



North Fair Oaks Community Council
*A Municipal Advisory Council to the
San Mateo County Board of Supervisors*

2600 Middlefield Road,
Redwood City, CA
650-363-1800
www.nfoforward.org

Everardo Rodriguez, Chair
Juan Carlos Prado, Vice-Chair
Beatriz Cerrillo
Brooks Esser
Joanie Gillspie
Linda López
Jennifer Ruiz
Blair Whitney

January 28, 2021

7:00pm

The North Fair Oaks Community Council provides recommendations on the issues of community health, safety, welfare, public works and planning for the North Fair Oaks geographic area. It holds regular monthly meetings to address the needs of the community, act as a forum, and serve as an advisory body to the Board of Supervisors.

Pursuant to the Shelter in Place Orders issued by the San Mateo County Health Officer and the Governor, the Governor’s Executive Order N-29-20, and the CDC’s social distancing guidelines which discourage large public gatherings, this meeting was held via videoconference. It began at 7:00 PM and was accessed online at <https://smcgov.zoom.us/j/96972213362> or by calling 1 (877) 568-4106 for Spanish.

1. ROLL CALL

Present: Chair Everardo Rodriguez, Vice Chair Juan Carlos Prado, Council Member Beatriz Cerrillo, Council Member Linda Lopez, Council Member Blair Whitney, and Council Member Brooks Esser.

Absent: Council Member Jennifer Ruiz and Council Member Joanie Gillispie.

Staff Present: Justin Mates, Deputy County Manager; Deputy County Counsel Timothy Fox; Office of Community Affairs: Emma Gonzalez and Sandra Becerra.

2. PUBLIC COMMENT

- Melissa Wilson, Juvenile Justice and Delinquency Prevention Commission: Introduced herself to the NFOCC and shared that she is excited to develop and find ways to work together.

AGENDA

3. Presentation: Child Care Facilities Ordinance

Presentation by Camille Leung, Senior Planner, Planning and Building Department	<ul style="list-style-type: none"> • Goal of New Ordinance: <ul style="list-style-type: none"> ○ County-wide Regulation to replace patchwork ○ Consistent with State Requirements ○ Expedited process for Child Care Centers ○ Authorize existing unpermitted Child Care Facilities ○ Child Care in employment centers & transit centers
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	<ul style="list-style-type: none"> • Scope of New Ordinance: <ul style="list-style-type: none"> ○ No permits required for small and large family day care homes ○ Establish ministerial permits to child care centers (check list process) ○ Maintain use permit process for other projects • Bayside Areas: <ul style="list-style-type: none"> ○ Ministerial Permit process aim (ex. commercial, institutional, commercial/residential mixed-use, single-family land usage) <ul style="list-style-type: none"> ○ Identifies institutional use or public facilities use <ul style="list-style-type: none"> ▪ <i>Institutional (churches or schools) vs. Public (government own) both urban & rural areas</i> • Locational Criteria for Ministerial Permits for Childcare Centers Outside of Coastal Zone-North Fair Oaks: <ul style="list-style-type: none"> ○ Replacement of a new building with approval ○ Expansion of 10,000 feet ○ Site served by public utilities and roads ○ Replacement of new building for child center • Public Engagement: <ul style="list-style-type: none"> ○ Negative declaration was released from 11/12-12/14/2020; document is on the County website. ○ Presentations to: <ul style="list-style-type: none"> • Coastal Commission: 11/30/20 • Transportation Working Group, San Mateo C/CAG • Midcoastal Community Council: 1/27/21 • North Fair Oaks Community Council: 1/28/21 • Future: Planning Commission- March/April 2021 • Future: Board of Supervisors- April/May 2021 • Recommended Action: <ul style="list-style-type: none"> • North Fair Oaks provide recommendation to the Planning Commission. Adoption on the centering ordinance and tax changes to different county/districts to implement and streamline line process for childcare centers.
<p>Questions from Council Members</p>	<ul style="list-style-type: none"> • Council Member Linda Lopez asked: How does the required parking coincide with the ratio of the worker and child? Is it enough parking for employees, with the ratio of the worker and child? Is it enough parking for employees? <ul style="list-style-type: none"> ○ Ms. Leung response: Parking is based on the number of enrollments. • Chair Everardo Rodriguez asked: Is this ordinance to only unincorporated areas or do you see this within San Mateo? <ul style="list-style-type: none"> ○ Ms. Leung replied: Redwood City just adopted theirs, our ordinance is the same. Sarah and Kristen Anderson are on the call and they might be aware with what cities within San Mateo County are coming on-board with the childcare ordinance.

	<ul style="list-style-type: none"> • Chair Everardo Rodriguez asked: I know you mentioned that the period for public comment closed but could you share the website for public comment? For people to have access. One concern is the issue of parking, double lane parking, driveways parking, traffic. <ul style="list-style-type: none"> ○ Ms. Leung replied: We used a well-accepted parking rate basis in our parking regulations for child care centers. The parking is based on enrollment. Drop-offs are pretty quick and are at staggered times. • Council Member Blair Whitney commented: I appreciate the amnesty program and recognizing childcare sites so they don't get in trouble. Are you asking us to make a motion for the Board to Supervisors showing that we support this? <ul style="list-style-type: none"> ○ Ms. Leung replied: Yes, the next step is the planning commission recommendation to the Board of Supervisors. Therefore, this would be a recommendation to the planning commission. This will get to the Board and they will see your recommendation. • Council Member Beatriz Cerrillo asked: How can more support happen to those who already have some form of childcare center to make them more confirming? <ul style="list-style-type: none"> ○ Ms. Leung replied: It's important to clarify that due to state law AB234 that passed over a year ago, those large family care homes that might have required a ministerial permit from the County are now permitted by right, so they do not require any permits from the County planning department. The only amnesty sites that we are talking about are unpermitted child care centers and I don't believe there are any in North Fair Oaks. • Council Member Beatriz Cerrillo asked: What about the families that do have some type of child care and need support to make it better? <ul style="list-style-type: none"> ○ Ms. Leung replied: There are two child care professionals who have helped me with this ordinance, and they can speak to other services that are offered to support these child care centers—such as staying open during COVID due to a decrease in enrollment numbers.
Public Comment	<ul style="list-style-type: none"> • Sara Kinnahan, Coordinator for the Childcare Partnership Council, an advisory body to the County Office of Education and Superintendent on matters related to child care. On my written comment I stated that for zip codes 94025, 94027, 94063 there's a total supply gap of over 1,400 spaces for children ages 0-4. The ordinance goes a long way to provide child care where they are most needed. • Randy Torrijos, Legislative Aide for Supervisor Pine's office: I want to comment on the council member's concern for additional assistance to childcare providers. The Board of Supervisors did approve an additional 4 million dollars from CARES funding for childcare centers and of that amount our non-profit partners raised around 1 million dollars. They are opening a fund for learning hubs for school-aged children who would normally be in school.

Council Action	<ul style="list-style-type: none"> • Council Member Brooks Esser made a motion to approve the child care facilities ordinance and recommend that the planning commission and indeed the board of supervisors do so as well. • Vice Chair Juan Carlos Prado seconded the motion. • Roll Call vote: Yea: 6 (Rodriguez, Prado, Cerrillo, Lopez, Whitney, Esser) Absent: 2. • The motion carries to approve the child care facilities ordinance.
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4. Presentation: Midpeninsula Regional Open Space District

Presentation: Joshua Hugg, Governmental Affairs Specialist	<ul style="list-style-type: none"> • Midpen Regional Open Space District is funded primarily through property tax and maintains 26 preserves in Santa Clara, San Mateo, and Santa Cruz counties—65,000 acres, 240+ miles of trails. • These preserves are free and open to public year-round. • MidPen employs 180 individuals and has 600 volunteers • Free open space activities include: <ul style="list-style-type: none"> • 16 preserves of mountain bike trails • 11 preserves dog-friendly (1 off-leash area) • Black mountain backpack camp • Dozens of free docent-led hikes • Geocaching challenge • Volunteer opportunities • Equestrian trails • Guided Activities are available for all ages and abilities. Visit: www.openspace.org/what-to-do/calendar to learn more. • Project Updates: <ul style="list-style-type: none"> ○ Ravenswood Bay Trail Segment- Completion of 0.6 miles. This enables almost 80 miles of bay trail which is used for public enjoyment and commuting. ○ Timeline/Public Input and EIR for prescribed fire: <ul style="list-style-type: none"> ○ April 2020: Board Study Session ○ April/May 2020: Notice of Preparation, 30-day comment period ○ May 2020: CEQA Scoping Meeting ○ Winter 2021: Draft EIR 45-days comment period ○ Spring 2021: EIR Certification Adoption Program ○ For more information: www.openspace.org or info@openspace.org
Questions from Council Members	<ul style="list-style-type: none"> • Vice Chair Juan Carlos Prado asked: Is cattle grazing year-round or is it temporary or seasonal? <ul style="list-style-type: none"> ○ Mr. Hugg replied: Those are year around, we have multi-year leases and they get renewed periodically. • Vice Chair Juan Carlos Prado asked: Regarding the Ravenwood property, what kind of facilities does it have? Does it have a bathroom? Does it have a wheelchair ramp? Is this trail open during daylight? Or is it open accessible 24 hours a day?

	<ul style="list-style-type: none"> ○ Mr. Hugg replied: It has access to a bathroom and an ADA trail which is primarily paved, so it provides a level surface for bicyclists and pedestrians. Our preserves are opened a half hour before sunrise to a half hour after sunset. For the newer preserves, automatic gates have been installed otherwise our rangers will come down. We do have guided docent hikes. • Chair Everardo Rodriguez asked: Are there guided hikes large groups can book? <ul style="list-style-type: none"> ○ Mr. Hugg replied: Yes, please look at our website and look at our calendar of events. It's a bit sparse because of COVID but what you would typically see is this populated with all kinds of activities. COVID is dominating things but there is easy, moderate hikes, and those are open to groups. You can also host your own groups, but you must get a permit. • Council Member Brooks Esser asked: I am unclear on the difference between the charter of the Midpeninsula Region Open Space District and POST (Peninsula Open Space Trust), can you clear that up for me? <ul style="list-style-type: none"> ○ Mr. Hugg replied: MidPen is governmental entity with an elected Board of Directors and POST is a private foundation.
Public Comment	None

5. Recommendation to the Zoning Hearing Officer (ZHO) for the Consideration of a Minor Subdivision, pursuant to Section 7002 of the County Subdivision Regulations, to subdivide an 11,780 sq. ft. parcel into four townhouse units and one common interest parcel at 20 Dexter Avenue in the unincorporated North Fair Oaks area of San Mateo County. The project includes the removal of one 30-inch dbh (diameter at breast height) redwood tree.

Presentation by: Kanoa Kelley, Planner II, Planning and Building Dept.	<ul style="list-style-type: none"> • Mr. Kelley described the proposed subdivision at 20 Dexter Avenue. The project complies with zoning regulations and meets all R-3/S-5 development standards. It complies with the County's subdivision regulations. The project is exempt from categorically exempt from environmental review. • Mr. Kelley request a recommendation from the North Fair Oaks Community Council to the Zoning Hearing Officer on the proposed minor subdivision.
Questions from Council Members	<ul style="list-style-type: none"> • Chair Everardo Rodriguez asked: How many bedrooms are in each unit? <ul style="list-style-type: none"> • Mr. Kelley replied: Mostly 3 bedrooms, which vary in size. • Chair Everardo Rodriguez asked: Do the units comply with parking requirements? <ul style="list-style-type: none"> • Mr. Kelley replied: Yes, each unit has a two-car covered parking, they are not required but they do have some onsite parking for guests.

	<ul style="list-style-type: none"> • Chair Everardo Rodriguez asked: Would you say they won't be impacting the residential side with additional cars? <ul style="list-style-type: none"> • Mr. Kelley replied: They exceed the parking requirements. <p>Chair Everardo Rodriguez asked: What kind of feedback have you got from the neighborhood from January 11th meeting?</p> <ul style="list-style-type: none"> • Mr. Kelley replied: Based on the feedback at the ZHO, on Dec 17 and the community meeting on January 12th, the main objections were due to height (three stories), the overall aesthetic, and that it didn't fit into their community. <ul style="list-style-type: none"> • Chair Everardo Rodriguez asked: Is the zoning being changed or is the project in compliance? <ul style="list-style-type: none"> • Mr. Kelley replied: The zoning will not be changed. The project complies with the existing zoning. <ul style="list-style-type: none"> • Vice Chair Juan Carlos Prado asked: Is there any mitigation going on with the developer as far as any of the vegetation that will be affected? <ul style="list-style-type: none"> • Mr. Kelley replied: The arborist report was provided and it included mitigation recommendations, such as: 6 inches of excavation, adding geotextile to improve filtration, reducing the base thickness, reducing the compaction of surrounding soil. The project will follow the arborist's recommendations. It is only the tree on the south side facing the alleys that is in poor condition and is proposed for removal as it is too close to the buildings. All the other trees will be preserved in coordination with a certified arborist. <ul style="list-style-type: none"> • Chair Everardo Rodriguez asked: Are they reaching the maximum height that is allowing for the zoning or is it surpassing? <ul style="list-style-type: none"> • Mr. Kelley replied: The maximum height is 36 feet and their proposed building is 34 feet, 3 inches—which is below the maximum height allowed. <ul style="list-style-type: none"> • David, Arborist for project: I've been working with the civil engineer. We are doing the geogrid driveway with only 6 inches of excavation, compared to the normal 18-24 inches of excavation, which will be saving a large part of the roots. The geogrid will allow the roots underneath the driveway to continue to thrive as it will not be compacted like it would be in a standard driveway. The utility lines and tunneling will all be done by hand. Redwood trees have the best tolerance to construction impacts. In Palo Alto they use geo grid, and we follow their tree technical manual for recommendations.
Public Comment	<ul style="list-style-type: none"> • Kent Manstke: At the first zoning meeting, it was communicated by the arborist and the planner that the tree roots would be cut and that there would be property damage within 20 years as a result of the cement slab rising due to the roots. This would immediately cause the new property owners to have property damage within 20 years and would request for the County to cut down trees as they are causing damage. One architectural rendering that is now shown here is the little permeable soil that exists when 75% is made of cement. These trees need

	<p>additional water because of the drought we are experiencing. These trees are in harm's way. The buildings are unattractive and look like low-rent apartments that do not belong in a residential neighborhood. They do not represent four homes but a massive structure. Suggestions like altering the roof line were not implemented.</p> <ul style="list-style-type: none"> • David: I am in agreement with Kent's comment. It also appears that all the drains exit out to Dexter, so all the water that is used for irrigation winds up on the street and then travels down towards the railroad tracks. This water used to be absorbed by the redwood trees but with concrete it will go onto the street. • Tim Heffman, Civil Engineer on project: We are complying with the County's requirements where we will infiltrate and create a detention system for the site. While we are increasing the impervious surface we are not going to impact the peak flow there leaving the system. There is no below grade system on Dexter so it will still discharge through the curve, similar to the condition that it does now.
Council Action	<ul style="list-style-type: none"> • Council Member Brooks Esser made a motion to recommend approval of the proposed project at 20 Dexter Ave as it was proposed to us tonight. • Vice Chair Juan Carlos Prado seconded the motion. • Tim Fox, Deputy County Counsel reminded Council Members prior to their vote that the Board resolution that establishes the NFOCC requires members to disclose potential conflicts of interest. Therefore, if anyone on the Council owns or has a long-term rental of real estate or investment property near this site, they should disclose this prior to a vote being held. • Council Member Blair Whitney shared that he rents a one-bedroom apartment about 8 blocks away from this site. • Deputy Counsel Fox assured that Council Member Whitney's home is not close enough to the site to present a conflict of interest. • Roll call vote: Abstain: (1-Rodriguez); Yea (3-Prado, Whitney, Esser); No (2-Cerrillo, Lopez; Absent (2-Ruiz, Gillispie) • The motion carries to recommend approval of the proposed project.

6. Report out:

<p>a. Supervisor's Report</p> <ul style="list-style-type: none"> • Madahi Cornejo, Legislative Aide to Supervisor Slocum: Our office is coordinating a vaccination meeting event set for February 24th through Facebook Live. Partners involved will be CARON, Redwood City 2020, San Mateo County Health. The event will include a series of speakers, Council Member Juan Carlos, representative of San Mateo County health, Ravenwood's Nurse manager. The purpose of the event is to explain the vaccine roll out plan, signs, and myths about the vaccine that have been circulating Spanish-speaking community.

b. County Manager's Report: None.

c. Council Member's Reports:

- Council Member Brooks Esser shared that he attended the Neighborhood Response Team where he learned that the bids have been received for the Middlefield project.
- Deputy County Manager Justin Mates added: Because the award has not been given, we cannot publicly disclose the amounts. This item will be added to the Board of Supervisors agenda on February 9.

d. Adjournment

- The meeting adjourned at 9:15pm