

CITY OF BELVEDERE
Building Department

***Construction Project
Regulation Information***

Project: Address

City Staff and Contact Phone Numbers

City Hall is located at 450 San Rafael Avenue, Belvedere, California 94920.

Website: www.cityofbelvedere.org

Office hours are Monday through Thursday 9:00 a.m. - Noon and 1:00 p.m. - 4:30 p.m.

| | |
|-------------------------------------|---|
| City Offices | Tel (415) 435-3838 |
| | Fax (415) 435-0430 |
| Building Inspection Requests | (415) 435-3838 (press 1 if using voice mail) |
| Police (non-emergency) | (415) 435-3266 |
| Fire Dept. (non-emergency) | (415) 435-7200 |

CITY STAFF

| | | |
|------------------|---------------------------------|--|
| Beth Pollard | Interim City Manager | |
| Robert Zadnik | Public Works | rzadnik@cityofbelvedere.org |
| Irene Borba | Director of Planning & Building | iborba@cityofbelvedere.org |
| Rebecca Markwick | Associate Planner | rmarkwick@cityofbelvedere.org |
| Nancy Miller | Department Secretary - Planning | nmiller@cityofbelvedere.org |
| Blake Salzman | Building Official | buildingofficial@cityofbelvedere.org |
| Genaro Muniz | Building Inspector | gmuniz@cityofbelvedere.org |
| Lorrie Duffy | Department Secretary - Building | lduffy@cityofbelvedere.org |
| Alison Foulis | Deputy City Clerk | afoulis@cityofbelvedere.org |

Other Contacts

| | | |
|---------------|--|--|
| Jessica Power | Fire Marshal (Tiburon Fire District) (415) 735-7200 | jpower@tiburonfire.org |
| John Rosser | Sanitary District No. 5 Permits & Construction Director (415) 435-1501 | jrosser@sani5.org |

OUTSIDE AGENCY PHONE NUMBERS

| | |
|--|----------------|
| Marin Municipal Water District | (415) 945-1455 |
| Pacific Gas and Electric Construction Office | (415) 257-3431 |
| Sanitary District 5 | (415) 435-1501 |
| Mill Valley Refuse Service | (415) 924-1868 |
| AT&T Telephone | (800) 310-2355 |
| Comcast Cable Service | (800) 945-2288 |
| Underground Service Alert (USA) | (800) 227-2600 |
| Belvedere Lagoon Property Owners Assoc. | (415) 435-0285 |

Project Address: _____

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Received By: _____ Date: _____

Print Name: _____

Project Regulation Information

Construction activity and exterior changes to a property are closely regulated in Belvedere. The regulations include the days and time periods in which construction can occur, the number of construction vehicles parked on City streets, the extent of demolition, including exterior changes, and a specific time period for the completion of the project. This booklet is meant to provide the contractor and property owner with general information regarding Belvedere construction regulations as well as specific regulatory information pertaining to their own project.

For those wishing more extensive information regarding construction regulation in Belvedere it is recommended that the City publication, "A Guide To Planning and Building Permit Processing and Construction Requirements" be consulted. The Guide is available for free on the City's website at http://www.cityofbelvedere.org/s_publications_library.html.

This booklet, as well as the Planning and Building Guide described above, provide cursory information and are not meant to represent all laws or requirements of the City. Property owners, design professionals and contractors wishing detailed design review, zoning or construction regulation information should consult the Belvedere Municipal Code or speak with the Planning or Building staff directly. Copies of the Municipal Code are available for review at City Hall or may be found on the City's website at: <http://www.cityofbelvedere.org/municode/>.

If you have questions regarding your project, feel free to contact the appropriate staff member at City Hall. As part of our mission and goals Belvedere's Planning and Building Department staff wishes to provide a high level of professional service and efficiency to the public, always encouraging inquiries and personal contact.

Pre-Construction Meeting Agenda

Police Department

- Construction hours and days
- Jobsite security, including alarms for job boxes
- Jobsite and worker parking and discussion of penalties for violation (Building Inspector administrative notice for exceeding number of approved job related vehicles parked on City streets)
- Traffic control plan, when required

Tiburon Fire District (TFD)

Fire sprinkler requirements:

- When Required—new structures and 50% ruling
- Two hour hydraulic pressure test
- NFPA-13 revisions resulting in possible larger water supply (meter)
- Final conditions of approval consist of all life/safety features (smoke detectors, fire sprinkler system and exiting components)

Planning Department

- Conditions of Approval, including extent of demolition
- Number of design review considerations for the project
- Demolition beyond what has been approved and what constitutes demolition
- Building vertical components, such as roof lines, may be required to be surveyed for compliance with height approvals during construction
- Building and site condition relative to gaining final project approval from Planning Dept.
- Project delays, stop work orders, and penalties for exceeding scope of Planning approvals.

Public Works Department

- Road closures and required signage
- Encroachment permits and inspections, including:
 - Location of job site trailers
 - Debris boxes
 - Materials storage and unloading, concrete trucks and pumpers
- Traffic Control, including trained flaggers, when required:

Building Department

- Neighborhood outreach
- City of Belvedere CTL Ordinance and Project Time for Completion
 - When the time limit "clock" begins (at time of permit issuance)
 - Notify City in writing if not starting when the permit issued and prior to commence of work
 - Projects which are not subject to CTL requirements, but become so at mid-project
 - Administrative process for extending CTL if increased valuation, but originally less than 18 months.
- All subcontractors must have a City Business License
- FEMA elevation requirements
- Working parking and administrative notice for exceeding allotted parking
- Demolition and dust control, when required
 - BAAQD approval, including J number
 - Job site fencing and green nursery cloth the full length of the street frontage
- Building location, relative to property lines and setbacks may require surveyor's verification
- Special inspection and structural observation reports
 - Reports to be received after each inspection, plus a final letter of approval
 - Structural observation to be performed by engineer before City inspection
- A job site supervisor required to be present at all times during construction
- Emergency phone numbers, preferably two, are to be provided prior to construction
- Grading inspections
- Wet weather limitations, when required, effective October 15--April 15
- Erosion Control (NPDES requirements)
- TFD fire sprinkler approval prior to framing inspection
- How to submit construction revisions
- Purchase of City "Blue Book" referencing comprehensive City zoning and construction info.; availability of Municipal Code on-line and at City Hall
- Final approval and certificate of occupancy based on:
 - Approval required by Sanitary District No. 5

- Approval required by TFD
- Planning approval will be after the Building Department's approval
- Return of construction damage deposit and re-valuation of project costs

General Construction Guidelines

- **Inspections** are conducted Monday through Friday starting at 8:30 a.m. To arrange a building inspection during business hours call 435-3838 to make the request. During non-business hours call the same number, press 1 during the menu offering and leave a message on the answering machine. Inspection requests will be honored until 11:59 p.m. the day before the inspection. Inspections called in after 11:59 p.m. will be scheduled for the next inspection day. If you leave a phone number where you can be reached the day of the inspection the inspector will call between 7:30 and 8 a.m. to give you a two-hour inspection window. Do not ask the building inspector to arrange for an inspection for you.
- **Construction hours** are limited to 8 a.m. to 5 p.m. Monday through Friday only. This includes the warm up of equipment and delivery of materials. Work is also prohibited on City-observed holidays, which are: New Year's Day Jan.1, MLK Day 3rd Mon. in Jan.; Presidents' Day 3rd Mon. in Feb., Memorial Day last Mon. in May, 4th of July, Labor Day 1st Mon. in Sept., Thanksgiving Day and day following 4th Thursday in Nov., and Dec. 25th. Violation of construction work hours will result in a stop work order that will be enforced by the Police Department and lifted only after approval from the Building Department.
- **Construction Time Limit (CTL) and penalties** (See Construction Time Limit Ordinance information on Pages 21-26.) Every building permit which is subject to a design review is assigned a date at which time all work must be complete and approved by the City. The time varies between 6 and 18 months, based on the project valuation. If a project is not completed by that date the owner may be fined up to \$1,200 per day, to a maximum of \$300,000, (or the lesser of 10% of the project valuation) by the City Council.

The CTL "clock" begins on the day that the permit is issued. If construction does not immediately start after the building permit is issued, and the property owner wishes CTL credit for those non-working days, it is their responsibility to notify the Building Official in writing, noting the anticipated start date. For verification purposes the

notification must be received in advance of the anticipated project start date. Credit days will not be issued after construction has commenced.

For construction projects which previously had not been assigned a CTL, when design review is required in mid-project, a permit is issued to memorialize the new work and the inception of the required CTL. The assigned CTL beginning date is the date of the first permit issued for the project. However, the length of CTL time assigned to the project is based on the valuation of the new permit only. The entire project is to be completed by the assigned CTL date.

The construction time limit for a project may be extended administratively, based on increased valuation and unusual obstacles such as site topography, site access, geologic or neighborhood issues, during the project if the original time assigned to the project is less than 18-months. An administrative hearing committee will consider the request for time extension after an application and payment of a \$1000 fee is received. An extension beyond 18-months may only be granted by the Planning Commission and only when work has not yet commenced.

- **A Staging, Parking and Material Delivery Plan** approved by the City Manager is a condition of most building permits issued. Failure to abide by the plan may result in a stop work order and/or the permit being revoked. Note, no more than three construction related vehicles, per project, are allowed to park on City streets. (See Page 8 and Appendix A.) Workers are encouraged to carpool from off site locations such as transit centers, parking lots or other such areas. Construction related vehicles include worker vehicles, sub-contractors vehicles, delivery vehicles and equipment vehicles.
- **The job superintendent** must be on site at all times during construction activity, whether by the contractor or a subcontractor. Failure to have supervision on site may result in a stop work order.
- **Smoke detectors** cannot be part of an alarm system. Smoke detectors must be independently wired and separate from any other alarm system.

Any questions regarding this policy should be addressed to Fire Marshall Ron Barney at 435-7200.

- **Fire sprinkler** systems, for unprotected residences, are required if construction involves greater than 50% of the floor area. If this requirement is not mandated during the permit plan review process because of the extent of construction shown on the plans, it will be required if the project parameters expand to greater than 50% during construction. The requirement for fire sprinklers may only be waived by the Tiburon Fire District.
- **Business licenses** are required for all contractors and sub-contractors.
- **Sewer backwater valve** is required on all sewer laterals on all residences.
- **Sewer connections** are to be approved by Sanitary District 5 as the District regulates all sewer mains, while the City regulates the sewer lateral from the house to the main line. The District also requires a fee for increased sewer fixture units (when additional fixtures are added to a residence.)
- **Foundations and building setbacks** may need to be verified in writing as complying with the approved plans by a licensed land surveyor, prior to the Building Department's foundation inspection. This does not apply to interior foundations or foundations which are not relevant to a setback requirement.
- **Building height** for additions, new structures and reconstructed roofs may need to be verified in writing as complying with the approved plans by a licensed land surveyor at the completion of the roof framing and sheathing.
- **Exterior changes**, other than what has been approved by the Planning Department are not allowed. Violations of this requirement commonly result in a Stop Work Order. If you anticipate any changes to your project that will affect any portion of the exterior of your project, including landscaping or tree removal, contact a Planning Department

representative prior to commencing the work. Retroactive applications for approval are subject to fines.

- **Demolition** is narrowly defined in Belvedere and the unapproved elimination of any portion of a building, even if structurally justified, commonly results in a Stop Work Order and significant project delay. (See Page 11.)
- **New roofs or roofing** material must be Class A material or Class A assembly, including re-roofs which consist of greater than 50% of the roof area.
- **Roof drains** which are associated with new buildings, including additions and new roof structures greater than 200 sq. ft. must terminate at a street, the Belvedere Lagoon or the Bay. The roof drain water system must be contained in a buried tight line and terminate an approved dissipater. The City Engineer must approve all drainage systems and the Public Works Superintendent must approve the location and type of drain system terminator.
- **Erosion control** is required on a year around basis for applicable projects and construction activity. (See Pages 13-17.)
- **Plumbing, electrical and mechanical permits**, or other permits not subject to design review, expire within 180-days as measured from the last recorded inspection.
- **Depositing of paint**, paint thinner, cement residue, sand or other foreign substances in City streets or storm drains is strictly prohibited. Violations can result in a Stop Work Order and/or a criminal citation.
- **Penalties** for violating City ordinances can be significant. It should also be noted that the Construction Time Limit assigned to a project is not credited for any project delays resulting from a lack of design review approval for aspects of the work, or if a Stop Work Order has been issued.

City Construction Staging and Parking Requirements

Staging and Parking Plans are approved by the City Manager. The approval is required prior to the issuance of the building permit and is discussed during the preconstruction meeting. The basic enforcement authority relates to your project's Planning conditions of approval, (See Appendix B) which requires an approved *Staging and Parking Plan*.

Violations of the staging plan may result in the building permit being revoked. The permit may not be reissued until the project is reheard before the planning commission and all new fees are paid. Consequently the property owner may be subjected to significant delays and additional costs incurred by the City for further reviews, hearings and permits.

The following guidelines have been established to guide contractors and architects planning and budgeting their projects:

- Belvedere streets are narrow and winding. In many spots there is room only for a single car to pass. YOU CAN UTILIZE ONLY THREE ON-STREET PARKING SPACES FOR YOUR PROJECT. If there are not legal parking spaces in front of your parcel now and you temporarily remove landscaping, fencing or walls, you may utilize those newly created temporary spaces as long as they leave a minimum of 10 feet clear space for vehicles to pass. Use of spaces in this manner must be noted on the staging plan and require review. See Public Works Superintendent Scott Derdenger for more details. ALL OTHER PARKING FOR YOUR PROJECT MUST BE OFF-STREET OR BE TAKEN CARE OF BY CARPOOLING OR BUSING.
- All material must be delivered to off-street areas. Trucks off-loading or on-loading material must do so while parked in legal parking spaces or be off-street. Any use of the public right-of-way for off-loading or unloading will result in a citation from the police department and possible revocation of the building permit. The Public Works Supervisor will issue you an encroachment or road closure permit for unloading and off-loading

only when there is no possible alternative. Full road closures are strongly discouraged.

- Encroachment permits should be available on site in case the Public Works Supervisor, a Police Officer or the Building Official needs to verify them.
- In the case of Bay side projects, the use of barges, where possible, is strongly encouraged.
- In order to comply with these regulations, it may be necessary to build temporary on-site staging areas by cutting, filling and shoring. Walls, fences and landscaping may have to be removed to gain access for parking and material storage. This activity requires prior approval before commencing work.
- An encroachment permit is required for debris boxes located on a city street.
- When the allowed parking on City streets is exceeded a Construction Parking Violation administrative notice is issued to the contractor. Upon the issuance of a third Construction Parking Violation notice for the same project a Stop Work Order will be issued. The Stop Work Order will be lifted only after the City and the contractor have had an opportunity to review the staging plan and take any corrective actions. This may result in significant project delay.

Encroachment Permit Requirements

The following information is a general description of the City's encroachment permits requirements. The Public Works Manager, or other Public Works Staff approves encroachment permits and road closures. If you have any questions regarding Belvedere's regulations or policies which govern them, including what constitutes a road closure, please contact the Public Works Supervisor at the City Hall number listed on the inside cover of this booklet.

- **Oversize Vehicles**: Must obtain an Encroachment Permit from Public Works Superintendent or City Engineer if the vehicle will travel on Belvedere Island and is larger than 11 feet high, 8 feet wide, and 20 feet long or if the vehicle will travel on Corinthian Island and is larger than 9 feet high, 7 feet wide, and 20 feet long.
- **Working in City Right of Way**: Most work taking place on, adjacent to, or abutting City streets and sidewalks, i.e., driveways, walls, fences, and plantings, require an Encroachment Permit .
- **Minimum of 10 Feet of Paved Way** must be left clear and unobstructed for free passage of other vehicles. The 10-foot "clear passage" also applies to construction material. Anything less than 10-foot "clear passage" constitutes a road closure.
- **Debris boxes require 12 feet of clearance** and, other than on private property, require an encroachment permit.

Road Closures must be applied for 72 hours, or three business days in advance of the actual closure. The Public Works Supervisor, or City Engineer, approves road closures and will require that you place signs, which are supplied by the City, in specific locations 48 hours in advance of the closure. Corinthian Island Road Closures require 10 Business days in advance and profession traffic control.

A **revocable license** is required if permanent private improvements, such as landscaping, retaining walls or driveways, are to be placed on City property. A revocable license, or an updated revocable license, may also be required if existing private improvements on City property are improved or modified. The revocable license is a legal instrument which transfers liability and maintenance requirements to the private property owner who is responsible for placing the improvements on City property. The revocable license is processed by the Planning Department and must be approved by the City Council.

Project Revisions and What Constitutes Demolition

Project Revisions

Revisions to a project often occur during the construction process, and for various reasons. The City, however, must approve most revisions. This is especially true of changes to the exterior of a building, structural changes and changes to a floor plan.

When the revisions involve only structural or interior work, two copies of revised full size plans are to be submitted to the Building Department, along with a Revised Plan Submittal form.

When the revisions involve exterior changes the Planning Department must review and approve the changes as well as the Building Department. In these instances the applicant makes application to the Planning Department for review of the changes and concurrently two copies of revised full size plans are to be submitted to the Building Department, along with a Revised Plan Submittal form.

What Constitutes Demolition

Be advised that the set of plans approved by the Belvedere Planning Commission or the Planning staff is the official and legal record of what has been approved by the City for construction or demolition, relative to a specific project. It is strongly suggested that contractors have an intimate knowledge of the architectural legends on each sheet of drawings as a reference to what has been approved for demolition. Even if during the reconstruction process dry rot or existing un-sound structural conditions are found, reconstruction of these areas is not allowed if the official record does not indicate the area as being removed. In order to reconstruct in these areas approval must be obtained in advance of the work.

As of February 2006, the removal of siding, window trim, sheetrock, insulation, and roofing materials do not constitute demolition. However, the removal of wall and roof framing and building features within exterior openings, such as doors, windows and skylights, do constitute demolition. In

most cases, wall framing consists of the mudsill, top plate, studs, window and door headers, and structural beams of the exterior walls. Roof framing usually consists of rafters, ridgeboard, structural beams, and roof plate. Where wall plates are to be raised, sistering may be employed so long as the original framing, including top plate and mudsill, is retained. Where windows or doors are to be increased in dimension, original materials are to be retained to the sides, top and bottom of the feature unless a new wall is called out in the floor plans. Unauthorized demolition will result in an immediate stop work order and penalties up to \$100,000.

As of November 6, 2006, the City adopted a policy for administrative approval for minor increases of demolition that have not adverse impacts to adjacent residents or City property, that do not constitute 10% or more of the approved scope of demolition, and that do not increase the scope of any Exception or Variance applicable to the property. The administrative increase of demolition must be applied for in advance of the work and approved by Planning Commission Chairman, Planning Manager and City Manager.

Fire Sprinkler and Smoke Detector Requirements

Fire Sprinkler Requirements

Like all Cities in Marin County, the City of Belvedere has adopted a local ordinance that requires a fire sprinkler suppression system for all new residential occupancies, including second units. The fire sprinkler mandate is found in Belvedere Municipal Code Section 16.12.100 U. Section 16.12.100 also requires that under certain circumstances an existing building may require the installation of a fire sprinkler system. Homeowners, architects and contractors are particularly cautioned that the fire sprinkler retrofit requirements can be triggered when a remodeling project exceeds 50% of the existing floor area of the residence.

The Tiburon Fire District (TFD) administers the fire sprinkler requirements. If a property owner, design professional or contractor has a question regarding the sprinkler requirements, including technical provisions for the installation of the systems, they should contact the TFD Fire Marshal. The Fire Marshal's phone number is listed at the front of this booklet under City Staff and Contact Numbers.

Smoke Detector Requirements

Belvedere has a unique Municipal Code provision, found in Section 16.04.15 G, which disallows the Exception to California Building Code Section 310.9.1.1. For practical purposes this means that an alarm system may not substitute for, or serve as a smoke detector. Under all circumstances smoke detectors must be installed per California Building Code requirements in the locations prescribed by the Code and be separate from the alarm system.

Project Erosion Control Requirements

Runoff from streets and other paved areas is a major source of pollution in San Francisco Bay. Construction activities can directly affect the health of the Bay unless contractors and crews plan ahead to keep dirt, debris and other construction waste away from storm drains, drainage swales and the Bay. Of importance to the contractor, storm drain polluters may be liable for fines.

In Belvedere, erosion control is a year around responsibility, not just during the rainy season. For this reason the City requires compliance with the National Pollutant Discharge Elimination System (NPDES) requirements at the inception of those projects which include any amount of grading, excavation, pier boring or soil disruption.

If you have any questions in regards to Belvedere's erosion control requirements, contact the Building Inspector. (See City staff and contact information on P. 3) If you have questions in regards to pollution prevention, contact the City's Public Works Supervisor who is also the City's Stormwater Coordinator. (See City staff and contact information on P. 3)

The information below provides general *best practices* erosion control and pollution prevention information, followed by **Minimum Erosion Control Measures For Single Family Home Construction** requirements, with pictorial descriptions of those requirements. Projects which involve working immediately adjacent to the Bay, or in the Bay, may also be subject to Bay Conservation and Development Commission (BCDC) and Army Corps of Engineers requirements.

EROSION CONTROL/POLLUTION PREVENTION GENERAL BEST PRACTICES

Earthwork

- Sweep streets and other paved areas when cleaning up. Never use wash down as a clean-up technique.
- Concrete pumping requires a tarp or plastic sheet under the entire pump apparatus as well as the transfer area between the concrete truck and the pump.
- Avoid scheduling earth-disturbing activities during the rainy season if possible. If the City allows grading activities during wet weather, be sure to implement all measures necessary to prevent erosion.
- Mature vegetation is the best for of erosion control. Minimize disturbance to existing vegetation whenever possible.
- Whenever a slope is disturbed during construction, prevent erosion by securing the soil with erosion control fabric, including seed with fast growing grasses, or hydro-seed, per City approvals, as soon as possible. Place a silt barrier down-slope until the soil is secure.
- Keep excavated soil on the site where it is least likely to collect in the street. Transfer to dump trucks should occur on the site, whenever possible, not in the street.
- Use silt fences or straw logs to prevent the flow of silt off the site and into the City's storm drain system.

Painting

- Never rinse paint brushes or materials into a storm drain or onto the street.

- Paint out excess water-based paint before rinsing brushes, rollers or containers in sink.
- Paint out excess oil-based paint before cleaning brushes in paint thinner.
- Filter paint thinners and solvents for reuse whenever possible. Dispose of oil-based paint sludge and unusable thinner as hazardous waste. (Hazardous waste information: 485-5648)

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Paving/Asphalt Work

- Do not use water to wash down fresh asphalt or concrete paving.
- Do not pave during wet weather or when rain is forecast.
- Cover storm drain inlets and manholes when paving, applying seal coat, tack coat, slurry seal or fog seal.
- Prevent paving materials from entering City storm drains.
- Do not sweep or wash down excess materials into City storm drains. Collect these materials and return to stockpiles or dispose of as trash or at your yard.

Materials Storage and Waste Disposal

- Do not use water to wash down fresh asphalt or concrete paving.
- Wash out concrete equipment trucks off-site, or designate an on-site area for washing where water will flow into a temporary concrete washout receptacle, such as what is shown on Page 17 of this booklet.
- Store any stockpiles of dirt, sand, asphalt, concrete, grout or mortar under cover and away from drainage areas. These materials must never reach a storm drain or the Bay.
- Divert water from washing exposed aggregate concrete to a dirt area where it will not run into a gutter, street or City storm drain. If a suitable dirt area is not available, collect the wash out water and remove to an appropriate disposal off site.

Dewatering Operations

- Be sure to contact the City's Public Works Supervisor before discharging water to a City street or storm drain. Filtration or diversion through a basin, tank or sediment trap may be required.

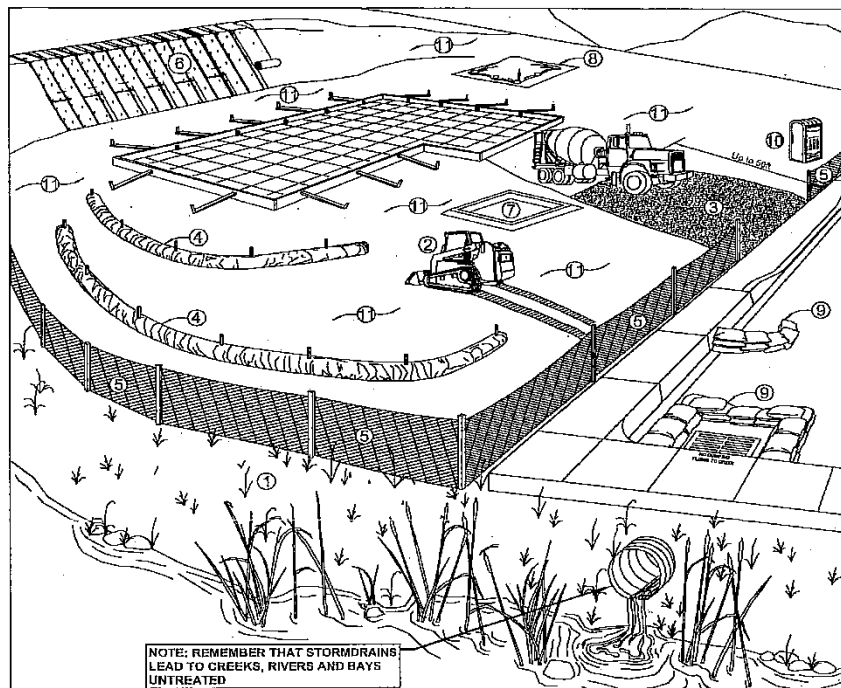
Vehicle and Equipment Maintenance and Hazardous Materials Management

- Vehicle and equipment maintenance is not allowed on City streets.
- Do not clean vehicles or equipment on City streets.

Hazardous Materials Management

- Label all hazardous materials and hazardous wastes in accordance with City, state and federal regulations.
- Follow manufacturer's application instructions for hazardous materials and use only what is necessary.
- Store hazardous materials and wastes in secondary containment and cover them during wet weather.

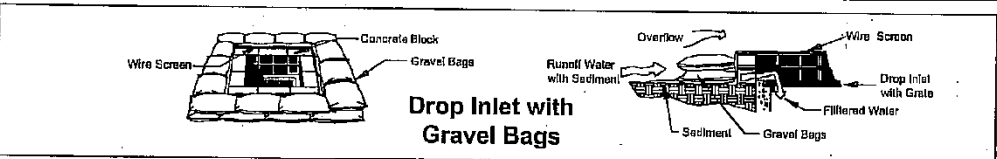
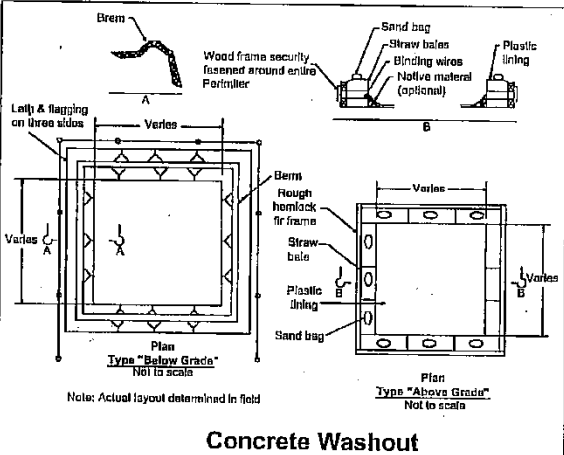
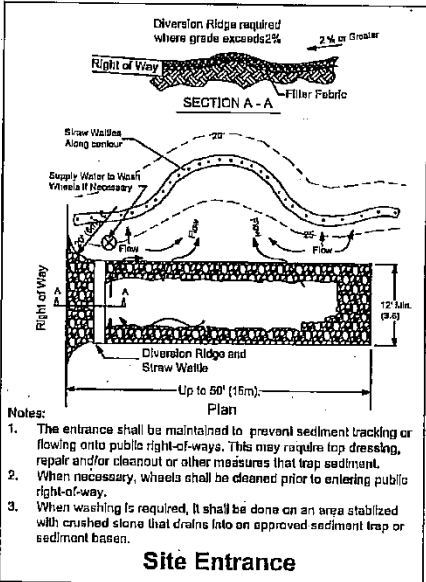
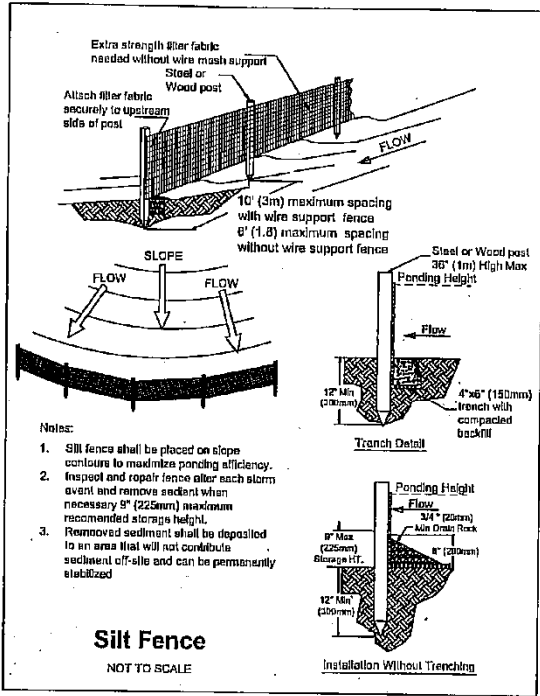
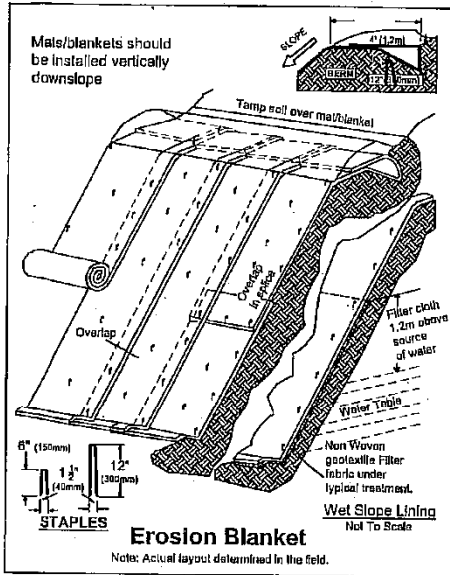
MINIMUM EROSION CONTROL MEASURES FOR SINGLE FAMILY HOME CONSTRUCTION



- ① Check with Flood Control District for creek set-back requirements.
- ② During grading phase, track-walk up and down slopes, not parallel.
- ③ *Stabilize site entrance and temp driveway with 3" crushed rock up to 50' to prevent tracking soil off site.
- ④ *Install straw wattles along contour at or > 2:1 slope, keyed into ground at least 3" in deep (25' to 50' apart).
- ⑤ *Install silt fence as secondary measure along contours to keep sediment onsite and to minimize vehicle and foot traffic beyond limits of site disturbance.
- ⑥ *Install erosion blankets on any disturbed area at or > than a 2:1 slope.
- ⑦ *Construct a concrete washout site adjacent to stabilized entrance. Clean as needed and remove at end of project.
- ⑧ Cover all stock piles-stockpile and landscape materials, keep behind silt fence, and away from water bodies.
- ⑨ *Use pea-gravel bags around drain inlets located both onsite and within gutter as a last line of defense.
- ⑩ Place port-a-potty near stabilized site entrance and away from storm drain inlets and water bodies.
- ⑪ Cover all exposed soil with straw or straw/ackifier.

Note: Sediment and erosion control shall be continually maintained throughout the local rainy season and to remain effective during construction phase. Continue inspection and maintenance of BMPs before and after rain events.

*See reverse side for detail Drawings.



Jobsite Security

Construction jobsites in Marin County have become the target of burglars and Belvedere is no exception. Perpetrators have focused on expensive power tools; however, less expensive tools and copper pipe have also been stolen. The perpetrators exhibit a modest level of sophistication, including pre-theft job site reconnaissance, conducting the theft at a time when neighbors may consider jobsite activity as on-going construction work and the use of specialized tools in the drilling and removal of locks.

Belvedere's Police Department has made a concerted effort in thwarting the jobsite thefts and is employing a number of enforcement techniques in the on-going effort of halting the thefts and arresting anyone involved in the criminal activity. Enforcement activity includes a discussion of jobsite security during the pre-construction meeting and periodic visits to the jobsite by an officer for the purposes of assessing security measures and providing on-site advice.

While the Police Department's focused efforts in eliminating jobsite thefts have had some success, jobsite tool thefts still occur. Consequently, we are asking that contractors assist by protecting themselves beyond the use of a locked job box and chained tools. Belvedere is now strongly recommending that contractors make use of security alarms in protecting their jobsite.

The range and type of alarms include wireless door/window type alarms to sophisticated motion sensors, including monitored security cables, which automatically dial a predetermined phone number. The type, cost and availability of alarm systems can easily be found by an internet search. Prior to the deployment of an alarm system, the contractor should consult with the Belvedere Police Department. In the case of systems that make an automatic phone call, the Department will recommend call protocol and specific phone numbers. Also, repeat false alarms or unnecessary audible alarms could create a violation of the City's alarm regulations contained in Municipal Code Chapter 16.14, thus, defeating the benefits and intention of the alarm.

Criteria for Project Final Approval for Purposes of the Construction Time Limit

As mentioned during the pre-construction meeting and described earlier in this booklet on Page 22, each project subject to design review is assigned a time for completion. The date for completion of your project is noted on the building permit and on the City approved construction plans. In order for the Construction Time Limit (CTL) "clock" to stop you must obtain City approvals, as evidenced in writing on the inspection record, for all those aspects of the project that do not constitute landscaping. Approvals are required first from the Fire Marshal, if applicable, next the Building Inspector and finally from the Planning Department. The following information describes what project elements are subject to CTL final and what elements are considered landscaping. Landscape elements must be approved as complete by the Planning Department no later than 90-days from the CTL final, unless a 30-day extension is granted by the City Manager. If you have any questions regarding this criterion, please contact the City Building Official.

Building Interior Elements Subject To CTL Final Approval

- All residential dwelling units, including second units and second kitchens, must comply with Uniform Housing Code, Chapter 5, in terms of habitation requirements. (These buildings must have a completed kitchen, including permanent food preparation and preservation equipment, at least one completed bathroom, conforming bedroom and additional habitable room of at least 120 sq. ft.);
- All life/safety features must be installed and functional throughout the building, including smoke detectors, permanent guardrails, permanent handrails, required tempered glazing and exit system components;
- Electrical systems are to be fully completed, including all permanent light fixtures, receptacles and switches being in place. (In lieu of a permanent light fixture an approved cover plate may be installed at the location of the fixture mounting box, except in the case where the light fixture in question provides the code required room lighting.);
- Permanent plumbing fixtures in other than the required bathroom are required to be in place at the time of the landscape final approval; and

- In rooms other than the required kitchen, bathroom, conforming bedroom and 120 sq. ft. habitable room, finish materials including paint, architectural trim, tile, marble, finish wooden floor and carpeting must be completed at the time of landscape final approval.

Project Construction Elements Subject To CTL Final Approval

- Project main structure, including decks and accessory buildings greater than 50 sq. ft. (These buildings must have all exterior finishes completed, including lighting fixtures, final painting and/or power washing. Accessory buildings include, but are not limited to, detached garages, carports, guesthouses, pool houses, potting, sheds and tool sheds. Exterior finishes of one accessory building less than 50 sq. ft. qualifies as a decorative elements to be completed as part of landscape approval.);
- Accessory structures, including site-built features such as detached decks, patio covers, outdoor fireplaces, hillside elevators, docks, outdoor kitchens, including operable plumbing, electrical and mechanical fixtures;
- Poured in place, thus considered permanent, spas, pools and fountains (Tile and finish surface materials above the water line are considered part of the landscape element.);
- Permanent equipment, including mechanical and auxiliary power systems such as solar photovoltaic and generators, mechanical boat lifts or boat storage equipment;
- Mechanical and plumbing enclosures related to permanent spas, pools and fountains (This relates to typical conditions of approval regarding sound attenuation requirements.);
- All concrete flat work, including patios, driveways and walkways;
- Exterior finish materials on doorway landings, verifying compliance with California Building Code Sections 1003.3.1.6 (Floor level at doors) and 1003.3.1.7 (Landings at doors);
- All concrete, masonry or stonewalls greater than 18" in height;
- Entry columns, trellises, arbors and walkway covering;
- Permanent guardrails and all other permanent life safety features;
- All perimeter fencing;
- Chimney spark arrestors; and
- External security features, including cabling and cameras.

Project Elements Considered Landscaping and Not Subject CTL Final Approval

- Tile and finish surface materials for spas, pools and fountains at surface areas above the water line;
- Portable, cord connected, spas and fountains;
- Surface finish materials on all cement patios, driveways and walkways;
- Surface finish materials on concrete or masonry walls greater than 18" in height;
- All concrete, masonry or stone walls less than 18" in height;
- Irrigation systems and lighting associated with landscaping;
- External security features, including cabling and cameras, other than on buildings; and
- All softscape improvements, including approved plant materials and trees.

City Requirements at Completion of Landscaping Element

- Removal of porta potties;
- Removal of temporary barriers or fencing; and,
- Removal of all construction and landscaping equipment from the site.
- Re-Evaluation of building permit

***Construction Time
Limit Ordinance (CTL)***

Belvedere has a unique Municipal Code requirement which results in the assignment of the length of construction time for each project, no matter the scope or complexity, if it has been subject to City design review and a building permit is required. As discussed during the pre-construction meeting, the Construction Time Limit (CTL) "clock" begins on the date the permit is issued. If the project does not start on that date it is the applicant's responsibility to notify the Building Official in writing, before the actual start date, stating when the project will begin. The notification must allow for enough time for Building Department verification of construction non-activity.

The date upon which the project must be completed is written on the building permit and on the project plans. This date constitutes the official record of the required completion date.

The Time Limit for Construction varies between 6-months to 18-months, depending on the project valuation. Where project valuation is less than, or equal to, \$100,000, the maximum time for completion is 6-months. Where project valuation is less than, or equal to \$500,000, the maximum time for completion is 12-months. Where project valuation is more than \$500,000, the maximum time for completion is 18-months.

All permits issued for a project which is subject to a CTL date for completion, such as swimming pool, outdoor kitchen or other ancillary structure, are subject to the original time for completion which was assigned to the project at the time of the first permit issuance.

For projects which have been assigned a time for completion of less than 18-months, because of the valuation stated during the application process, an increased time period, up to 18-months, can be requested by making application and payment of a \$1,000 application fee. A City hearing committee reviews the request for extension of construction time. The committee consists of the City Building Official, City Planner and City Engineer. The committee must be able to make findings for an increased construction time based on increased valuation and any one or more of the following factors: a) Site topography, b) Site access, c) Geologic issues, d) Neighborhood considerations, or e) Other unusual factors. The Committee's findings and recommendations are an amendment to the applicant's existing design review approval.

For construction projects which previously had not been assigned a CTL, when design review is required in mid-project, a permit is issued to memorialize the new work and the inception of the required CTL. The assigned CTL beginning date is the date of the first permit issued for the project. The length of CTL time assigned to the project is based on the valuation. The entire project is to be completed by the assigned CTL date.

There is also a Construction Time Limit extension process which provides for an additional 6-months of construction time beyond 18-months, based on the criterion described in a) through e) above. However, this extension is applicable only for those projects which the Commission has already assigned an 18-month time for completion and for which a building permit has not been issued.

Significant penalties, up to \$1,200 per day to a maximum of \$300,000, can be incurred if the project is not completed within the designated amount of construction time. Consequently it is important that the applicant and the project contractor fully understand all aspects of this Municipal Code section. For this reason the entire section is reproduced below. We have also provided on Page 19 of this booklet the criteria by which a project is considered completed for the purposes of Construction Time Limit and the penalty "clock" is halted. Prior to contacting City staff, please refer to the information on Page 19 when questions arise in regards to a CTL project approval and Page 27 for final City approvals, certificate of occupancy, or temporary conditional certificate of occupancy and the return of any construction damage deposit.

20.04.035 Time limits for construction. A. Purposes. The City Council finds that:

1. A continuous stream of large numbers of construction projects on private properties within the City for many years past has resulted in substantial and continuing adverse impacts on the City and its residents from construction activities;

2. Among those adverse impacts are long-term noise disturbances to neighbors of the construction projects, loss of already inadequate on-street parking due to the presence of large numbers of construction vehicles, and frequent closures of the City's narrow streets for construction deliveries and staging, which closures hinder and/or eliminate local and emergency access for varying periods of time;

3. The City has seen numerous individual projects designed and built on a very large scale so that construction has often continued for many years, thus prolonging the adverse impacts created by those projects;

4. It is in the interests of the health, safety, and welfare of the citizens of Belvedere to place a reasonable time limit on the duration of each construction project, so as to balance the needs of the owner of the project with those of his neighbors and the community generally in the safe and peaceful enjoyment of their properties;

5. The time limits adopted in this Section allow an adequate and reasonable amount of time for the kinds of construction projects undertaken in the City; and

6. Because of the large monetary value of many of the construction projects in the City, substantial penalties should be imposed upon persons who violate the time limits imposed pursuant to this Chapter, so as to encourage compliance with such time limits and achieve the purposes of this Section.

B. Construction Time Limit Required. As part of any application for design review, the applicant shall file a reasonable estimate of the cost of the proposed construction, and based thereon, a construction time limit shall be established for the project in accordance with the guidelines set forth in Subsection C of this Section. Compliance with such time limit shall become a condition of design review approval. The time for completion of the construction shall also be indicated on the building permit. For projects exceeding \$500,000 in project valuation, a detailed PERT or GANTT chart, including detailed information on the critical path of the project, shall be required prior to the issuance of any building permit. Once approved, the property owner shall provide the City with written monthly job progress reports consistent with the approved PERT or GANTT chart. Prior to the commencement of any construction work on the project, the applicant may apply for an extension of the established time limit as provided in Subsection D of this Section, provided that no construction activity has yet commenced on the project.

C. Time Limit Guidelines; Table. Except where a longer time period is approved pursuant to Subsection D of this Section, the maximum time for completion of approved alterations, additions, modifications, repairs, or new construction, following issuance of the building permit, shall not exceed the following:

Table: Construction Time Limits Based Upon Demonstrable Estimated Project Value

| Estimated Value of Project (\$) | Construction Time Limit (months)* |
|---------------------------------|-----------------------------------|
| \$0 to \$100,000 | 6 months |
| \$100,001 to \$500,000 | 12 months |
| Greater than \$500,000 | 18 months |

* For landscaping work approved as part of a larger construction project, the applicant shall have an additional 90 days after the date of final inspection approval of the building permit for the main construction project.

D. Extension of Construction Time Limit.

1. Provided that no construction activity has yet commenced on the project, the applicant may apply for an extension of the established construction time limit, not to exceed an additional six months. For landscaping work that was approved as part of a larger construction project, following final

building inspection approval or issuance of an occupancy permit, the applicant may file an application for an extension not to exceed 30 days beyond the landscaping time limit specified in Subsection C above. Such application shall be filed prior to the expiration of the 90-day time limit and shall be considered by the City Manager who shall have the authority to grant said extension only if, in his or her opinion, such extension to the 90-day landscaping time limit is warranted because of delays caused by inclement weather.

2. An application for an extension of the construction time limit shall be accompanied by complete working drawings for the construction, a written explanation of the reasons for the requested extension, and a fee, as established by City Council resolution.

3. Within 10 working days of receipt of a complete application for extension, said application shall be reviewed by a committee consisting of the City's Building Official, the City Planner, and the City Engineer, meeting together with the project contractor, architect, and, at the applicant's option, the applicant and/or any other representatives of the applicant. The committee may recommend to the Planning Commission, and the Planning Commission may approve, an extension if it is determined that any one or more of the following factors presents an unusual obstacle to complying with the standard construction time limit:

- a. Site topography;
- b. Site access;
- c. Geologic issues;
- d. Neighborhood considerations;
- e. Other unusual factors.

At the completion of such review, the committee shall make a written recommendation to the Planning Commission whether or not to approve the requested extension and setting forth the findings it has made justifying its decision. The Committee shall have the authority to administratively approve requests for extension, subject solely to the guidelines of Paragraphs 2 and 3 above, provided however that such extensions do not result in a construction time line exceeding 18 months.

4. The committee's recommendation shall be placed on the next available Planning Commission agenda and noticed as an amendment to the applicant's existing design review approval. Any modification by the Planning Commission of the original construction time limit shall not extend the existing expiration date of the design review approval. The decision of the Planning Commission to grant or deny the requested extension may be appealed in writing to the City Council.

E. Effect of Failure to Comply With Timeline.

1. Upon failure of the applicant to complete construction by the established time limit, the Building Official shall issue a compliance order setting a date 30 days from the date of such order within which time the applicant shall be required to complete the construction, and advising the applicant that the following penalties shall be imposed if the applicant fails to comply with said order:

a. For the initial 60 days that the project remains incomplete beyond the compliance order deadline: a penalty of \$600 per day;

b. For the next 60 days (i.e., the 61st through the 120th day) beyond the compliance order deadline during which the project remains incomplete: an additional penalty of \$900 per day; and

c. For any additional days (i.e., the 121st and subsequent days) beyond the compliance order deadline during which the project remains incomplete: an additional penalty of \$1,200 per day, up to an overall maximum penalty of the lesser of 10% of the project valuation or \$300,000. If necessary, the City may require that the project valuation be determined by an independent third party selected by the City at the cost of the property owner.

2. New construction shall be deemed completed for purposes of this Section upon the issuance by the City of a certificate of occupancy, per City policy. A remodel shall be deemed completed for purposes of this Section upon final building inspection approval.

3. The applicant shall be notified in writing of the amount of any penalty imposed pursuant to this Section. Notice shall be served as provided in Section 1.14.040 of this Code. Service shall be deemed complete upon mailing or posting as required in that Section. Penalties imposed pursuant to this Section shall be paid within 60 calendar days of the date of the notice of penalty.

4. A penalty imposed pursuant to this Section may be appealed by an appeal filed in writing with the City Clerk no later than 10 calendar days from the date of service of the notice of the penalty, with payment of an appeal fee as established by City Council resolution. Upon receipt of an appeal of the penalty pursuant to this Section, the appeal shall be reviewed by a review committee consisting of the City's Building Official, the City's Planner, the City's Public Works Manager, and the City Manager. The review committee shall conduct a meeting with the project contractor, architect and, at the applicant's option, the applicant and/or any other designated representative(s). The committee may consider any evidence provided by the applicant in determination of the appeal, and shall consider, based on the evidence presented, whether the applicant was unable to comply with the construction time limit for reasons beyond the control of the applicant and/or his or her representatives. For purposes of this Section, reasons beyond the control of the applicant and/or his or her representatives shall include, but not be limited to: administrative appeals of the project filed by third parties; delays required by the unforeseen discovery of archeological remains on the building site; labor stoppages; acts of war or terrorism; and natural disasters. For the purposes of this Section, reasons beyond the control of the applicant and/or his or her representatives shall not include: delays caused by the winter rainy season; failure of the applicant and/or his or her representatives to adequately protect the job site from damage due to the normal winter rainy season; failure of subcontractors to complete their work according to schedule; the use of custom and/or imported materials; the use of highly specialized subcontractors; significant, numerous, and/or late design changes; or by failure of materials suppliers to provide said materials in a timely manner.

5. The review committee shall make a written recommendation to the City Council whether the applicant's appeal should be granted or denied. The City Council shall thereafter hold a public hearing on the appeal and shall affirm or modify the penalty.

6. Any penalty finally imposed pursuant to this Section shall constitute a lien on the applicant's property, to be imposed, recorded and satisfied as provided in Sections 1.14.160 through 1.14.190 of this Code.

Certificate of Occupancy, Permit Re-Valuation, and Return of the Construction Damage Deposit

Final Inspection Approval

As mentioned in earlier sections of this booklet, City approvals are verified by signature and date on the inspection record. The office copy of the inspection record is considered the official record. All building permits must receive a final approval as evidenced by signature of the Building Inspector. In the case of projects that have received design review, final approval is required by the Planning Department. If an aspect of the project is regulated by the Fire Department, such as fire sprinklers, the Fire Marshal must also sign off on the inspection record. If landscaping has been involved the Planning Department must sign off on the completed landscaping. In all cases, it is the applicant's responsibility to arrange for the inspections, and at the appropriate time, during the final phases of the project.

Certificate of Occupancy

Belvedere requires the issuance of a Certificate of Occupancy (C of O) for new residential and garage structures before they can be legally occupied. The C of O is not issued, however, until all aspects of the project have been completed, including landscaping, and the re-evaluation process. In some instances the Building Official may grant a Conditional Temporary Certificate of Occupancy for the use of a residence, or garage, prior to project full completion. In order to qualify for the possibility of a Conditional Temporary Certificate of Occupancy a residence must meet the Interior Element Standards, as described under Project Final CTL Inspection Requirements on Page 19 of this booklet:

- All residential dwelling units, including second units and second kitchens, must comply with Uniform Housing Code, Chapter 5, in terms of habitation requirements. (These buildings must have a completed kitchen, including permanent food preparation and preservation equipment, at least one completed bathroom, conforming bedroom and additional habitable room of at least 120 sq. ft.);
- All life/safety features must be installed and functional throughout the building, including smoke detectors, permanent guardrails, permanent handrails, required tempered glazing and exit system components;
- Electrical systems are to be fully completed, including all permanent light fixtures, receptacles and switches being in place. (In lieu of a permanent light fixture an approved cover plate may be installed at the location of the fixture mounting box, except in the case where the light fixture in question provides the code required room lighting.);
- Permanent plumbing fixtures in other than the required bathroom are required to be in place at the time of the landscape final approval; and
- In rooms other than the required kitchen, bathroom, conforming bedroom and 120 sq. ft. habitable room, finish materials including paint, architectural trim, tile, marble, finish wooden floor and carpeting must be completed at the time of landscape final approval.

Issuance of a Conditional Temporary Certificate of Occupancy does not stop the CTL clock with regard to penalties and may be revoked if the conditions of approval for its issuance are not met, and/or maintained.

Failure to complete the remainder of the project will constitute a public nuisance. Penalties for the maintenance of a public nuisance include revocation of any discretionary approvals and punishment by a fine, and/or imprisonment for a misdemeanor.

Project Re-Valuation

Similar to other cities, Belvedere requires a re-valuation of construction costs after the project has been completed. The re-valuation figure must also include landscaping costs, exclusive of plant materials, and is exclusive of design professional services. The final project cost figure is then

compared to the valuation figure shown on the permit and new fees are assessed, if applicable. The property owner must pay the additional fees by signing the Acknowledgement of Construction Responsibility form prior to the issuance of the building permit.

Return of Construction Damage Deposit

Belvedere imposes a construction damage deposit, as part of the original permit fees, at the time of issuance of the building permit. Damage deposits range from \$2,000 to \$100,000, depending on the location of the project and the potential harm to a component of the City's infrastructure, such as a roadway. The damage deposit is returned to the property owner only after all required approvals have been granted, the City has been provided with the final project costs and there is no damage to City property, or the any damage has been repaired to the satisfaction of the City. When additional fees are due as a result of the re-valuation process, the fees are deducted from the damage deposit and the balance returned to the applicant. When re-valuation fees are greater than the construction damage deposit, the deposit is than credited towards fees due and the applicant is invoiced for the difference.

Appendix

A. Your Approved Staging Plan

***B. Planning Conditions of Approval and
Required Project Schedule Reports***

