

Exhibit B

**RECOMMENDED
CONDITIONS OF APPROVAL**

**PLN21-0019
1833 Hillview Drive
Alameda County Assessor's Parcel Number 079-0026-086-00
Glenn R. Brown (Applicant and Property Owner)**

I. COMPLIANCE WITH APPROVED PLANS

1. The applicant and/or property owner shall comply with Exhibits A through H, attached to the staff report dated February 4, 2021, 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 – Cover Sheet / Project Information (Sheet A0.1)
Exhibit B – Existing Site Plan / Floor Plan (Sheet A1.1)
Exhibit C – Proposed Site Plan (Sheet A1.2)
Exhibit D – Proposed 2nd Floor Plan / ADU Plan (Sheet A2.1)
Exhibit E – Exterior Elevations - Existing and Proposed (Sheet 4.1)
Exhibit F – Proposed Elevation Finishes (Sheet 4.1a)
Exhibit G – Cross Section and Streetscape Elevations (Sheet 5.1)
Exhibit H – Elevation Renderings (Sheet SD.1)
2. 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.
3. 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.
4. This conditional approval for a Major View Preservation / Residential Site Plan Review for a Height Exception permits the construction of a second-story addition of approximately 490 square feet, at a height of 23 feet, 11 inches at 1833 Hillview Drive. The resulting house would continue to measure approximately 1,894 square feet, with 3 bedrooms and 2 baths, with a new second-story proposed to be built as attached Accessory Dwelling Unit (ADU).
5. Pursuant to Zoning Code Section 2.04.236 (Maximum Dwelling Unit Occupancy), a zoning permit shall be required for occupancy of a dwelling unit by more than ten (10) persons eighteen (18) years or older.

6. 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.
7. 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.
8. Prior to building permit final for the two-story addition, the owner shall either build the ADU concurrently, as proposed, or the owner shall redesign or reconstruct the space within the proposed ADU to meet all current Zoning Code regulations for single-family houses, including parking requirements, such as those required by Zoning Code Section 4.08.108(B)(1) Article I. Said code requires, for single-family house additions with more than 4 bedrooms, "one additional [parking] space which may be uncovered and in tandem if it is located a minimum of 30 feet back from the front property line". This requirement could require a redesign to either incorporate a third parking space or reduce the number of bedrooms in the resulting single-family house to less than five.
9. **Note on Building Permit Plans Required.** Prior to issuance of building permits for any part of this proposal, the construction documents for any part of this proposal shall incorporate the above Condition of Approval below the Scope of Work.

II. ENGINEERING & TRANSPORTATION DEPARTMENT REQUIREMENTS

1. 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 the Project. If the applicant fails to file a protest within this 90-day period, complying with all of the requirements of Government Code Section 66020, the applicant will be legally barred from later challenging any such fees, dedications, reservations or other exactions.
2. The proposed development shall comply with the City ordinance, 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 Principal Engineer.

3. The applicant shall obtain an Encroachment Permit from the Engineering and Transportation Department for any work within the public right-of-way including the use of lifting equipment or the staging of materials.
 - A. A combination of barricades, traffic cones, and caution ribbon shall be positioned around any equipment, work area, or stored materials within the right-of-way to provide a protective barrier for public safety.
 - B. Pedestrian access shall be maintained. Pedestrian detours or temporary facilities may be used as necessary.
 - C. Any damage to the right-of-way improvements shall be promptly repaired by the applicant, and according to City Standard Plans.
 - D. Driveway, sidewalk, and curb & gutter construction shall be in accordance with City of San Leandro Standard Plan Nos. 100, 102 and 104.
4. The applicant shall comply with the following high standards for sanitation during construction of improvements:
 - A. Garbage cans, construction dumpsters, and debris piles shall be removed on a minimum weekly basis.
 - B. 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 on a minimum weekly basis.
 - C. Inspections, conducted as part of the regular construction compliance, will be conducted to ensure compliance of the Applicant and contractors with this requirement.
5. An Encroachment Permit shall be obtained from the Engineering and Transportation Department for any work within public right-of-way and the following requirements shall be provided:
 - A. California Contractors license with appropriate classification for the work being performed.
 - B. City of San Leandro Business License.
 - C. Insurance Certificates, (minimum requirements: General; Automotive; and Worker's Compensation, each with \$1M limits; certify the City as "Additionally Insured").
 - D. Applicable fees and deposits shall be paid in advance.

III. BUILDING & SAFETY DIVISION REQUIREMENTS

1. **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. At minimum, the following shall be included in the submittal application for the Building Permit. Additional items may be required at the discretion of the Building & Safety Division:
 - A. A Soils Report, as the property is in a liquefaction zone and landslide zone.
 - B. A review and approval letter of structural plans prepared by a soils engineer.
 - C. Structural Engineer.
 - D. Structural Calculations.
 - E. Title 24.
 - F. Construction and Demolition per CalGreen.
 - G. CalGreen Residential Mandatory Measures Checklist.
 - H. Egress windows for bedrooms.
 - I. Gasline diagram for all new gas appliances.
 - J. Fire rating for walls, roof and roof eaves within 5 feet of property line(s).
 - K. No Design build is allowed for MEP.
 - L. All revision clouds and deltas added during this review must be removed prior to submitting to Building for permit.

IV. ALAMEDA COUNTY FIRE DEPARTMENT REQUIREMENTS

1. **Building Permits Required (Fire Code plan check).** Specific fire and building code issues will be addressed during the regular building permit submittal and review process. At minimum, the following shall be included in the submittal application for the Building Permit. Additional items may be required at the discretion of the Alameda County Fire Department:
 - A. This structure is in the Very High Fire Severity Zone of the LRA. It shall meet the requirements of Chapter 7A of the CBC 2019 edition for the Wildland Urban Interface (doors, window, roof, siding, eaves, attic ventilation, and all other construction materials).

- B. A 1-hr separation shall be provided between the ADU and the primary Residence
- C. Smoke detectors shall be provided per the CBC. 2019 ed.
- D. Carbon Monoxide detectors shall be provided per the CFC 2019 ed.
- E. A Monument address shall be provided for the ADU, with a separate address that can be obtained by the San Leandro Building Department.
- F. It is recommended that a NFPA 13D fire protection system be installed in the ADU but is not required.

V. GENERAL CONDITIONS

1. All structures shall be structurally sound and well maintained at all times; any damage to the structures shall be promptly repaired.
2. Any graffiti on the property shall be promptly removed.
3. 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 NO. 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 activity.
4. 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.
5. Pursuant to Zoning Code Section 2.04.412(D)(8)(b), this approval shall lapse on **December 4, 2024** unless a) a grading permit or building permit has been issued, coupled with diligent progress evidencing good faith intention to commence the intended use; or b) an occupancy permit has been issued; or c) the approval is renewed, as provided for in Subsection E of Section 5.08.136 Lapse of Approval; Transferability; Discontinuance; Revocation.