

Exhibit B

**RECOMMENDED
CONDITIONS OF APPROVAL**

**PLN22-0029
341 MacArthur Blvd
Alameda County Assessor's Parcel Number 076-0311-006-00
William and Linda K Hom (ApPLICANT and Property Owner)**

COMPLIANCE WITH APPROVED PLANS

1. The applicant and/or property owner shall comply with Exhibits A through H, attached to the staff report dated October 6, 2022, except as hereinafter modified. Exhibits are on file at the City of San Leandro Community Development Department, 835 East 14th Street, San Leandro, California.

Exhibit A – Proposed Site Plan, Drawing Index, Project Information, Vicinity Map (Sheet A-0)
Exhibit B – Photographs (Sheet A-0.1)
Exhibit C – Photographs (Sheet A-0.2)
Exhibit D – Proposed Floor Plan (Sheet A-1)
Exhibit E – Existing Floor Plan, Existing Site Plan (Sheet A-1E)
Exhibit F – Proposed Exterior Elevations (Sheet A-2)
Exhibit G – Existing Exterior Elevations (Sheet A-2E)
Exhibit H – Building Section, Details (Sheet A-3)
2. **Permitted Use.** This conditional approval for a Conditional Use Permit permits the addition of 480 square feet to an existing 948 square-foot one-story residence and the replacement of the detached one-car garage with an attached one-car carport at 341 MacArthur Blvd. The resulting house would measure approximately 1,428 square feet, with 4 bedrooms and 2 bathrooms, and an attached one-car carport.
3. **Expiration.** Pursuant to Zoning Code Section 5.08.136, this approval shall lapse on October 7, 2024 unless (a) a building permit has been issued, coupled with diligent progress evidencing a good faith intent to commence the intended use; (b) a certificate of occupancy has been issued; (c) the use is established; or (d) the approval is renewed, as provided for in Subsection A(4) of Zoning Code Section 5.08.136 Lapse of Approval; Transferability; Discontinuance; Revocation.
4. **Succession.** The Applicant and/or Property Owner shall be responsible for assuring that any successor in interest who assumes responsibility for this zoning approval is informed of its terms and conditions.
5. **Amendments.** Construction of the project shall remain in substantial compliance with the approved exhibits and plans. Any change to the project design or materials

shall be subject to the review and approval of the Zoning Enforcement Official. No application for amendment of the application or Conditions of Approval may be accepted or submitted for processing by the City unless (i) there is full compliance with all terms of the application and Conditions of Approval; or (ii) the Community Development Director waives compliance with the terms of the application and Conditions of Approval pending application for the amendment.

REQUIRED ON-SITE IMPROVEMENTS

6. **Exterior Lighting.** Prior to issuance of building permits, the applicant shall indicate details and specifications for exterior lighting on the proposed structure. Any new exterior lighting proposed shall be low wattage, located and designed to be fully shielded to cast light downward and not shine on adjacent properties, details subject to the approval of the Zoning Enforcement Official.
7. **Refuse Storage.** Prior to issuance of building permits, the applicant shall provide details for where refuse shall be stored. Refused shall be screened and stored out of the public view, where it is accessible for bringing out to the curb.
8. **Upgrade Front Façade.** Prior to issuance of building permits, the applicant shall provide details for improvements to the front façade of the existing house, including painting and replacing weathered wood features with new wood, painted to match the newly remodeled house.
9. **Remove Chain-Link Fence.** Prior to issuance of building permits, the applicant shall provide details for the replacement fencing and gates. Prior to building permit final, the applicant shall remove any chain-link fence visible from the right-of-way, including the gate leading to the carport. The gate may be replaced with a gate made of wood or tubular steel.
10. **Replace Covered Parking.** Prior to issuance of building permits, the applicant shall provide details and specification for the attached one-car carport. The design of the carport shall match the architecture of the remodeled single-family house, including matching exterior materials and roof slope. Prior to building permit final for the addition, the attached one-car carport shall be built to replace the detached one-car garage being proposed to be removed to make space for the residential addition.

BUILDING & SAFETY DIVISION REQUIREMENTS

11. **Building Permits Required.** The proposed project shall comply with all Applicable Code and City ordinances, policies and regulations. The applicant shall obtain all necessary building permits prior to construction of the project. and include the following in their submittal(s):

12. Include the following drawings, exhibits, or documentation:
 - a. Title 24
 - b. Construction and Demolition per CalGreen
 - c. CalGreen Residential Mandatory Measures Checklist
13. Include the following requirements in the design of the project:
 - a. Egress windows for bedrooms
 - b. Windows 3-5 feet within required building setback can only total 25% on the wall they are being installed, verify you meet this requirement.
 - c. Fire rating for walls, roof, and roof eaves within 5 feet of property line.
14. No design-build for MEP (mechanical, electrical, plumbing) is allowed.
15. All revision clouds and deltas added during this Planning Division approval must be removed prior to submitting to Building for permit.

ALAMEDA COUNTY FIRE DEPARTMENT REQUIREMENTS

16. Review of Planning referrals are usually based on information and plans that lack sufficient information and details for specific comments. The primary focus of our review is to assure fire access to the site. Specific fire and building code issues will be addressed during the regular building permit submittal and review process.
17. **Building Permits Required (Fire Code plan check).** The proposed project shall comply with all Applicable Code and City ordinances, policies and regulations. The applicant shall obtain all necessary building permits prior to construction of the project. Submit a building permit application (for Fire Code plan check) and include the following with your submittal.
 - a. Include the following requirements in the design of the project: Smoke alarms shall be provided per the CBC 2019 edition.
 - i. Carbon monoxide detectors shall be installed per the CFC 2019 edition.
 - ii. An address shall be provided with numbers that have a contrasting background.
 - iii. It is recommended that a NFPA 13D fire protection system be installed but is not required.
 - b. Additional items may be required at the discretion of the Alameda County Fire Department.

ENGINEERING & TRANSPORTATION DEPARTMENT REQUIREMENTS

18. Pursuant to Government Code Section 66020, including Section 66020 (d) (1), the City HEREBY NOTIFIES the applicant for this Project that the 90-day approval period (in which the applicant may protest the imposition of any fees, dedications, reservations, or other exactions imposed on this Project by these Conditions of Approval) will begin on the date of the conditional approval of this Project. If you fail to file a protest within this 90-day period, complying with all the requirements of Government Code Section 66020, you will be legally barred from later challenging any such fees, dedications, reservations or other exactions.
19. The proposed development shall comply with City ordinances, policies, and regulations. All improvements shall be in accordance with the City's Design Standards, Specifications and Standard Plans unless otherwise specifically approved by the City Engineer.
20. The applicant shall pay design review fees, permit fees, inspection fees, sewer connection fees, and any other fees charged by the City or other reviewing agencies for the review, approval, permitting and inspection of the public and/or private improvements.
21. If the design of any site improvement requires encroachments onto neighboring properties during construction, the applicant shall submit written agreements with that property owner to the City Engineer, for review and approval, prior to approval of the building permit.
22. The applicant shall comply with the following high standards for sanitation during construction of improvements: Garbage cans, construction dumpsters, and debris piles shall be removed on a minimum weekly basis. All food related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in closed containers only and shall be regularly removed from the site. Inspections, conducted as part of the regular construction compliance, will be conducted to ensure compliance of the Applicant and contractors with this requirement.

CONSTRUCTION PROVISIONS

23. Construction activity shall not commence prior to 7:00 a.m. and shall cease by 7:00 p.m. Monday through Friday, and construction activity shall not commence prior to 8:00 a.m. and shall cease by 7:00 p.m. on Sunday and Saturday. No such construction is permitted on Federal holidays. As provided in the City of San Leandro's Noise Ordinance (Ordinance Number 2003-005), "construction" shall mean any site preparation, assembly, erection, substantial repair, alteration, demolition or similar action, for or on any private property, public or private right-of-way, streets, structures, utilities, facilities, or other similar property. Construction activities carried on in violation of this Article may be enforced as provided in

Section 4-11-1130, and may also be enforced by issuance of a stop work order and/or revocation of any or all permits issued for such construction.

MAINTENANCE AND ONGOING CONDITIONS

24. All structures shall be structurally sound and well maintained at all times; any damage to the structures shall be promptly repaired.
25. Any graffiti on the property shall be promptly removed.
26. The project site shall be well maintained and shall be kept free of litter, debris and weeds at all times; during construction, the site shall be well maintained and shall be kept free of litter, debris and weeds.
27. All landscaping shall be maintained in a healthy, growing condition at all times. Any damaged or dead plant material shall be promptly replaced with a plant material similar in type and comparable in size to the plant(s) being removed. Any landscaping shall be maintained so as not to interfere or obstruct the public right-of-way for pedestrians and vehicles. The landscaping adjacent to the driveway shall be maintained so it does not exceed three feet in height above the top of the nearest adjacent curb and gutter to allow for adequate sight distance, or unless otherwise approved by the City's Transportation Engineer.
28. All refuse shall be out of the public view at all times except for the day(s) the collection company is scheduled for pick-up. Immediately after pick-up all refuse containers shall be removed promptly.
29. All uses and activities shall comply with the provisions of the San Leandro Noise Regulations (Title IV, Chapter 1 of the Municipal Code).

GENERAL CONDITIONS

30. **Planning Permit Fees.** Any outstanding Planning Services deposit fees or balance shall be paid prior to issuance of a building permit.
31. **Recordation.** The approvals granted by the City as a result of this application, as well as the Conditions of Approval, shall be recorded in the office of the County Recorder of Alameda County.