

Exhibit 'A'

POLICY ON GRANTING PERMITS FOR NON-STANDARD IMPROVEMENTS IN COUNTY ROAD RIGHTS-OF-WAY

November 16, 2007

The Department of Public Works ("Department") has authority over the construction or placement of facilities in public road rights-of-way throughout unincorporated San Mateo County. This authority is granted pursuant to Section 1450, *et seq.*, of the Streets and Highways Code, and is not restricted by the exclusion of any road right of way from the County maintained system. The types, dimensions, locations and manner in which facilities are placed in public road rights-of-way are further regulated by area road standards adopted by the Board of Supervisors, standard details published by the Department, the State Standard Details and Specifications published by the California Department of Transportation ("Caltrans"), and County land development regulations administered by the Planning and Building Department (e.g. Subdivision, Coastal Development, Zoning, etc.).

Road standards by area ("area standards") denote levels of improvement for roads constructed and maintained by the Department, outside parties such as private developers or other agencies. Area standards are intended to result in safe and adequate access that preserves the character of the area for which they were adopted. "Minimum standard" refers to the size, depth, material or method of construction specified in the Department's or Caltrans' standard details for various facilities. The term "non-standard improvement" refers both to improvements that exceed area standards by either adding to or expanding upon the adopted standard, and to improvements that do not achieve area standards and/or minimum standards.

The Department of Public Works receives occasional requests for approval of non-standard roadway improvements both on County maintained streets and in non-County maintained rights-of-way (i.e. "paper streets"). Projects in paper streets that do not meet area standards are generally not approved unless they result in a private road that meets fire access requirements. Modifications to projects in County maintained roads where such modifications do not meet County minimum standards are occasionally allowed by Road Operations inspectors and engineers to address field conditions. Examples of such modifications may include allowing 12" or smaller diameter culverts where 15" is the minimum standard, or adjusting sidewalk or driveway widths to match existing facilities.

The Department has received several requests to "exceed" area standards by allowing sidewalks, paths, valley gutters and other facilities where the area standards do not include them. Some cases involve project proponents requesting County approval/support for sidewalks or paths in front of others' properties, while others involve "improvements" such as traffic calming devices that were not envisioned when the County standards were initially adopted.

The following policy shall serve as guidance for staff involved in the design, permitting or inspection of construction within public road rights-of-way.

Policy on Non-Standard Improvements

The Department of Public Works may permit or initiate construction of improvements that exceed area standards without separate approval by the Board of Supervisors when all of the following conditions apply:

1. The proposed project supports a County goal or program such as Water Pollution Prevention, Green Building, Recycling, Traffic Safety, Preventing Childhood Obesity, etc., as determined by the Director of Public Works.
2. The project does not cause any delay or cost to the Department of Public Works in pursuing completion of County sponsored improvement or maintenance projects on any County maintained street.
3. The project matches existing adjoining improvements (e.g. sidewalk may be extended from an existing return across frontage of a corner lot). The project does not result in "patchwork" appearance along the road, i.e. discontinuous street improvements will not be allowed.
4. Any improvements fronting other properties that are less than one block in length require approval by 100% of those property owners (typical of all permits).
5. Project sponsors for area-wide or entire block projects must demonstrate, through submittal of property owner petitions to the Department, a minimum 2/3 majority support of all property owners on the block on which improvements are proposed and a minimum 2/3 majority support along the same block by front footage of parcel.
6. Owner(s) of parcel(s) initiating the request shall execute a recorded agreement guaranteeing maintenance of permitted improvements by current and all future owners.
7. Sidewalk and curb intended for public use must comply with ADA standards.

If curb, gutter and sidewalk are proposed to be privately constructed in advance of Public Works' initiated improvements where area standards do not include curb, gutter and sidewalk, the road section fronting privately constructed improvements shall be excluded from the Departmental priority list for future road reconstruction.

Projects that do not achieve compliance with area standards will not be permitted in County-maintained roads.

All requests will be handled on a case-by-case basis. No blanket exceptions shall apply.

An inspection deposit is required for all non-standard improvements without exception. The applicant(s) shall pay the full cost of all inspections performed by the Department.

This policy will be reviewed and updated annually or more frequently, if needed.