Measure) The contractor shall prepare a Waste Disposal and Hazardous Materials Transportation Plan prior to construction activities where hazardous materials or materials requiring off-site disposal would be generated. The Plan shall include a description of analytical methods for characterizing wastes, handling methods required to minimize the potential for exposure, and shall establish procedures for the safe storage of contaminated materials, stockpiling of soils, and storage of dewatered groundwater. The required disposal method for contaminated materials (including any lead-based paint, asbestos, or other hazardous building materials requiring disposal, see SCOA 2.13, below), the approved disposal site, and specific routes used for transport of wastes to and from the project site shall be indicated. The Plan shall be prepared prior to demolition or development activities and submitted to the City.

PRIOR TO GRADING AND DRAINAGE

3.21. Subsequent to issuance of a grading permit by the Building Inspection Division and prior to commencement of any work pertaining to on-site drainage facilities, grading, or paving, or any work in the City's right-of-way, the applicant shall notify the Engineering Division at least forty-eight (48) hours in advance to schedule an inspection.

PRIOR TO UNDERGROUND UTILITIES

3.22. Plans and specifications for grease interceptors or similar runoff control equipment, to be reviewed and approved by the Engineering Division. The equipment shall be installed by property owners/tenants to the satisfaction of the Public Works Department (San Mateo Environmental Compliance Source Control Inspector).

3.23. Should the geotechnical report find that there will be potential differential settlement, or, if deemed necessary by the Chief Building Official, mitigation measures will be provided and may include flexible connections or alternative measures acceptable to the Chief Building Official for gas, electric, sewer, water and other utilities and hinged, reinforced slabs shall be provided at transitions from building to sidewalks, walkways and driveways. The final geotechnical investigation report shall provide recommendations to minimize the potential damage to structures from differential settlement.

3.24. Prior to issuance of a building permit, the improvement plans shall show all proposed electric, cable TV, gas and communication lines within the development to the satisfaction of the Engineering and Building Divisions. All utilities shall be underground.

3.25. During development of improvement plans, the location(s) of all above-ground utility equipment (Post Indicating Valves (P.I.V.), Backflow/Cross-Connection Devices, Fire Department Connections (FDC), fire hydrants and other such utilities shall be staked and the locations approved by staffs of the Planning/Code Enforcement Division, Building Inspection Division, Fire Department, and Public Works Department. Prior to final approval of the plans, the applicant shall arrange a joint field meeting with representatives from each of the Departments/Divisions listed above to confirm and verify locations for each above-ground utility component.

Wastewater System

3.26. (Mitigation Measure) The applicant shall have a registered civil engineer prepare a sewer flow projection study and a hydraulic capacity study, to be submitted to the Engineering Division for review. The study shall meet the approval of the Engineering Division and should:

- Verify that the existing sewer system is properly sized to meet the projected increase in wastewater generation on the project site.
- Study the on and off-site sewer system (including lift stations) which services the project (both upstream and downstream).
- Show the new connecting points to the existing sewers and model the estimated flows and peaking factors, as they relate to the changes in land use for the proposed project.

- No on-site or downstream overloading of existing sewer system will be permitted. Any necessary improvements identified by the study shall be constructed by the developer/applicant at applicant's sole cost.

3.27. Prior to issuance of a building permit, the improvement plans shall include the design of a wastewater collection system in accordance with the City's Standard Details/Specifications and to the satisfaction of the Engineering Division. Wastewater collection system items of construction should include at least the following:

- The locations and numbers of on-site pump stations with permanent standby power, telemetry system and controls. All shall be as approved by the Engineering Division.
- Modification to and addition of permanent standby power to which the proposed system is contributing sewage, if required.
- Sanitary sewer mains.
- Manholes with manhole frames and covers.
- Cleanouts. In commercial/industrial buildings the sewer inspection cleanouts shall be at accessible outside locations to allow for wastewater sampling.
- Wye branches and laterals.
- And together with appurtenances to any or all of the above.

3.28. The existing sewer system should be capped at the property line unless it is going to be reused. Lateral should not be abandoned in place.

Stormwater System

3.29. (Mitigation Measure) Prior to issuance of a building permit, the improvement plans shall include the design of stormwater improvements in accordance with the City's Standard Details/Specifications and to the satisfaction of the Engineering Division. Stormwater improvements items of construction should include at least the following:

- surface and subsurface storm drain facilities;
- manholes with manhole frames and covers;
- catch basins and laterals;
- construct all catch basins as silt detention basins;
- And together with appurtenances, to any or all of the above.

3.30. (Mitigation Measure) Prior to issuance of a building permit, a complete storm drainage study of the proposed development shall be prepared by a registered civil engineer and submitted as part of the improvement plans package. Drainage facilities shall be designed in accordance with accepted engineering principles and be approved by the Engineering Division. The hydrology/hydraulic analysis shall include the following:

- The amount of runoff, and existing and proposed drainage structure capacities.
- Verification that the existing storm drain system is adequately sized to handle the run-off from the project.
- Conformance with the City's Drainage Design Criteria/Standards available on the City's website: https://www.fostercity.org/publicworks/page/city-standard-design-criteria
- Calculations and plans showing hydraulic gradelines.
- Evidence that the system is capable of handling a 25-year storm with the hydraulic grade line at least one foot below every grate.

No overloading of the existing system will be permitted. All needed improvements shall be installed by the applicants at applicants' sole cost.

3.31. (Mitigation Measure) The applicant shall fully comply with the C.3 provisions of the Municipal Regional Stormwater NPDES Permit (MRP). Responsibilities include, but are not limited to, designing Best Management Practices (BMPs) into the project features and operation to reduce potential impacts to surface water quality associated with operation of the project. These features shall be included in the design-level drainage plan and final development drawings. Specifically, the final design shall include measures designed to mitigate potential water quality degradation of runoff from all portions of the completed development.

All Stormwater control measures outlined in the current San Mateo Countywide Water Pollution Prevention Program's C.3 Stormwater Technical Guidance manual shall be incorporated into the project design. Low Impact Development features, including rainwater harvesting and reuse, and passive, low-maintenance BMPs (e.g., grassy swales, porous pavements) are required under the MRP. Higher-maintenance BMP's may only be used if the development of at-grade treatment systems is not possible, or would not adequately treat runoff. Funding for long-term maintenance for all BMPs must be specified (as the City will not assume maintenance responsibilities for these features). The applicant shall establish a self-perpetuating drainage system maintenance program for the life of the project that includes annual inspections of any stormwater detention devices and drainage inlets. Any accumulation of sediment or other debris would need to be promptly removed. In addition, an annual report documenting the inspection and any remedial action conducted shall be submitted to the Public Works Development for review and approval.

The drainage plan shall be prepared to the satisfaction of the Engineering Division.

3.32. (Mitigation Measure) Prior to issuance of a building permit, should the City determine that the City's storm drain system or storm drain pumping capacity requires expansion or modification as a result of the applicants' development, the applicants shall pay for all necessary improvement costs. The timing and amount of payment shall be as determined by the City.

3.33. All storm drain lines and related storm drainage appurtenances located both within the property boundaries of the development site and associated offsite private easements shall be privately owned and maintained. All storm drain lines and related storm drainage appurtenances originating from the site and associated with the project, up to the point of the first manhole in the public right-of-way, shall be maintained by the applicant/property owner or successor(s). Prior to issuance of a building permit, the applicants shall submit to the City evidence of easements granted for private offsite storm drainage facilities located on adjacent private property. Said easements shall provide the applicants the right at any time, or from time to time, to construct, maintain, operate, replace, remove, and renew all offsite storm drainage facilities, and appurtenant structures in, upon, over and across such easements.

3.34. Prior to installation of any stormwater treatment improvements (i.e., bio-detention basins), the applicant shall notify the Engineering Division to coordinate the inspections required for the various elements of the stormwater treatment installation. Failure to obtain inspection and approval by City staff may require the applicant to remove any stormwater treatment components, which were not inspected by the City at the applicants cost. In

addition, the Engineering Division shall be notified at least forty-eight (48) hours in advance to schedule the necessary inspections.

Water Distribution System

3.35. To properly evaluate necessary improvements, a complete water system capacity study of the on-and-off site water system which services the proposed project shall be prepared by a registered civil engineer approved by the City/District Engineer, and retained by the project developer prior to approval of a building permit. The study shall include: a map showing the project location, utility drawings for the project area (pdf and CAD files), a project description (type of development, number of units, land use, acreage, etc.), and a system demand analysis (including average daily demand, maximum daily demand, peak hour demand, and fire flow requirements), specific to the proposed development. The study shall include a detailed water pipe hydraulic flow analysis to determine whether the existing water distribution system is properly sized to meet the projected new water demands on the project site. All needed construction improvements to upsize the existing water distribution system to meet the demands of the new project shall be constructed to meet California Fire Code and Foster City Fire Department requirements, by the applicant at the applicant's sole cost.

3.36. (Mitigation Measure) Prior to the issuance of a building permit, the improvement plans shall include the design of a domestic water system to the satisfaction of the Engineering Division. Water distribution system items of construction shall include at least the following:

- backflow prevention devices;
- water mains - minimum main size is 8 in. in any area. Fire flow determined for buildings/areas per "The Guide for Determining Required Fire Flow; Insurance Services Office; Municipal Survey Service;"
- valves;
- tees;
- fittings;
- hydrants;
- meters;
- services;
- and together with appurtenances to any or all of the above;
- all water mains serving fire hydrants, shall be a minimum of 8" in diameter

Water lines shall be designed for fire flows to meet California Fire Code and Fire Department requirements.

3.37. Prior to the issuance of a building permit, the applicant shall submit a design for all required backflow prevention devices in accordance with the Department of Health Services requirements. A backflow device shall be installed at each connection point to the City/District water system for both domestic and fire lines. The size and type of the backflow prevention devices are subject to approval by the Engineering Division. In addition, the required double check valve assembly shall be located on the drawings and provisions included for screening adjacent to property line. All backflow prevention assembly devices shall meet the California Health and Safety Code (CA H&SC) and installed in accordance with the USC specifications.

3.38. Prior to the issuance of a building permit, the applicant shall indicate on-site hydrants, blue reflective pavement markers and mains at locations approved by the Fire Department. Hydrants shall meet the following requirements:

- Fire hydrants shall be installed not more than 250 ft. apart -in some instances distances may be less and must meet San Mateo Consolidated Fire Department requirements.
- All new fire hydrants or replacement of existing hydrants shall conform with current City standards.
- Placement shall conform to current City standards

3.39. Prior to the issuance of a building permit, the applicant shall submit a request for all required water meters, including payment for the meters. The applicant shall provide calculations supporting the size and type of the meters. The size and type of the meters are subject to approval by the Engineering Division. Water meters shall be located at the property line.

3.40. All water lines and related water appurtenances located within the property boundaries of the development site shall be privately owned and maintained. Private water lines do not need to have Master Meter(s). Where appropriate, prior to issuance of a building permit, the applicants shall submit to the City evidence of easements that are shared with other privately owned and maintained for water facilities. Said easements shall provide the applicants the right at any time, or from time to time, to construct, maintain, operate, replace, remove, and renew all water facilities, and appurtenant structures in, upon, over and across such easements.

PRIOR TO ARCHITECTURAL AND STRUCTURAL SHELL

3.41. Details of any trash/recycling enclosures shall be included, showing that the trash/recycling enclosures shall be covered, the drainage connected to the sanitary sewer and that it meets any other relevant stormwater control requirements (see https://www.flowstobay.org/newdevelopment).

3.42. Plans for trash enclosures and recycling facilities, including truck access to these facilities, shall be reviewed by the service provider and a letter provided from the service provider indicating their comments, if any, have been satisfactorily resolved.

PRIOR TO LANDSCAPE AND FLATWORK

3.43. Submit documentation and plans showing compliance with Chapter 8.8 of the EMID Code, including, but not limited to submittal of the Outdoor Water Use Efficiency Checklist

3.44. Domestic backflow prevention devices shall be consistent with the most recent list of approved devices maintained by the County Department of Health.

3.45. The Developer shall submit a letter signed and stamped by the licensed landscape architect verifying that the plants that have been selected for the bioretention area/swale are drought tolerant, inundation tolerant, and require minimal maintenance consistent with the C.3/C.6 Checklist, as provided in Appendix A of the San Mateo County Wide Water Pollution Prevention Program's C.3 Stormwater Technical Guidance Handbook at www.flowstobay.org.

3.46. Prior to issuance of a Building Permit, the applicant shall design for general public use, bicycle trails throughout the development with provisions for bicycle storage facilities to

the satisfaction of the Engineering Division. Bike trails shall be constructed according to plan.

GENERAL CONSTRUCTION PRACTICES

3.47. All work shall conform to the applicable City/District codes. Good housekeeping practices shall be observed at all times during the course of construction. Superintendence of construction shall be diligently performed by a person or persons authorized to do so at all times during working hours. The storing of goods and/or materials on the sidewalk and/or the street will not be allowed unless a special permit is issued by the Engineering Division.

3.48. The developer's registered Engineer shall notify the Engineering Division, in writing, at least 72 hours in advance of all differences between the proposed work and the design indicated on the civil plans. Any proposed changes shall be subject to the approval of the City before altered work is started. Any approved changes shall be incorporated into the final as-built drawings.

3.49. The applicant shall require all contractors to obtain and submit to City any transportation permits required by Caltrans. Contractors are further required to obtain a transportation permit from City for hauling on local streets. All vehicles hauling materials to the project site that exceed 12,000 pounds gross weight shall follow established truck route streets to the closest point of the job site unless directed otherwise by the Engineering Division.

PRIOR TO OCCUPANCY

3.50. Prior to occupancy, the applicant shall arrange a joint field meeting with the Public Works Department to inspect all public facilities (i.e., curb, gutter, sidewalk, roadway, etc.) and any facilities determined to be damaged during construction, shall be marked by the Department and the development/owner shall restore at owners cost. All sidewalk that has settled or uplifted, shall be marked and repaired at owner's cost.

3.51. Prior to occupancy, following utility work in the street, all pavement shall be restored.

3.52. Prior to occupancy, a post construction survey of the pavement/roadway along the approved construction haul routes shall be performed by the same firm that performed the pre-construction condition survey. Based on the results of the survey, the City will determine a reimbursement amount from the applicant to cover the costs to restore the roadways affected, to the pre-construction condition.

3.53. Prior to occupancy, any development involving one or more acres of total land area must file a Notice of Termination to the State Water Resources Control Board at the completion of construction and submit a copy to the Public Works Department.

3.54. Prior to occupancy, the City shall be provided with Final AutoCAD (latest version) compatible files (DXF or DWG) and PDF for all computer-generated mapping, construction plans and graphic information related to site/civil drawings for this project.

3.55. Prior to occupancy the applicant shall prepare a post-construction CCTV survey report on the new on-site wastewater collection system and existing wastewater collection system and force mains, to be submitted to the Foster City Public Works Department for

review. Sewer lines filled with sediment or construction debris, or damaged, shall be cleaned out/repaired at applicant's cost.

3.56. (Mitigation Measure) Prior to occupancy the existing storm drain pipe lines on the project site and downstream to the nearest lagoon inlet shall be cleaned and sediment removed at the completion of the project. Applicant shall submit a map illustrating the route to be televised for approval of the Engineering Division prior to sediment removal. The storm drain pipe lines shall be televised after cleaning to verify that the sediment has been removed and to identify any damages to the storm drain pipe lines during construction. A post construction survey report shall be prepared identifying facilities to be repaired and confirming removal of sediment from storm lines. The applicant shall be responsible for constructing and financing any such repairs. Sediment left in mains shall be subject to re-cleaning at the applicant's sole cost.

3.57. (Mitigation Measure) All stormwater improvements shall be constructed to the satisfaction of the Engineering Division.

3.58. Prior to occupancy the applicant shall arrange a joint field meeting with representatives of the Water Department to perform a visual survey of the condition of the existing water distribution system (including testing of valves and appurtenances) in the vicinity of the project site. The applicant shall prepare a post-construction survey report to be submitted to the Foster City Public Works Department for review. Report shall document any necessary repairs required to the existing water supply infrastructure. The applicant shall be responsible for constructing and financing any such repairs.

3.59. (Mitigation Measure)Prior to final building inspection, the property owner shall submit a Maintenance Agreement for Stormwater Treatment Measures and Hydromodification Management Controls, including a Maintenance Plan pertinent to the type(s) of measures included in the project, pursuant to the San Mateo Countywide Water Pollution Prevention Program (www.flowstobay.org). Following review and approval by City staff, the property owner shall have the Maintenance Agreement recorded prior to building occupancy approval. The Maintenance Agreement shall be made a part of any CC&Rs recorded for the property and shall include the following statements:

- The property owner shall be responsible for conducting all servicing and maintenance as described and required by the approved Maintenance Plan(s). Maintenance of all site design and treatment control measures shall be the owner's responsibility.
- Site access shall be granted to representatives of the City, the San Mateo County Mosquito and Vector Control District, and the Water Board, at any time, for the sole purpose of performing operation and maintenance inspections of the installed stormwater treatment systems.

3.60. Prior to final occupancy, the C.3 and C.6 Project Closeout Form shall be completed by City staff and placed in the project file.

3.61. Prior to occupancy, the applicant must provide recorded easements for access by Police, Fire and Public Works vehicles responding to emergencies or maintaining, exercising, flushing or testing emergency equipment including fire hydrants, fire department connections, and any public utilities on the site. Plat and legal descriptions must be signed and stamped by a registered civil engineer and submitted to the Engineering Division for review. Easements must be to the satisfaction of the Engineering Division and the Fire Marshal. Upon staff approval, the item is considered by the City Council/Board of Directors. Recordation by the County follows approval by the Council/Board.

OPERATIONAL REQUIREMENTS

3.62. The property owners/tenants are prohibited from discharging any commercial fertilizers, pesticides or herbicides into the lagoon or water features.

3.63. The applicant/property owners/tenants shall control accumulations of petroleum wastes and other pollutants in the streets and parking areas by frequent sweeping.

4. **FIRE**

PRIOR TO ISSUANCE OF ANY PERMIT

4.1. (Mitigation Measure) Prior to commencement of any site work or placement of any construction trailers, the applicant shall submit a Site Logistics Plan showing proposed haul routes, placement of the construction trailers (if any) and areas for materials/equipment materials/equipment delivery, materials/equipment storage, waste collection and maintenance/fueling of vehicles/equipment. The Site Logistics Plan shall be subject to approval by the Community Development Director.

- The Site Logistics Plan designated storage areas for material delivery, storage, and waste collection shall be as far away from catch basins, gutters, drainage courses, and water bodies as possible. All hazardous materials and wastes used or generated during project site development activities shall be labeled and stored in accordance with applicable local, state, and federal regulations. In addition, an accurate up-to-date inventory, including Material Safety Data Sheets, shall be maintained on-site to assist emergency response personnel in the event of a hazardous materials incident.

- The Site Logistics Plan designated area for all maintenance and fueling of vehicles and equipment shall be bermed or over a drip pan that will not allow run-off of spills. Vehicles and equipment shall be regularly checked and have leaks repaired promptly at an off-site location. Secondary containment shall be used to catch leaks or spills any time that vehicle or equipment fluids are dispensed, changed, or poured.

4.2. (Mitigation Measure) The applicant shall prepare a project-specific Construction Risk Management Plan (CRMP) to protect construction workers, the general public, and the environment from subsurface hazardous materials previously identified and to address the possibility of encountering unknown contamination or hazards in the subsurface. The CRMP shall:

- Require the preparation of a project specific Health and Safety Plan that identifies hazardous materials present, describes required health and safety provisions and training for all workers potentially exposed to hazardous materials in accordance with state and federal worker safety regulations, and designates the personnel responsible for Health and Safety Plan implementation;
- Require the preparation of a Contingency Plan that shall be applied should previously unknown hazardous materials be encountered during construction activities. The Contingency Plan shall be developed by the contractor(s), with the approval of the City and/or appropriate regulatory agency, prior to demolition or issuance of the first building permit. The Contingency Plan shall include provisions that require collection of soil and/or groundwater samples in the newly discovered affected area by a qualified environmental professional prior to further work, as appropriate. The samples shall be submitted for

laboratory analysis by a state-certified laboratory under chain-of-custody procedures. The analytical methods shall be selected by the environmental professional. The analytical results of the sampling shall be reviewed by the qualified environmental professional and submitted to the appropriate regulatory agency, if appropriate. The environmental professional shall provide recommendations, as applicable, regarding soil/waste management, worker health and safety training, and regulatory agency notifications, in accordance with local, state, and federal requirements. Work shall not resume in the area(s) affected until these recommendations have been implemented under the oversight of the City of regulatory agency, as appropriate; and

- Designate personnel responsible for implementation of the CRMP. The CRMP shall be submitted to the Fire Department for review and approval prior to construction activities.
- (Mitigation Measure) Emergency Preparedness and Response Procedures shall be developed by the contractor(s) for emergency notification in the event of an accidental spill or other hazardous materials emergency during project site preparation and development activities. These Procedures shall include evacuation procedures, spill containment procedures, required personal protective equipment, as appropriate, in responding to the emergency. The contractor(s) shall submit these procedures to the City prior to demolition or development activities.

4.3. (Mitigation Measure) The contractor shall prepare a Waste Disposal and Hazardous Materials Transportation Plan prior to construction activities where hazardous materials or materials requiring off-site disposal would be generated. The Plan shall include a description of analytical methods for characterizing wastes, handling methods required to minimize the potential for exposure, and shall establish procedures for the safe storage of contaminated materials, stockpiling of soils, and storage of dewatered groundwater. The required disposal method for contaminated materials (including any lead-based paint, asbestos, or other hazardous building materials requiring disposal, see SCOA 2.13, above), the approved disposal site, and specific routes used for transport of wastes to and from the project site shall be indicated. The Plan shall be prepared prior to demolition or development activities and submitted to the City.

4.4. **Plans submitted for Building permit shall include a left turn lane designed by the applicant, which shall be constructed on northbound Shell Boulevard, allowing vehicles to turn from northbound Shell Boulevard into the existing drive aisle adjacent to the southeast boundary of the site, providing ingress to, and egress from, the parking structure on the adjacent lot to the southwest of the subject property, to the satisfaction of the City. The left turn lane shall provide for queueing of not fewer than three (3) vehicles, unless otherwise agreed to by the City**.

PRIOR TO GRADING AND DRAINAGE

4.5. Prior to issuance of a building permit, plans shall indicate that when completed, all new roadway surfaces or fire lanes shall be capable of providing continuous service for vehicles with a gross vehicle weight of at least 68,000 lbs. This shall be certified with a letter from a registered soils or geotechnical engineer.

PRIOR TO UNDERGROUND UTILITIES

4.6. During development of improvement plans, the location(s) of all above-ground utility equipment (Post Indicating Valves (P.I.V.), Backflow/Cross-Connection Devices, Fire Department Connections (FDC), fire hydrants and other such utilities shall be staked and the locations approved by staffs of the Planning/Code Enforcement Division, Building

Inspection Division, Fire Department, and Public Works Department. Prior to final approval of the plans, the applicant shall arrange a joint field meeting with representatives from each of the Departments/Divisions listed above to confirm and verify locations for each above-ground utility component.

Water Distribution System

4.7. To properly evaluate necessary improvements, a complete water system capacity study of the on-and-off site water system which services the proposed project shall be prepared by a registered civil engineer approved by the City/District Engineer, and retained by the project developer prior to approval of a building permit. The study shall include: a map showing the project location, utility drawings for the project area (pdf and CAD files), a project description (type of development, number of units, land use, acreage, etc.), and a system demand analysis (including average daily demand, maximum daily demand, peak hour demand, and fire flow requirements), specific to the proposed development. The study shall include a detailed water pipe hydraulic flow analysis to determine whether the existing water distribution system is properly sized to meet the projected new water demands on the project site. All needed construction improvements to upsize the existing water distribution system to meet the demands of the new project shall be constructed to meet California Fire Code and Foster City Fire Department requirements, by the applicant at the applicant's sole cost.

4.8. Water lines shall be designed for fire flows to meet California Fire Code and Fire Department requirements.

4.9. (Mitigation Measure) All on-site fire water service mains shall have two sources of supply connections to City/District water system, be looped, and meet the requirements of the State Department of Health Services and the City Fire Marshal. A Fire Water Service Plan shall be submitted separate from civil drawings.

4.10. Prior to the issuance of a building permit, the applicant shall submit a design for all required backflow prevention devices in accordance with the Department of Health Services requirements. A backflow device shall be installed at each connection point to the City/District water system for both domestic and fire lines. The size and type of the backflow prevention devices are subject to approval by the Engineering Division. In addition, the required double check valve assembly shall be located on the drawings and provisions included for screening adjacent to property line. All backflow prevention assembly devices shall meet the California Health and Safety Code (CA H&SC) and installed in accordance with the USC specifications.

4.11. (Mitigation Measure) Prior to the issuance of a building permit, fire mains shall be designed to NFPA 24 specifications. Fire mains shall be constructed according to those specifications.

4.12. Prior to the issuance of a building permit, the applicant shall indicate on-site hydrants, blue reflective pavement markers and mains at locations approved by the Fire Department. Hydrants shall meet the following requirements:

- Fire hydrants shall be installed not more than 250 ft. apart -in some instances distances may be less and must meet San Mateo Consolidated Fire Department requirements.
- All new fire hydrants or replacement of existing hydrants shall conform with current City standards.
- Placement shall conform to current City standards

PRIOR TO ARCHITECTURAL AND STRUCTURAL SHELL

4.13. Prior to issuance of the architectural/structural shell permit, all emergency vehicle access and location of building numbers shall be identified to the satisfaction of the City.

4.14. Elevators shall be sized to meet the gurney requirements as required by the California Building Code. The gurney-sized elevator shall be connected to a source of emergency power, subject to review by the Fire Marshal.

4.15. Voice evacuation shall be provided for all common areas (stairwells, corridors, entry/lobbies, elevator lobbies, etc.), pursuant to the California Fire Code and Title 19 of the California Code of Regulations applicable at the time of building permit submittal.

The new building shall have approved radio coverage for emergency responders within the building based on existing coverage levels based on the systems used by the jurisdiction. A test shall be conducted in accordance with Section 5.10 of the California of the Fire Code to determine whether such system is needed.

4.16. Prior to issuance of the architectural/structure shell permit, an addressing plan shall be provided, including proposed addresses and size, location and illumination of address signage, subject to approval by City.

4.17. Rooftop solar installations shall meet the California Fire Code and Electrical Codes for labels and clearance. Rooftop access will be required as per the California Building Code, California Fire Code and California Electric Code.

4.18. Prior to issuance of the building permit, plans for the fire sprinkler system and fire alarm system in accordance with the California Fire Code, and NFPA 13 and 72 shall be submitted and approved by the Chief Building Official and Fire Marshal. Installation shall be completed and approved prior to building occupancy.

- Fire Sprinklers:
  - A combination fire sprinkler and fire standpipe shall be provided for each building.
  - The new building/new construction shall install a National Fire Protection Association (NFPA) 13 Fire Sprinkler system.
  - A horn strobe shall be installed in the area of the FDC at a location approved by the Fire Marshal.

- Fire Pumps:
  - A fire pump, if required to meet minimum fire flow requirements, shall be provided to meet the fire sprinkler and standpipe demand(s).
  - Electric fire pumps are only acceptable with generator backup.

4.19. Roof access shall be provided from at least one (1) stairway in the building.

4.20. If commercial cooking is provided, automatic fire extinguishing system(s) shall be required for the protection of all hood, duct, plenum and cooking surfaces.

PRIOR TO OCCUPANCY

4.21. Floor plans shall be provided in PDF format to the Fire and Police Departments.

4.22. Prior to occupancy, the applicant must provide recorded easements for access by Police, Fire and Public Work vehicles responding to emergencies or maintaining, exercising, flushing or testing emergency equipment including fire hydrants, fire department connections, and any public utilities on the site. Plat and legal descriptions must be signed and stamped by a registered civil engineer and submitted to the Engineering Division for review. Easements must be to the satisfaction of the Engineering Division and the Fire Marshal. Upon staff approval, the item is considered by the City Council/Board of Directors. Recordation by the County follows approval by the Council/Board.

4.23. Prior to occupancy, for commercial buildings, the street number numerals shall be no less than 6 inches in height and shall be of a contrasting color to the background surface to which they are attached. Rear building entrance doors shall also be clearly marked with building number identification so that they can be found quickly in emergencies. All building identification numbers shall be provided with a light source or internally illuminated during the hours of darkness. If internally illuminated signage is proposed, prior approval from the Community Development Department shall be obtained.

4.24. All building identification numbers shall be provided with a light source or internally illuminated during the hours of darkness. If internally illuminated signage is proposed, prior approval from the Community Development Department shall be obtained.

4.25. Prior to any occupancy, all residential street addresses shall be internally or externally illuminated.

4.26. Prior to building occupancy, all hydrants serving the buildings to be occupied shall be identified by a blue dot placed in the street or driveway.

4.27. Prior to building occupancy, all building specific fire lanes shall be marked as fire lanes in accordance with Section 22500.1 CVC.

4.28. Prior to building occupancy, Fire Department key boxes with access keys shall be provided at the main entrances, at the garage and any other locations as directed by the Fire Department

4.29. Prior to building occupancy, the developer shall provide a letter from a registered soil or geotechnical engineer certifying that all new roadway surfaces or fire lanes are capable of providing continuous service for vehicles with a gross vehicle weight of at least 68,000 lbs.

OPERATIONAL REQUIREMENTS

4.30. The applicant, HOA, or any future owner shall provide and conduct regular maintenance of the site in order to preserve all fire lanes as readily visible and identifiable.

4.31. The vertical interior ceiling height of the hotel building's breezeway (passage through the building, providing vehicular access from Metro Center Boulevard), as measured from underlying grade, shall be minimally 13'-6".

POLICE

5.1. Prior to issuance of the architectural/structural shell permit, all emergency vehicle access and location of building numbers shall be identified to the satisfaction of the City.

5.2. Upon determination by required 3rd party testing by a City approved consultant, that the erection of structures within the development results in decreased performance of the City's existing public safety communications system, the building owner shall submit plans to rectify the deficiencies. Decreases in the public safety communications system performances shall be deemed to include a loss of radio contact or other radio interference resulting in a significant reduction in the performance of the public safety communications system.

5.3. Final development plans shall indicate that access to the buildings' roof area shall be granted to the City, if required, to install auxiliary transmitters and antennas.

5.4. Prior to issuance of the architectural/structure shell permit, an addressing plan shall be provided, including proposed addresses and size, location and illumination of address signage, subject to approval by City.

5.5. **Plans submitted for Building permit shall include a left turn lane designed by the applicant, which shall be constructed on northbound Shell Boulevard, allowing vehicles to turn from northbound Shell Boulevard into the existing drive aisle adjacent to the southeast boundary of the site, providing ingress to, and egress from, the parking structure on the adjacent lot to the southwest of the subject property, to the satisfaction of the City. The left turn lane shall provide for queueing of not fewer than three (3) vehicles, unless otherwise agreed to by the City**.

PRIOR TO LANDSCAPE AND FLATWORK

5.6. (Mitigation Measure) An exterior lighting plan including fixture and standard design, coverage and intensity shall be submitted, to be reviewed and approved by the Community Development Department and the Police Department. In its review of the lighting plan, the City shall ensure that any outdoor night lighting proposed for the project is downward-facing, not overly bright at the property line and shielded so as to minimize nighttime glare and lessen impacts to neighboring properties. The City shall also ensure that all development plans for the proposed project conform to the performance standards provided under Section 17.68.080 of the Foster City Municipal Code.

PRIOR TO OCCUPANCY

5.7. Floor plans shall be provided in PDF format to the Fire and Police Departments.

5.8. Prior to occupancy, the applicant must provide recorded easements for access by Police, Fire and Public Work vehicles responding to emergencies or maintaining, exercising, flushing or testing emergency equipment including fire hydrants, fire department connections, and any public utilities on the site. Plat and legal descriptions must be signed and stamped by a registered civil engineer and submitted to the Engineering Division for review. Easements must be to the satisfaction of the Engineering Division and the Fire Marshal. Upon staff approval, the item is considered by the City Council/Board of Directors. Recordation by the County follows approval by the Council/Board.

5.9. Prior to occupancy, for commercial buildings, the street number numerals shall be no less than 6 inches in height and shall be of a contrasting color to the background surface to which they are attached. Rear building entrance doors shall also be clearly marked with building number identification so that they can be found quickly in emergencies. All building identification numbers shall be provided with a light source or internally illuminated

during the hours of darkness. If internally illuminated signage is proposed, prior approval from the Community Development Department shall be obtained.

5.10. Prior to any occupancy, all commercial street addresses shall be internally or externally illuminated.

5.11. Prior to any occupancy, the Foster City Police Department shall submit a letter regarding the subject building to the Community Development Department verifying that the proposed project complies with all applicable requirements of Chapter 15.28, Burglar Security Ordinance, of the Foster City Municipal Code.

5.12. Prior to occupancy, in all commercial properties, apartment complexes or condominium complexes, the non-secure parking areas shall be equipped with a video surveillance system.

5.13. The property owner shall maintain all emergency contact information for the alarm system as well as operator for the video surveillance system and provide it to the Police Department.

5.14. Prior to occupancy, all required interior signage shall be written in Arabic numbers, or alphabetic letters, at a size no less than 1.5 inches x .25-inch strokes. Numbers/alphabetic letters shall be of a contrasting color to the background. All interior signage shall be on the door or in close proximity, as approved by the Police and Fire Departments.

5.15. Prior to occupancy, all “call box,” gates or remote entry doors shall be set up with a first responder access entry code provided by the Police Department. All commercial and multi-unit parking garages shall provide “Click 2 Enter” access to allow first responders’ entry to the garage.

5.16. Prior to occupancy, all commercial buildings shall be required to provide parking stalls designated and signed for visitor parking. This development shall designate a minimum of five (5) visitor parking stalls.

5.17. Prior to building occupancy, all building specific relevant loading zones, fire lanes and restricted parking zones shall be marked in accordance with the California Vehicle Code and the Foster City Municipal Code, except that all ADA accessible parking spaces shall be marked with all three of three required methods (vertical sign, blue striping/wheel stop and pavement emblem marking). All areas not designated as parking stalls shall be marked as a “FIRE LANE” per Section 22500.1 CVC.

OPERATIONAL REQUIREMENTS

5.18. The applicant or any future owner shall provide and conduct regular maintenance of the site in order to preserve all loading zones, fire lanes, and restricted parking zones as readily visible and identifiable.

5.19. The applicant/property owner shall provide and conduct regular maintenance of the Emergency Responder Radio Coverage System (ERRCS) that meets the Telecommunications Engineering Associates (TEA) standard. The applicant/property owner shall provide an annual certificate of inspection.

5.20. Tree canopies shall be maintained to provide a minimum clear area under the canopy of six (6) feet. Groundcover areas shall be maintained to provide a maximum height of two (2) feet. The property owner shall provide and conduct regular maintenance of the landscaping to preserve the required plant heights.

5.21. The property owner or future tenant shall provide the Foster City Police Department with the name and contact information for an emergency contact and any security companies that may be contracted to be at the premises.

5.22. The project shall comply with the provisions of the City's Smoking Ordinance at all times (Chapter 8.05 Regulation of Smoking) including but not limited to prohibition of smoking in all apartment units, condominiums and townhomes with shared common walls, floors or ceilings, their balconies or patios; in all indoor and outdoor common areas of apartment units, condominiums and townhomes including but not limited to lobbies, hallways, stairwells, elevators, escalators, lawns, gardens, balconies, patios, yards and driveways; identifying specifically designated areas (as long as the designated area is not located within thirty feet of an entrance/doorway) with appropriate sign postings to permit smoking unless the owner, proprietor or manager declares the entire property as nonsmoking; and posting 'no smoking' signs per the City's regulations.

EXHIBIT B

HOTEL IN METRO CENTER AREA, SOUTHWEST CORNER OF METRO CENTER BLVD. AND SHELL BLVD. MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
A. LAND USE				
Implementation of the project would not result in any significant land use impacts.				
B. AESTHETICS AND SHADE AND SHADOW				
SCOA 1.59: An exterior lighting plan including fixture and standard design, coverage and intensity, to be reviewed and approved by the Community Development Department and the Police Department. In its review of the lighting plan, the City shall ensure that any outdoor night lighting proposed for the project is downward-facing, and shielded so as to minimize nighttime glare and lessen impacts to neighboring properties. The City shall also ensure that all development plans for the proposed project conform to the performance standards provided under Section 17.68.080 of the Foster City Municipal Code.	Project Sponsor: ▪ Prepare and submit an exterior lighting plan including fixture and standard design, coverage, and intensity.	Prior to issuance of any building permit	Foster City Community Development Department and Police Department: ▪ Review exterior lighting plan for consistency with SCOA 1.59.	
C. TRAFFIC AND TRANSPORTATION				
Implementation of the project would not result in any significant traffic and transportation impacts.				
D. AIR QUALITY				
AIR-1: During project construction, the contractor shall use off-road diesel equipment with Tier 2 or higher engines equipped with Level III diesel particulate	Project Sponsor: ▪ Include the Mitigation Measure AIR-1 requirements in the contract	Prior to issuance of the first building permit.	City of Foster City Building Inspection Division: ▪ Make regular, periodic visits to the project site	

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
filters certified by the California Air Resources Board. Contract specifications shall include this requirement prior to the start of construction.	and performance standards for the project contractor. Project Contractor: ▪ Fully implement all exhaust control measures required by Mitigation Measure AIR-1.	Ongoing throughout demolition, grading, trenching, and construction period.	to ensure that all exhaust control mitigation measures required by Mitigation Measure AIR-1 are being implemented.	

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
SCOA 2.38: The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site. The following controls shall be implemented at all construction sites within the project to control dust production and fugitive dust. ▪ Water all active construction areas at least twice daily and more often during windy periods; active areas adjacent to existing sensitive land uses shall be kept damp at all times, or shall be treated with non-toxic stabilizers to control dust; ▪ Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard; ▪ 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; ▪ Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites; ▪ Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets; ▪ Blowing dust shall be reduced by timing construction activities so that paving and building construction begin as soon as possible after completion of grading, and by landscaping disturbed soils as soon as possible;	Project Sponsor: ▪ Include SCOA 2.38 requirements in the contract and performance standards for the project contractor. Project Contractor: ▪ Fully implement all air quality dust control measures as required by the BAAQMD and Foster City general construction practices.	Prior to execution of project contractor contract. Ongoing throughout demolition, grading, trenching, and construction period.	Foster City Building Inspection Division: ▪ Make regular visits to the project site to ensure that all dust-control and emissions mitigation measures are being implemented.	

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
▪ Water trucks shall be present and in use at the construction site; ▪ All portions of the site subject to blowing dust shall be watered as often as deemed necessary by the City in order to ensure proper control of blowing dust for the duration of the project; ▪ Watering on public streets shall not occur; ▪ All vehicle speeds on unpaved roads shall be limited to 15 mph; ▪ All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used; ▪ Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations (CCR). Clear signage shall be provided for construction workers at all access points; ▪ All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator; ▪ Streets will be cleaned by street sweepers or by hand as often as deemed necessary by the City;				

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
▪ Watering associated with on-site construction activity shall take place between the hours of 8 a.m. and 7 p.m. and shall include at least one late-afternoon watering to minimize the effects of blowing dust; and ▪ All public streets and medians soiled or littered due to this construction activity shall be cleaned and swept on a daily basis during the workweek to the satisfaction of the City.				
E. GREENHOUSE GAS EMISSIONS				
Implementation of the project would not result in any significant greenhouse gas emissions impacts.				
E. GEOLOGY AND SOILS				
SCOA 2.3: Two (2) sets of a site specific, design level, fault zone geotechnical report satisfactory to the Chief Building Official, including one electronic or pdf version, shall be submitted for review and approval to the Building Division and contain design recommendations for grading, footings, retaining walls, and provisions for anticipated differential settlement for each construction site within the project area. Specifically: ▪ Each investigation shall include an analysis of expected ground motions at the site identified faults. The analysis shall be in accordance with applicable City ordinances and policies, and consistent with the most recent version of the California Building Code, which requires structural design that can accommodate ground accelerations expected from identified faults. The analysis presented in the geotechnical	Project Sponsor: ▪ Submit geotechnical report to the Building Division as detailed in SCOA 2.3. ▪ Submit final seismic considerations to the Building Division for review and approval. ▪ Implement all design measures, recommendations, design criteria, and specifications set forth in the final geotechnical investigation report. Geotechnical Engineer: ▪ Review geotechnical report and provide recommendations. ▪ Provide geotechnical observation and testing. ▪ Provide supplemental recommendations as necessary. ▪ Prepare and submit final geotechnical investigation report	Prior to issuance of grading or building permits. Prior to commencement of the project. Prior to issuance of grading or building permits. During all earthwork and foundation construction activities	Foster City Building Division: ▪ Review geotechnical report for conformance with SCOA 2.3. ▪ Conduct site visits to verify that all measures identified in the geotechnical reports are implemented, and that geotechnical engineer is present during earthwork and foundation activities. ▪ Review and approve final seismic considerations and final geotechnical investigation report.	

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
investigation report shall provide recommendations to minimize seismic damage to structures from total and differential settlements and to protect steel and concrete (and any other material that may be placed in the subsurface) from long-term deterioration caused by contact with corrosive on-site soils. All design measures, recommendations, design criteria, and specifications set forth in the final geotechnical investigation report shall be implemented. ▪ The investigations shall determine final design parameters for the walls, foundations, foundation slabs, surrounding related improvements, and infrastructure (utilities, roadways, parking lots and sidewalks).The investigations shall be reviewed and approved by a registered geotechnical engineer. All recommendations by the project engineer, geotechnical engineer, shall be included in the final design, as approved by the City of Foster City. ▪ The geotechnical report shall include a map prepared by a land surveyor or civil engineer that shows all field work and location of the “No Build” zone. The map shall include a statement that the locations and limitations of the geologic features are accurate representations of said features as they exist on the ground, were placed on this map by the surveyor, the civil engineer or under their supervision, and are accurate to the best of their knowledge.	(including any supplemental recommendations) to the Building Division. ▪ Conduct geotechnical observation and testing during all earthwork and foundation construction activities ▪ Prepare and submit a letter regarding contractor compliance with project plans and specifications and the final geotechnical investigation report and any supplemental recommendations issued during construction to the Building Division	Prior to final building inspection.		

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
▪ Final seismic considerations for the site shall be submitted to and approved by the Building Division prior to commencement of the project. ▪ If deemed necessary by the Chief Building Official, a peer review may be required for the geotechnical report. Personnel reviewing the geologic report shall approve the report, reject it, or withhold approval pending the submission by the applicant or subdivider of further geologic and engineering studies to more adequately define active fault traces. ▪ A licensed geotechnical engineer or their representatives shall be retained to provide geotechnical observation and testing during all earthwork and foundation construction activities. The geotechnical engineer shall be allowed to evaluate any conditions differing from those encountered during the geotechnical investigation and shall provide supplemental recommendations, as necessary. At the end of construction, the geotechnical engineer shall provide a letter regarding contractor compliance with project plans and specifications and with the recommendations of the final geotechnical investigation report and any supplemental recommendations issued during construction. The letter shall be submitted for review to the Building Division. ▪ In locations underlain by Bay Mud and/or non-engineered fill, the designers of proposed building				

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
foundations and improvements (including sidewalks, roads, driveways, parking areas, and utilities) shall consider these conditions. The design-level geotechnical investigation shall include measures to ensure potential damage related to compressible materials or soils and non-uniformly compacted fill are minimized. Mitigation options may range from removal of the problematic soils, and replacement, as needed, with properly conditioned and compacted fill to design and construction of improvements to withstand the forces exerted during the expected settlements. All mitigation measures, design criteria, and specifications set forth in the site-specific design-level geotechnical report, and the City of Foster City Building Department standards shall be followed to reduce impacts associated with problematic soils to a less-than-significant level. ▪ In locations underlain by expansive soils the designers and engineers of proposed building foundations and improvements (including piles, sidewalks, roads, driveways, parking areas, and utilities) shall consider the site's potential to be underlain by soils with high shrink-swell potential. A site-specific design-level geotechnical investigation, prepared by a licensed professional, shall include measures to ensure potential damage related to expansive soils and non-uniformly compacted fill and engineered fill are minimized. Mitigation options may				

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
range from removal of the problematic soils, and replacement, as needed, with properly conditioned and compacted fill to design and construction of improvements to withstand the forces exerted during the expected shrink-swell cycles and settlements. All design criteria and specifications set forth in the design-level geotechnical investigation shall be implemented to reduce impacts associated with problematic soils. ▪ The final geotechnical investigation report shall provide recommendations to minimize the potential damage to structures from total and differential settlement and to protect steel and concrete (and any other material that may be placed in the subsurface) from long-term deterioration caused by contact with corrosive on-site soils. All design measures, recommendations, design criteria, and specifications set forth in the final geotechnical investigation report shall be implemented. ▪ The final geotechnical investigation report shall provide recommendations to minimize the potential damage to utilities and flatwork due to settlement. Analysis and investigation shall include, but not be limited to, historic, and proposed grade changes, sensitivity to new loading, increased densities due to over-excavation and re-compaction, secondary compression, and induced settlement within the building area in the evaluation of the potential range of future settlements, and the need for				

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
special measures such as flexible utility connections, hanging underslab utilities, hinges slabs at building/flatwork transitions, etc.				
G. HAZARDS AND HAZARDOUS MATERIALS				
SCOA 2.10: Prior to commencement of any site work or placement of any construction trailers, the applicant shall submit a Site Logistics Plan showing proposed haul routes, placement of the construction trailers (if any) and areas for materials/equipment materials/equipment delivery, materials/equipment storage, waste collection and maintenance/fueling of vehicles/equipment. The Site Logistics Plan shall be subject to approval by the Community Development Director. ▪ The Site Logistics Plan designated storage areas for material delivery, storage, and waste collection shall be as far away from catch basins, gutters, drainage courses, and water bodies as possible. All hazardous materials and wastes used or generated during project site development activities shall be labeled and stored in accordance with applicable local, state, and federal regulations. In addition, an accurate up-to-date inventory, including Material Safety Data Sheets, shall be maintained on-site to assist emergency response personnel in the event of a hazardous materials incident. ▪ The Site Logistics Plan designated area for all maintenance and fueling of vehicles and equipment shall be bermed or over a drip pan that will not	Project Sponsor: ▪ Include SCOA 2.10 requirements in the contract and performance standards for the project contractor. Project Contractor: ▪ Submit Site Logistics Plan identifying the location of designated storage areas in compliance with SCOA 2.10. ▪ Designate storage areas suitable for material delivery, storage, and waste collection. ▪ Label and store hazardous materials and wastes in accordance with local, state, and federal regulations. ▪ Maintain an up-to-date inventory on-site, including Material Safety Data Sheets. ▪ Ensure maintenance and fueling of vehicles and equipment are performed as detailed in SCOA 2.10.	Prior to issuance of the first building permit. Ongoing throughout construction.	Project Contractor, City of Foster City Building Inspection Division, and Public Works Department: ▪ Review and approve the location of designated storage areas. ▪ Monitor construction activity to ensure compliance with SCOA 2.10.	

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
allow run-off of spills. Vehicles and equipment shall be regularly checked and have leaks repaired promptly at an off-site location. Secondary containment shall be used to catch leaks or spills any time that vehicle or equipment fluids are dispensed, changed, or poured. The Site Logistics Plan shall locate equipment staging in areas that will create the greatest possible distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.				
SCOA 2.13: Hazardous materials and wastes generated during demolition activities, such as fluorescent light tubes, mercury switches, lead based paint, asbestos containing materials, and PCB wastes, and subsurface hazardous building materials generated during grading and trenching activities, such as asbestos-cement piping, shall be managed and disposed of in accordance with the applicable universal waste and hazardous waste regulations. Federal and state construction worker health and safety regulations shall apply to the removal of hazardous building materials and demolition activities, and any required worker health and safety procedures shall be incorporated into the contractor's specifications for the project. The disposition of hazardous building material wastes shall also be considered in the preparation of the Waste Management Plan required pursuant to the City's Ordinance 523. Documentation of the surveys and	Project Sponsor: ▪ Include SCOA 2.13 requirements in the contract and performance standards for the project contractor. Project Contractor: ▪ Manage and dispose of hazardous materials and waste in accordance with applicable universal waste and hazardous waste regulations. ▪ Incorporate worker health and safety procedures into specifications for the project. ▪ Prepare a Waste Disposal and Hazardous Materials Transportation Plan that adheres to the requirements of Mitigation Measure SCOA 2.13. ▪ Provide documentation of surveys and abatement activities to the Fire Department.	Prior to issuance of site-specific demolition, grading, or building permits.	Foster City Fire Department: ▪ Review and approve surveys and abatement activities as detailed in SCOA 2.13.	

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
abatement activities shall be provided to the City prior to the demolition of structures located at the project site.				
SCOA 2.40: If the presence of hazardous materials is found on site, site remediation may be required by the applicable state or local regulatory agencies. Specific remedies would depend on the extent and magnitude of contamination and requirements of the regulatory agency(ies). Under the direction of the regulatory agency(ies) and the City, a Site Remediation Plan shall be prepared, as required, by the applicant. The Plan shall: 1) specify measures to be taken to protect workers and the public from exposure to the potential hazards and, 2) certify that the proposed remediation would protect the public health in accordance with local, state, and federal requirements, considering the land use proposed. Excavation and earthworking activities associated with the proposed project shall not proceed until the Site Remediation Plan has been reviewed and approved by the regulatory oversight agency and is on file with the City.	Project Sponsor: ▪ Prepare and submit a Site Remediation Plan in compliance with SCOA 2.40 if the presence of hazardous materials is found on site and it is determined that a Site Remediation Plan is necessary.	Upon discovery of hazardous materials on site.	Foster City Fire Department and appropriate regulatory oversight agency(ies): ▪ Ensure Remediation Plan is submitted and approved prior to allowing affected work on site to resume.	
SCOA 2.41: Engineering fill brought on-site shall be demonstrated, by analytical testing, not to pose an unacceptable risk to human health or the environment. Threshold criteria for acceptance of engineered fill shall be selected based on screening levels and protocols developed by regulatory agencies for protection of human health and leaching to groundwater (e.g., Water Board ESLs). The engineered fill shall be characterized by representative sampling in accordance	Project Sponsor: ▪ Include SCOA 2.41 requirements in the contract and performance standards for the project contractor. Project Contractor: ▪ Test engineering fill, consistent with SCOA 2.41. ▪ Submit results of sampling and waste characterization for	Prior to transporting engineered fill onto the project site.	City of Foster City Building Inspection Division and San Mateo County Environmental Health Department: ▪ Review and approve the results of the fill sampling and waste characterization analysis.	

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
with U.S. EPA's SW-846 Test Methods, by a qualified environmental professional and demonstrated to meet the threshold criteria above. The results of the sampling and waste characterization shall be submitted by the contractor(s) to the City and SMCEHD prior to construction.	engineered fill to the City and SMCEHD.			
SCOA 3.20: The contractor shall prepare a Waste Disposal and Hazardous Materials Transportation Plan prior to construction activities where hazardous materials or materials requiring off-site disposal would be generated. The Plan shall include a description of analytical methods for characterizing wastes, handling methods required to minimize the potential for exposure, and shall establish procedures for the safe storage of contaminated materials, stockpiling of soils, and storage of dewatered groundwater. The required disposal method for contaminated materials (including any lead-based paint, asbestos, or other hazardous building materials requiring disposal, see SCOA 3.20, below), the approved disposal site, and specific routes used for transport of wastes to and from the project site shall be indicated. The Plan shall be prepared prior to demolition or development activities and submitted to the City.	Project Sponsor: ▪ Include SCOA 3.20 requirements in the contract and performance standards for the project contractor. Project Contractor: ▪ Prepare a Waste Disposal and Hazardous Materials Transportation Plan.	Prior to issuance of any demolition or building permit.	Foster City Fire Department and Public Works Department: ▪ Review and approve of the Waste Disposal and Hazardous Materials Transportation Plan for compliance with the requirements of SCOA 3.20.	
SCOA 4.2: The applicant shall prepare a project-specific Construction Risk Management Plan (CRMP) to protect construction workers, the general public, and the environment from subsurface hazardous materials previously identified and to address the possibility of	Project Sponsor: ▪ Prepare a project-specific Construction Risk Management Plan (CRMP) in compliance with SCOA 4.2 and submit to the Foster City Fire Department.	Prior to the issuance of the first demolition and/building permit for construction activities.	Foster City Fire Department: ▪ Review and approve of CRMP for compliance with the requirements of SCOA 4.2.	

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
encountering unknown contamination or hazards in the subsurface. The CRMP shall: ▪ ▪ Require the preparation of a project specific Health and Safety Plan that identifies hazardous materials present, describes required health and safety provisions and training for all workers potentially exposed to hazardous materials in accordance with state and federal worker safety regulations, and designates the personnel responsible for Health and Safety Plan implementation; ▪ Require the preparation of a Contingency Plan that shall be applied should previously unknown hazardous materials be encountered during construction activities. The Contingency Plan shall be developed by the contractor(s), with the approval of the City and/or appropriate regulatory agency, prior to demolition or issuance of the first building permit. The Contingency Plan shall include provisions that require collection of soil and/or groundwater samples in the newly discovered affected area by a qualified environmental professional prior to further work, as appropriate. The samples shall be submitted for laboratory analysis by a state-certified laboratory under chain-of-custody procedures. The analytical methods shall be selected by the environmental professional. The analytical results of the sampling shall be reviewed by the	▪ Include Emergency Preparedness and Response Procedures in the contract and performance standards for the project contractor. ▪ Designate personnel responsible for implementation of the CRMP. Project Contractor: ▪ Prepare and implement an Emergency Preparedness and Response Procedures Plan in compliance with SCOA 4.2 for review and approval.	Ongoing throughout construction. Prior to the issuance of any demolition and/building permit for construction activities.	▪ Review emergency procedures plan and verify that emergency hazardous materials release response measures are appropriate and implementable. Project Sponsor and Foster City Fire Department: ▪ Monitor construction activity to ensure compliance with CRMP.	

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
qualified environmental professional and submitted to the appropriate regulatory agency, if appropriate. The environmental professional shall provide recommendations, as applicable, regarding soil/waste management, worker health and safety training, and regulatory agency notifications, in accordance with local, state, and federal requirements. Work shall not resume in the area(s) affected until these recommendations have been implemented under the oversight of the City of regulatory agency, as appropriate; and ▪ Designate personnel responsible for implementation of the CRMP. The CRMP shall be submitted to the Fire Department for review and approval prior to construction activities. ▪ Emergency Preparedness and Response Procedures shall be developed by the contractor(s) for emergency notification in the event of an accidental spill or other hazardous materials emergency during project site preparation and development activities. These Procedures shall include evacuation procedures, spill containment procedures, required personal protective equipment, as appropriate, in responding to the emergency. The contractor(s) shall submit these procedures to the City prior to demolition or development activities.				

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
H. HYDROLOGY AND WATER QUALITY				
HYD-1: If the project would be constructed prior to substantial completion of the Foster City Levee Protection Improvements Project, the applicant shall submit plans and hydrological calculations to demonstrate that the new structures would not interfere with the flow of water or increase existing flooding conditions during a 100-year (or greater) flood event. The plans and hydrological calculations shall be submitted for City review and approval prior to the issuance of a grading permit.	Project Sponsor: ▪ Submit plans and hydrological calculations to the Public Works Department, as detailed in Mitigation Measure HYD-1	Prior to issuance of grading permit.	City of Foster City Public Works Department: ▪ Review and approve plans and hydrological calculations.	
SCOA 1.69: The Developer shall submit a letter signed and stamped by the licensed landscape architect verifying that the plants that have been selected for the bioretention area/swale are drought tolerant, inundation tolerant, and require minimal maintenance consistent with the C.3/C.6 Checklist, as provided in Appendix A of the San Mateo County Wide Water Pollution Prevention Program's C.3 Stormwater Technical Guidance Handbook at www.flowstobay.org.	Project Sponsor: ▪ Submit letter verifying that plants selected for the bioretention area/swale are consistent with SCOA 1.69.	Prior to issuance of a building permit.	City of Foster City Planning Division and Public Works Department: ▪ Review and verify letter.	
SCOA 2.5. Prior to issuance of a building permit, the Construction Best Management Practices (BMPs) from the San Mateo Countywide Stormwater Pollution Prevention Program shall be included as notes on the building permit drawings.	Project Sponsor: ▪ Include Construction BMPs in building permit drawings, as detailed in SCOA 2.5.	Prior to issuance of building permit.	City of Foster City Public Works Department: ▪ Verify that Construction BMPs are included in building permit drawings.	
See **SCOA 2.10** under *G. Hazards and Hazardous Materials.*				
SCOA 3.11. Prior to issuance of a building permit, any development	Project Sponsor and Owner/ Developer:	Prior to issuance of building permit.	City of Foster City Engineering Division:	

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
involving one or more acres of total land area must obtain a General Permit from the State Water Resources Control Board. This permit requires the owner/developer to do the following: ▪ Submit a Notice of Intent (NOI) to the State Water Resources Control Board prior to commencement of construction activity; ▪ Copies of the NOI and the SWPPP must be submitted to the Engineering Division along with proof of compliance.	▪ Obtain a General Permit from the State Water Resources Control Board. ▪ Submit proof of compliance to the Engineering Division, as detailed by SCOA 3.11.		Verify proof of compliance.	
SCOA 3.12: Prior to issuance of a building permit, the plans shall demonstrate compliance with the San Mateo Countywide Water Pollution Prevention Program, (see http://flowstobay.org) including, but not limited to, submittal of checklists related to impervious surface and stormwater: ▪ C.3 and C.6 Data Collection Form ▪ Project Applicant Checklist for NPDES Permit Requirements ▪ Stormwater Control Plan: Any improvements identified in the SWCP shall be constructed prior to first occupancy to the satisfaction of the Engineering Division.	Project Sponsor: ▪ Demonstrate compliance with the San Mateo Countywide Water Pollution Prevention Program. ▪ Prepare a SWCP and comply with all other requirements. ▪ Construct identified improvements.	Prior to issuance of building permit. Ongoing during construction. Must be completed before final building inspection.	City of Foster City Engineering Division: ▪ Review submittal for compliance with the San Mateo Countywide Water Pollution Prevention Program.	
SCOA 3.13. The applicant shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) designed to reduce potential adverse impacts to surface water quality during the construction period. The SWPPP shall be prepared by a Qualified SWPPP Developer (QSD). The SWPPP shall include the minimum BMPs required for the identified Risk level. BMP implementation	Project Sponsor: ▪ Hire a Qualified SWPPP Developer (QSD) to prepare a SWPPP in compliance with SCOA 3.13, instruct construction personnel, and submit monitoring reports. The SWPPP shall include specific and detailed BMPs and measures designed to mitigate construction-	Prior to issuance of site-specific demolition, grading, or building permits.	City of Foster City Engineering Division: ▪ Review the SWPPP for consistency with the requirements of SCOA 3.13 prior to approval. ▪ Conduct periodic inspections of the project site during wet	

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
shall be consistent with the BMP requirements in the most recent version of the California Stormwater Quality Association Stormwater Best Management Handbook-Construction. The SWPPP shall be designed to address the following objectives: ▪ All pollutants and their sources, including sources of sediment associated with construction activity are controlled; ▪ Where not otherwise required to be under a Regional Water Board permit, all non-stormwater discharges are identified and either eliminated, controlled, or treated; ▪ Site Best Management Practices (BMPs) are effective and result in the reduction or elimination of pollutants in stormwater discharges and authorized non-stormwater discharges from construction activity to the Best Available Technology and Best Conventional Technology (BAT/BCT) standard; and ▪ Stabilization BMPs installed to reduce or eliminate pollutants after construction are completed. ▪ Best Management Practices (BMPs) shall be designed to mitigate construction-related pollutants and at a minimum, include the following: o Practices to minimize the contact of construction materials, equipment, and maintenance supplies (e.g., fuels, lubricants, paints, solvents, adhesives) with stormwater. The SWPPP shall specify properly-designed centralized storage areas	related pollutants and adheres to the requirements of SCOA 3.13. ▪ Hire a QSD/QSP to implement the SWPPP ▪ Retain an independent monitor to conduct weekly inspections and provide written monthly reports to the Public Works Department to ensure compliance with the SWPPP. Construction site supervisor: ▪ Conduct regular meetings of site personnel to ensure SWPPP guidelines are observed by on-site personnel.	Throughout construction period.	and dry days to ensure compliance with the SWPPP. City of Foster City Public Works Department: ▪ Review monthly reports to verify that construction activities comply with the SWPPP.	

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
that keep these materials out of the rain. o Reduce erosion of exposed soil which may include, but are not limited to: soil stabilization controls, watering for dust control, perimeter silt fences, placement of hay bales, and sediment basins. The potential for erosion is generally increased if grading is performed during the rainy season because disturbed soil can be exposed to rainfall and storm runoff. o If grading must be conducted during the rainy season, the primary BMPs selected shall focus on erosion control (i.e. keeping sediment on the site). End-of-pipe sediment control measures (e.g. basins and traps) shall be used only as secondary measures. Ingress and egress from the construction site shall be carefully controlled to minimize off-site tracking of sediment. Vehicle and equipment wash-down facilities shall be designed to be accessible and functional during both dry and wet conditions. ▪ The SWPPP shall specify a monitoring program to be implemented by the construction site supervisor, and shall include both dry and wet weather inspections. In addition, in accordance with State Water Resources Control Board requirements, monitoring shall be required during the construction period for pollutants that may be present in the runoff that are “not visually detectable in runoff.”				

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
o To educate on-site personnel and maintain awareness of the importance of stormwater quality protection, site supervisors shall conduct regular tailgate meetings to discuss pollution prevention. The frequency of the meetings and required personnel attendance list shall be specified in the SWPPP. o A Qualified SWPPP Developer/Practitioner (QSD/QSP) shall be responsible for implementing BMPs at the site. The QSD/QSP shall also be responsible for performing all required monitoring, and BMP inspection, maintenance and repair activities. The developer shall retain an independent monitor to conduct weekly inspections and provide written monthly reports to the City of Foster City Public Works Department to ensure compliance with the SWPPP. Water Board personnel, who may make unannounced site inspections, are empowered to levy considerable fines if it is determined that the SWPPP has not been properly prepared and implemented. The SWPPP shall be prepared to the satisfaction of the Engineering Division.				
SCOA 3.29: Prior to issuance of a building permit, the improvement plans shall include the design of stormwater improvements in accordance with the City's Standard Details/Specifications and to the satisfaction of the Engineering Division. Stormwater improvements	Project Sponsor: ▪ Include stormwater improvement as specified in SCOA 3.29.	Prior to issuance of any site specific, grading, or building permit.	City of Foster City Public Works Department: ▪ Review and approve improvement plans.	

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
items of construction should include at least the following: ▪ surface and subsurface storm drain facilities; ▪ manholes with manhole frames and covers; ▪ catch basins and laterals; ▪ construct all catch basins as silt detention basins; ▪ And together with appurtenances, to any or all of the above.				
SCOA 3.30. Prior to issuance of a building permit, a complete storm drainage study of the proposed development shall be prepared by a registered civil engineer and submitted as part of the improvement plans package. Drainage facilities shall be designed in accordance with accepted engineering principles and be approved by the Engineering Division. The hydrology/hydraulic analysis shall include the following: ▪ The amount of runoff, and existing and proposed drainage structure capacities. ▪ Verification that the existing storm drain system is adequately sized to handle the run-off from the project. ▪ Conformance with the City's Drainage Design Criteria/Standards available on the City's website: https://www.fostercity.org/publicworks/page/city-standard-design-criteria ▪ Calculations and plans showing hydraulic gradelines. ▪ Evidence that the system is capable of handling a 25-year storm with the	Project Sponsor: ▪ Submit a complete storm drainage study, as detailed in SCOA 3.30, to the Engineering Division.	Prior to issuance of building permit.	City of Foster City Engineering Division: ▪ Review and approve storm drainage study.	

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
hydraulic grade line at least one foot below every grate. No overloading of the existing system will be permitted. All needed improvements shall be installed by the applicants at applicants' sole cost.				
SCOA 3.31. The applicant shall fully comply with the C.3 provisions of the Municipal Regional Stormwater NPDES Permit (MRP). Responsibilities include, but are not limited to, designing Best Management Practices (BMPs) into the project features and operation to reduce potential impacts to surface water quality associated with operation of the project. These features shall be included in the design-level drainage plan and final development drawings. Specifically, the final design shall include measures designed to mitigate potential water quality degradation of runoff from all portions of the completed development. All Stormwater control measures outlined in the current San Mateo Countywide Water Pollution Prevention Program's C.3 Stormwater Technical Guidance manual shall be incorporated into the project design. Low Impact Development features, including rainwater harvesting and reuse, and passive, low-maintenance BMPs (e.g., grassy swales, porous pavements) are required under the MRP. Higher-maintenance BMP's may only be used if the development of at-grade treatment systems is not possible, or would not adequately treat runoff. Funding for long-term maintenance for all BMPs must be specified (as the City will not assume maintenance	Project Sponsor: ▪ Prepare a design-level drainage plan and final development drawings that that includes measures designed to mitigate potential water quality degradation of runoff and adhere to the requirements of SCOA 3.31. ▪ Establish a self-perpetuating drainage system maintenance program for the life of the project. ▪ Perform annual inspections of any storm water detention devices and drainage inlets. ▪ Submit an annual report documenting the inspection of stormwater detention devices and any required remedial actions.	Prior to issuance of any site specific demolition, grading, or building permit. Prior to the final building inspection. Annually for the life of the project.	City of Foster City Public Works Department ▪ Review and approve the annual report documenting the inspection and any remedial action conducted. ▪ Conduct periodic inspections of the drainage system after rain events to ensure the system is functioning properly. City of Foster City Engineering Division: ▪ Review the final drainage plan for consistency with the requirements of Mitigation Measure HYD-1.	

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
responsibilities for these features).The applicant shall establish a self-perpetuating drainage system maintenance program for the life of the project that includes annual inspections of any stormwater detention devices and drainage inlets. Any accumulation of sediment or other debris would need to be promptly removed. In addition, an annual report documenting the inspection and any remedial action conducted shall be submitted to the Public Works Development for review and approval. The drainage plan shall be prepared to the satisfaction of the Engineering Division.				
SCOA 3.32: Prior to issuance of a building permit, should the City determine that the City's storm drain system or storm drain pumping capacity requires expansion or modification as a result of the applicants' development, the applicants shall pay for all necessary improvement costs. The timing and amount of payment shall be as determined by the City.	Project Sponsor: ▪ Pay for improvement costs, as required by the City.	Prior to issuance of a building permit.	City of Foster City Community Development Department and Public Works Department: ▪ Determine whether the development requires expansion or modification of storm drain system. ▪ Determine timing and amount of payment, as required.	
SCOA 3.57. All stormwater improvements shall be constructed to the satisfaction of the Engineering Division.	Project Sponsor: ▪ Construct stormwater improvements.	Prior to first occupancy.	City of Foster City Engineering Division: ▪ Ensure that improvements are constructed to the satisfaction of the Public Works Director/City Engineer.	

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
SCOA 3.59. Prior to final building inspection, the property owner shall submit a Maintenance Agreement for Stormwater Treatment Measures and Hydromodification Management Controls, including a Maintenance Plan pertinent to the type(s) of measures included in the project, pursuant to the San Mateo Countywide Water Pollution Prevention Program (www.flowstobay.org). Following review and approval by City staff, the property owner shall have the Maintenance Agreement recorded prior to building occupancy approval. The Maintenance Agreement shall be made a part of any CC&Rs recorded for the property and shall include the following statements: ▪ The property owner shall be responsible for conducting all servicing and maintenance as described and required by the approved Maintenance Plan(s). Maintenance of all site design and treatment control measures shall be the owner's responsibility. ▪ Site access shall be granted to representatives of the City, the San Mateo County Mosquito and Vector Control District, and the Water Board, at any time, for the sole purpose of performing operation and maintenance inspections of the installed stormwater treatment systems.	Property Owner: ▪ Submit Maintenance Agreement to the City. ▪ Have Maintenance Agreement recorded, including statements detailed in SCOA 3.59.	Prior to final building inspection. Prior to building occupancy approval.	City of Foster City Building Inspection Division and Public Works Department: ▪ Review and approve Maintenance Agreement.	
I. NOISE				
NOISE-1: The project applicant shall comply with the following restrictions to reduce potential noise impacts. The	Project Sponsor:	Throughout construction period.	Community Development Director:	

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
contractor shall maintain the following distances from the project site boundary (i.e., noise-generating equipment shall not be operated within these "buffer areas") during different phases of construction: 5 feet for architectural coating; 13 feet for site preparation, building construction, and paving; 29 feet for grading. Should construction activities be required within these buffer areas, consistent with Municipal Code Section 17.68.030(F) – Exemptions, the project applicant shall obtain prior authorization from the director of planning and development services. The project applicant shall also comply with any special mitigation measures as determined by the Community Development Director (referred to as director of planning and development services in the ordinance), which could include but are not limited to the control measures in applicable SCOAs to reduce temporary construction noise impacts. SCOAs are SCOA 2.7, SCOA 1.72, SCOA 2.37, SCOA 2.38, and SCOA 2.10. Other special mitigation measures could include, but are not limited to the following: ▪ *Electrical Power. Electrical power, rather than diesel equipment, shall be used to run compressors and similar power tools and to power temporary structures, such as construction trailers or caretaker facilities.* ▪ *Workers' Radios. All noise from workers' radios shall be controlled to a point that they are not audible at sensitive receptors near construction activity.*	▪ Obtain prior authorization for construction activity exemptions, as required. ▪ Comply with special mitigation measures as determined by the Community Development Director and detailed in Mitigation Measure NOISE-1. Project Contractor: ▪ Maintain distances from project site boundary as detailed in Mitigation Measure NOISE-1.		▪ Authorize construction activity exemptions, as required. ▪ Determine special mitigation measures, as required.	

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
▪ *Smart Back-up Alarms. Mobile construction equipment shall have smart back-up alarms that automatically adjust the sound level of the alarm in response to ambient noise levels.* ▪ *Sound Barrier. Construct or use temporary noise barriers, as needed, to shield noise from the noise-generating construction phases from adjacent residential units to the south of the project site to the extent feasible. To be most effective, the barriers shall block line of sight between noise-generating construction equipment and adjacent residential windows, and shall be placed as close as possible to the noise source or the sensitive receptors. Examples of barriers include portable acoustically lined enclosure/housing for specific equipment (e.g. jackhammer and pneumatic air tools, which generate the loudest noise), temporary noise barriers (e.g. solid plywood fences or portable noise systems minimum 8 feet in height), and/or acoustical blankets as feasible.* ▪ *Noise Monitoring. Monitor the effectiveness of noise attenuation measures by taking noise measurements at the project site boundary during grading and foundation work (which are typically the noisiest phases of construction).*				
NOISE-2: The project applicant shall comply with the following restrictions to reduce potential vibration impacts to adjacent buildings. The contractor shall	Project Contractor: ▪ Maintain distances from project site boundary as detailed in Mitigation Measure NOISE-2.	Throughout construction period.	City of Foster City Building Inspection Division:	

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
maintain the following distances from adjacent buildings during use of the stipulated equipment: 110 feet for an impact pile driver; 20 feet for any piece of nonimpact equipment (e.g., a vibratory roller, a large bulldozer, or a loaded truck. Should site conditions require the use of this construction equipment within that area, a structural engineer or other appropriate professional shall be retained to prepare a vibration impact assessment (assessment) for the adjacent buildings. The assessment shall be conducted in accordance with Federal Transit Administration (FTA) guidance and include project-specific information such as the composition of the buildings, location of the various types of equipment used during each phase of the project, and the soil characteristics in the project area. If the assessment finds that the project may cause damage to these buildings, the structural engineer or other appropriate professional shall recommend design means and methods of construction to avoid the potential damage, if feasible. The assessment and its recommendations shall be reviewed and approved by the City of Foster City prior to construction activities. If there are no feasible design means and methods to eliminate the potential for damage, the structural engineer or other appropriate professional shall undertake an existing conditions study (study) of any buildings that may experience damage. The study shall be included in the project noise control plan and establish the baseline condition of	Project Sponsor, if required by Mitigation Measure NOISE-2: ▪ Retain structural engineer or other appropriate professional to prepare vibration impact assessment and submit to the City. ▪ Retain structural engineer or other appropriate professional to prepare existing conditions study. ▪ Resurvey buildings and repair damage to pre-existing conditions as detailed in Mitigation Measure NOISE-2.	Prior to construction activities. Upon completion of building construction.	▪ Review and approve vibration impact assessment.	

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
adjoining buildings including, but not limited to, the location and extent of any visible cracks or spalls on the buildings. The study shall include written descriptions and photographs of the buildings. Upon completion of the project, the building shall be resurveyed, and any new cracks or other changes in the building shall be compared to pre-construction conditions and a determination shall be made as to whether the proposed project caused the damage. If it is determined that project construction has resulted in damage to the building, the damage shall be repaired to the pre-existing condition by the project sponsor, provided that the property owner approves of the repair.				
J. PUBLIC SERVICES, UTILITIES, AND RECREATION				
SCOA 2.5: Prior to issuance of a building permit, the Construction Best Management Practices (BMPs) from the San Mateo Countywide Stormwater Pollution Prevention Program shall be included as notes on the building permit drawings.	Project Sponsor: ▪ Include Construction BMPs in building permit drawings, as detailed in SCOA 2.5.	Prior to issuance of demolition, grading or building permit.	City of Foster City Building Division and Public Works Department: ▪ Verify that Construction BMPs are included in building permit drawings.	
SCOA 2.7: The construction contractor shall designate a "noise disturbance coordinator" who shall be responsible for responding to any local complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaints (e.g., beginning work too early, bad muffler) and institute reasonable measures warranted to correct the problem. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site.	Project Contractor: ▪ Designate "noise disturbance coordinator", as detailed in SCOA 2.7. ▪ Protect all downstream sanitary sewer lines from construction debris.	Prior to and during construction. During sanitary sewer construction.	City of Foster City Building Inspection Division: ▪ Make regular visits to the project site to ensure that all noise mitigation measures are being implemented. ▪ Maintain regular contact with noise disturbance coordinator.	

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
			▪ Inspect the means used to prevent construction debris.	
SCOA 2.8: The construction contractor shall protect all downstream sanitary sewer lines from construction debris while performing sanitary sewer construction. Means to prevent construction debris must be used and shall be inspected by the construction inspector.	Project Contractor: ▪ Protect all downstream sanitary sewer lines from construction debris.	During sanitary sewer construction.	City of Foster City Building Inspection Division: ▪ Inspect the means used to prevent construction debris.	
SCOA 3.26: The applicant shall have a registered civil engineer prepare a sewer flow projection study and a hydraulic capacity study, to be submitted to the Engineering Division for review. The study shall meet the approval of the Engineering Division and should: ▪ Verify that the existing sewer system is properly sized to meet the projected increase in wastewater generation on the project site. ▪ Study the on and off-site sewer system (including lift stations) which services the project (both upstream and downstream). ▪ Show the new connecting points to the existing sewers and model the estimated flows and peaking factors, as they relate to the changes in land use for the proposed project. ▪ No on-site or downstream overloading of existing sewer system will be permitted. Any necessary improvements identified by the study shall be constructed by the developer/applicant at applicant's sole cost.	Project Sponsor: ▪ Prepare and submit a sewer flow projection study and hydraulic capacity study to the Engineering Division, as detailed in SCOA 3.26.	Prior to issuance of any site specific demolition, grading, or building permit.	City of Foster City Engineering Division: ▪ Review and verify existing sewer system as detailed in SCOA 3.26.	

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
See **SCOA 3.30** under *H. Hydrology and Water Quality*.				
SCOA 3.32: Prior to issuance of a building permit, should the City determine that the City's storm drain system or storm drain pumping capacity requires expansion or modification as a result of the applicants' development, the applicants shall pay for all necessary improvement costs. The timing and amount of payment shall be as determined by the City.	Project Sponsor: ▪ Pay for improvement costs, as required by the City.	Prior to issuance of building permit.	City of Foster City Community Development Department and Public Works Department: ▪ Determine whether the development requires expansion or modification of storm drain system. ▪ Determine timing and amount of payment, as required.	
SCOA 3.36: Prior to the issuance of a building permit, the improvement plans shall include the design of a domestic water system to the satisfaction of the Engineering Division. Water distribution system items of construction shall include at least the following: ▪ backflow prevention devices; ▪ water mains – minimum main size is 8 in. in any area. Fire flow determined for buildings/areas per "The Guide for Determining Required Fire Flow; Insurance Services Office; Municipal Survey Service;" ▪ valves; ▪ tees; ▪ fittings; ▪ hydrants; ▪ meters; ▪ services; ▪ and together with appurtenances to any or all of the above; ▪ all water mains serving fire hydrants, shall be a minimum of 8" in diameter	Project Sponsor: ▪ Submit improvement plans that include the design of a domestic water system to the Engineering Division.	Prior to issuance of building permit.	City of Foster City Engineering Division: ▪ Review and approve improvement plans.	

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
Water lines shall be designed for fire flows to meet California Fire Code and Fire Department requirements.				
SCOA 4.8: All on-site fire water service mains shall have two sources of supply connections to City/District water system and meet the requirements of the State Department of Health Services and the City Fire Marshal. A Fire Water Service Plan shall be submitted separate from civil drawings.	Project Sponsor: ▪ Prepare a Fire Water Service Plan.	Prior to issuance of any site specific demolition, grading, or building permit.	City of Foster City Fire Department: ▪ Verify that project meets requirements of SCOA 4.8.	
SCOA 4.10: Prior to the issuance of a building permit, fire mains shall be designed to NFPA 24 specifications. Fire mains shall be constructed according to those specifications.	Project Sponsor: ▪ Design fire mains to NFPA 24 specifications.	Prior to issuance of building permit.	City of Foster City Fire Department: ▪ Verify that fire mains are constructed to NFPA 24 specifications.	
SCOA 2.19: To properly evaluate necessary improvements, a complete water system capacity study of the on-and-off site water system which services the proposed project shall be prepared by a registered civil engineer approved by the City/District Engineer, and retained by the project developer prior to approval of a building permit. The study shall include: a map showing the project location, utility drawings for the project area (pdf and CAD files), a project description (type of development, number of units, land use, acreage, etc.), and a system demand analysis (including average daily demand, maximum daily demand, peak hour demand, and fire flow requirements), specific to the proposed development. The study shall include a detailed water pipe hydraulic flow analysis to determine whether the existing water distribution system is properly sized to meet the projected new	Project Sponsor: ▪ Retain a registered civil engineer to prepare a complete water system capacity study, as detailed in SCOA 2.19. ▪ Construct and pay for all needed construction improvements to upsize the existing water distribution system.	Prior to approval of building permit.	City of Foster City Building Inspection Division, Fire Department, and Engineering Division: ▪ Review and approve water system capacity study.	

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
water demands on the project site. All needed construction improvements to upsize the existing water distribution system to meet the demands of the new project, shall be constructed by the applicant at the applicant's sole cost.				
SCOA 2.30: Submit documentation and plans showing compliance with Chapter 8.8 of the EMID Code, including, but not limited to submittal of the Outdoor Water Use Efficiency Checklist.	Project Sponsor: ▪ Submit documentation showing compliance with Chapter 8.8 of the EMID Code.	Prior to issuance of any site specific demolition, grading, or building permit.	City of Foster Engineering Division, Community Development Director, and Building Division: ▪ Review and verify that project is compliant with Chapter 8.8 of the EMID Code.	
SCOA 2.41: All excess fill shall be disposed of in accordance with City requirements. The construction contractor shall protect all downstream sanitary sewer lines from construction debris while performing sanitary sewer construction. Means to prevent construction debris must be used and shall be inspected by the construction inspector.	Project Contractor: ▪ Dispose of excess fill and building debris as detailed in SCOA 2.41.	During and upon completion of construction activities.	City of Foster City Engineering Division: ▪ Monitor construction activity to ensure compliance with SCOA 2.41.	
SCOA 3.56: Prior to occupancy the existing storm drain pipe lines on the project site and downstream to the nearest lagoon inlet shall be cleaned and sediment removed at the completion of the project. Applicant shall submit a map illustrating the route to be televised for approval of the City/District Engineer prior to sediment removal. The storm drain pipe lines shall be televised after cleaning to verify that the sediment has been removed and to identify any damages to the storm drain pipe lines during construction. A post construction survey report shall be prepared	Project Sponsor: ▪ Clean existing storm drain pipe lines as detailed in SCOA 3.56. ▪ Submit map illustrating route to be televised. ▪ Prepare a post-construction survey report.	Prior to occupancy.	City of Foster City Engineering Division: ▪ Review and approve map. ▪ Verify that sediment has been removed and identify any damages to the storm drain pipe lines.	

Mitigation Measures/SCOAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
identifying facilities to be repaired and confirming removal of sediment from storm lines. Sediment left in mains shall be subject to re-cleaning at the applicant's sole cost.				
SCOA 3.58: Prior to occupancy the applicant shall arrange a joint field meeting with representatives of the Water Department to perform a visual survey of the condition of the existing water distribution system (including testing of valves and appurtenances) in the vicinity of the project site. The applicant shall prepare a post-construction survey report to be submitted to the Foster City Public Works Department for review. Report shall document any necessary repairs required to the existing water supply infrastructure. The applicant shall be responsible for constructing and financing any such repairs.	Project Sponsor: ▪ Arrange joint field meeting with representatives of the Water Department, as detailed in SCOA 3.58. ▪ Prepare a post-construction survey report and submit to Public Works Department. ▪ Construct and finance any repairs to the existing water supply infrastructure, if required.	Prior to occupancy.	City of Foster Public Works Department: ▪ Attend joint field meeting and perform visual survey. ▪ Review and approve post-construction survey report.	

EXHIBIT C

Hotel in Metro Center Area, Southwest Corner of Metro Center Blvd. And Shell Blvd.
Transportation Demand Management Plan/Transportation Systems Management Plan

Amenities and Programs provided:	**Peak hour Trip Mitigation Credits**
Designating a Transportation Coordinator	With all amenities and programs implemented, fifteen (15%) or greater reduction in vehicle miles traveled (VMT), and therefore, in parking demand
Participation in Transportation Management Association	
Online Kiosk/TDM Information Board	
Trip Planning Assistance	
Proximity to Transit Center	
Transit Subsidy	
Resources (schedules, route maps & other info)	
Bicycle Parking	
Private Bicycle Program	
Resources (maps & info)	
New Sidewalks	
On-Site Ridematching	
511 Ridematching Assistance	
Incentives for New Carpools/Vanpools	
Discounted Tolls on Bay Area Bridges	
On-Site Amenities for Recreational Use	
Loading Space for Transportation Network Companies	
Hotel Shuttle	
Potential Trip Credit Total:	15% or greater reduction in VMT