



## Planning & Building Department Planning Commission

Vacant, 1<sup>st</sup> District  
Frederick Hansson, 2<sup>nd</sup> District  
Zoe Kersteen-Tucker, 3<sup>rd</sup> District  
Manuel Ramirez, Jr., 4<sup>th</sup> District  
Steve Dworetzky, 5<sup>th</sup> District

County Office Building  
455 County Center  
Redwood City, California 94063  
650/363-1859

### ACTION MINUTES

DRAFT

MEETING NO. 1623

Wednesday, November 30, 2016

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In the Board of Supervisors Chambers, Hall of Justice and Records, located at 400 County Center, Redwood City.

Chair Ramirez called the meeting to order at 9:02 a.m.

**Pledge of Allegiance:** The Pledge of Allegiance was led by Chair Ramirez

**Roll Call:**

Commissioners Present:	Hansson, Kersteen-Tucker, Ramirez,
Commissioner Absent:	Dworetzky
Staff Present:	Monowitz, Fox, Shu

Legal notice was published in the San Mateo County Times on November 19, 2016 and in the Half Moon Bay Review on November 23, 2016.

**Oral Communications** to allow the public to address the Commission on any matter not on the agenda.

None.

**Consideration of the Minutes** of the Planning Commission meeting Commission meetings of October 26, 2016.

Commissioner Hansson moved, and Commissioner Kersteen-Tucker seconded, that the minutes be approved as submitted. **Motion carried 3-0-0-0** (Commissioner Dworetzky, absent)

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#### **CONSENT AGENDA**

9:00 a.m.

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|-----------------------|---|
| <b>Owner:</b>         | <b>Paul L. Gillis</b>                       |
| <b>Applicant:</b>     | <b>San Mateo County - Real Property</b>     |
| File No.:             | PLN2016-00474                               |
| Location:             | 2513 Alpine Road, unincorporated Menlo Park |
| Assessor's Parcel No: | 074-303-060                                 |

Consideration of a petition to vacate an unused Public Easement submitted by the San Mateo County Real Property Division (Real Property) to determine if the proposed vacation of a 10 foot-wide sanitary sewer easement, extending north-south on the parcel, conforms to the County General Plan.

**SPEAKERS:**

None

**COMMISSION ACTION:**

Commissioner Hansson moved and Commissioner Kersteen-Tucker seconded to close the public hearing. **Motion carried 3-0-0-0.**

Commissioner Hansson moved and Commissioner Kersteen-Tucker seconded the motion. **Motion carried 3-0-0-0.**

Based on information provided by staff, the Planning Commission adopted that the proposed vacation conforms to the applicable policies of the County General Plan, and adopted the required finding as follows:

**FINDING:**

Find and report that the proposed vacation of the Unused Public Right-of-Way (sanitary sewer easement), a 10-foot-wide, unused sanitary sewer easement extending north-south on the property, parallel to Alpine Road, in the unincorporated area of Weekend Acres (Menlo Park), conforms to the County General Plan as shown on the attached map, conforms to General Plan Policy 12.23, and is consistent with all other policies of the County General Plan.

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- |           |                        |   |
|-----------|------------------------|---|
| <b>2.</b> | <b>Owner:</b>          | <b>Ron Grove</b>                        |
|           | <b>Applicant:</b>      | <b>San Mateo County - Real Property</b> |
|           | File No.:              | PLN2016-00484                           |
|           | Location:              | 508 Oak Park Way, Emerald Lake Hills    |
|           | Assessor's Parcel Nos: | 068-151-180 and 068-151-190             |

Consideration of a petition to vacate an unused Public Easement submitted by the San Mateo County Real Property Division (Real Property) to determine if the proposed vacation of a 10 foot-wide sanitary sewer and storm water easement, extending east-west between Assessor's parcels 068-151-180 and 068-151-190 at the terminus of Oak Park Way in Emerald Lake Hills, conforms to the County General Plan.

**SPEAKERS:**

**COMMISSION ACTION:**

Commissioner Hansson moved and Commissioner Kersteen-Tucker seconded to close the public hearing. **Motion carried 3-0-0-0.**

Commissioner Hansson moved and Commissioner Kersteen-Tucker seconded the motion. **Motion carried 3-0-0-0.**

Based on information provided by staff, the Planning Commission adopted that the proposed vacation conforms to the applicable policies of the County General Plan, and adopted the required finding as follows:

**FINDINGS:**

Find and determine that the proposed vacation of the Unused Public Right-of-Way (sanitary sewer and storm water easement), a 10-foot wide, unused sanitary sewer and storm water easement extending east-west on the property, at the terminus of Oak Park Way, in the unincorporated area of Emerald Lake Hills (Redwood City), conforms to the County General Plan as shown on the attached map, conforms to General Plan Policy 12.23, and is consistent with all other policies of the County General Plan.

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**3. Owner/Applicant: Frank and Kathy Pirman**

File No.: PLN2016-00159  
Location: 45 Morse Road, unincorporated Woodside  
Assessor's Parcel No: 045-300-050

Consideration of an Architectural Review Permit, pursuant to the State and Highways Code, and a Grading Permit, pursuant to Section 8600 of the County Ordinance Code, to construct a new 3,407 sq ft. single-family residence with an attached 463 sq. ft. garage. The project involves 180 cubic yards of grading in order to prepare the building site for the new residence.

**SPEAKERS:**

**COMMISSION ACTION:**

Commissioner Hansson moved and Commissioner Kersteen-Tucker seconded to close the public hearing. **Motion carried 3-0-0-0.**

Commissioner Hansson moved and Commissioner Kersteen-Tucker seconded the motion. **Motion carried 3-0-0-0.**

Based on information provided by staff, the Planning Commission approved the requested permits, by making the required findings and adopting the conditions of approval as follows:

**FINDINGS:**

Regarding Environmental Review, Found:

1. That this project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), Section 15303, Class 3, relating to the construction of one single-family residence in a residential zone.

Regarding the Architectural Review Permit, Found:

2. That the project complies with the criteria of the State of California Streets and Highways Code as it pertains to the Skyline State Scenic Corridor. The proposed project results in on-site improvements only. The proposed development has been carefully located so that distance, topography, existing development, and existing vegetation provide a visual buffer from public viewpoints. The project utilizes colors and materials, which are natural in appearance and earth toned, that helps them to blend with the surrounding environment. The project also respects the natural topography of the site and has clustered the structures together to minimize site disturbance. Overall, the project has been designed and sited as to remain subordinate and complementary to the site.

Regarding the Grading Permit, Found:

3. That this project, as conditioned, will not have a significant adverse effect on the environment. The project has been reviewed by the Planning Staff and the Department of Public Works, which found that the project can be completed without significant harm to the environment as conditioned.
4. That this project, as conditioned, conforms to the criteria of the San Mateo County Grading Ordinance and is consistent with the General Plan. Planning Staff and the Department of Public Works have reviewed the project and have determined its conformance to the criteria of Chapter 8, Division VII, San Mateo County Ordinance Code, including the standards referenced in Section 8605 and the San Mateo County General Plan.

**CONDITIONS OF APPROVAL**Current Planning Section

1. The approval applies only to the proposal as described in this report and materials submitted for review and approval by the Planning Commission on November 30, 2016. The Community Development Director may approve minor revisions or modifications to the project if they are found to be consistent with the intent of and in substantial conformance with this approval.
2. This permit shall be valid for two (2) years from the date of approval in which time a building permit shall be issued. Any extension of this permit shall require submittal of an application for permit extension and payment of applicable extension fees sixty (60) days prior to the expiration date.
3. No grading shall be allowed during the winter season (October 1 to April 30) to avoid potential soil erosion.
4. No grading activities shall commence until the property owner has been issued a grading permit (issued as the "Hard Card" with all necessary information filled out and signatures obtained) by the Current Planning Section and the building permits shall be issued at the same time. No grading activities shall commence until all permits have been issued.
5. The applicant is required to replace any vegetation removed during construction, including ground cover. Per Section 6324.2, vegetation for stabilization of all graded and disturbed areas or for replacement of existing vegetation shall be selected and located to be compatible with surrounding vegetation, recognizing climate, soil and ecological characteristics of the region. This shall occur and be confirmed prior to the building permit's final inspection approval.
6. The provision of the San Mateo County Grading Ordinance shall govern all grading on and adjacent to this site. Per San Mateo County Ordinance Section 8605.5, all equipment used in grading operations shall meet spark arrester and firefighting tool requirements, as specified in the California Public Resources Code.
7. The engineer who prepared the approved grading plan shall be responsible for the inspection and certification of the grading as required by Section 8606.2 of the Grading Ordinance. The engineer's responsibilities shall include those relating to non-compliance detailed in Section 8606.5 of the Grading Ordinance.

8. Erosion and sediment control during the course of grading work shall be installed and maintained according to a plan prepared and signed by the engineer of record, and approved by the Department of Public Works and the Current Planning Section. Revisions to the approved erosion and sediment control plan shall be prepared and signed by the engineer, and must be reviewed and approved by the Department of Public Works and Current Planning Section.
9. It shall be the responsibility of the engineer of record to regularly inspect the erosion control measures for the duration of all grading activities, especially after major storm events, and determine that they are functioning as designed and that proper maintenance is being performed. Deficiencies shall be immediately corrected, as determined by and implemented under the observation of the engineer of record.
10. For the final approval of the grading permit, the property owner shall ensure the performance of the following activities within thirty (30) days of the completion of grading at the project site:
  - a. The engineer shall submit written certification that all grading has been completed in conformance with the approved plans, conditions of approval, and the Grading Regulations, to the Department of Public Works and the Planning and Building Department's Geotechnical Engineer.
  - b. The geotechnical consultant shall observe and approve all applicable work during construction and sign Section II of the Geotechnical Consultant Approval form, for submittal to the Planning and Building Department's Geotechnical Engineer and Current Planning Section.
11. Prior to the beginning of all construction, the applicant shall submit to the Planning Department for review and approval an erosion and drainage control plan that shows how the transport and discharge of soil and pollutants from and within the project site shall be minimized. The plan shall be designed to minimize potential sources of sediment, control the amount of runoff and its ability to carry sediment by diverting incoming flows and impeding internally generated flows, and retain sediment that is picked up on the project site through the use of sediment-capturing devices. The plan shall also limit application, generation, and migration of toxic substances, ensure the proper storage and disposal of toxic materials, and apply nutrients at rates necessary to establish and maintain vegetation without causing significant nutrient runoff to surface waters. Said plan shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:
  - a. Sequence construction to install sediment-capturing devices first, followed by runoff control measures and runoff conveyances. No construction activities shall begin until after all proposed measures are in place.
  - b. Minimize the area of bare soil exposed at one time (phased grading).
  - c. Clear only areas essential for construction.
  - d. Within five days of clearing or inactivity in construction, stabilize bare soils through either non-vegetative Best Management Practices (BMPs), such as mulching, or vegetative erosion control methods, such as seeding. vegetative erosion control shall be established within two weeks of seeding/planting.
  - e. Construction entrances shall be stabilized immediately after grading and frequently maintained to prevent erosion and control dust.

- f. Control wind-born dust through the installation of wind barriers such as hay bales and/or sprinkling.
  - g. Soil and/or other construction-related material stockpiled on-site shall be placed a minimum of 200 feet from all wetlands and drain courses. Stockpiled soils shall be covered with tarps at all times of the year.
  - h. Intercept runoff above disturbed slopes and convey it to a permanent channel or storm drains by using earth dikes, perimeter dikes or swales, or diversions. Use check dams where appropriate.
  - i. Provide protection for runoff conveyance outlets by reducing flow velocity and dissipating flow energy.
  - j. Install storm drain inlet protection that traps sediment before it enters any adjacent storm sewer systems. This barrier shall consist of filter fabric, straw bales, gravel, or sand bags.
  - k. Install sediment traps/basins at outlets of diversions, channels, slope drains, or other runoff conveyances that discharge sediment-laden water. Sediment traps/basins shall be cleaned out when 50% full (by volume).
  - l. Use silt fence and/or vegetated filter strips to trap sediment contained in sheet flow. The maximum drainage area to the fence should be 0.5-acre or less per 100 feet of fence. Silt fences shall be inspected regularly and sediment removed when it reaches 1/3 the fence height. Vegetated filter strips should have relatively flat slopes and be vegetated with erosion-resistant species.
  - m. Throughout the construction period, the applicant shall conduct regular inspections of the condition and operational status of all structural BMPs required by the approved erosion control plan.
12. The applicant shall submit a dust control plan to the Planning Department for review and approval prior to the issuance of a building permit for the project. The approved plan shall be implemented for the duration of any grading, demolition, and construction activities that generate dust and other airborne particles. The plan shall include the following control measures:
- a. Water all active construction areas at least twice daily, as needed.
  - b. Water or cover stockpiles of debris, soil, sand, or other materials that can be blown by the wind.
  - c. Cover all trucks hauling soil, sand and other loose materials or require all trucks to maintain at least 2 feet of freeboard.
  - d. Apply water three times daily as needed, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking and staging areas at construction sites. Also, hydroseed or apply non-toxic soil stabilizers to inactive construction areas.
  - e. Sweep daily (preferably with water sweepers) all paved access roads, parking and staging areas at construction sites.
  - f. Sweep adjacent public streets daily (preferably with water sweepers) if visible soil material is carried onto them.

- g. Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.).
  - h. Limit traffic speeds on unpaved roads within the project parcel to 15 mph.
  - i. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
  - j. Replant vegetation in disturbed areas as quickly as possible.
13. The applicant shall implement the following basic construction measures at all times:
- a. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxic Control Measure, Title 13, Section 2485 of the California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
  - b. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
  - c. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person, or their designee, shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations
14. Noise sources associated with demolition, construction, repair, remodeling, or grading of any real property shall be limited to the hours from 7:00 a.m. to 6:00 p.m. weekdays and 9:00 a.m. to 5:00 p.m. Saturdays. Said activities are prohibited on Sundays, Thanksgiving, and Christmas (San Mateo Ordinance Code Section 4.88.360).
15. The applicant shall submit an on-site drainage plan, as prepared by a civil engineer, showing all permanent, post-construction stormwater controls and drainage mechanisms at the time of each respectively submitted project application. The required drainage plan shall show, in all respective cases, the mechanisms necessary to contain all water runoff generated by on-site impervious surfaces, and to reduce the amount of off-site runoff through the use of on-site percolation facilities. The drainage plan shall also include facilities to minimize the amount of pollutants in stormwater runoff through on-site retention and filtering facilities.
- The on-site drainage plan shall be submitted to the Current Planning Section for review and approval by the Community Development Director prior to the issuance of building permits. The plan shall be included as part of the project's final building permit application and construction plans. The County Building Inspection Section shall ensure that the approved plan is implemented prior to the project's final building and/or grading inspection approval.
16. The applicant is responsible for ensuring that all contractors minimize the transport and discharge of pollutants from the project site into local storm drain systems and water bodies by adhering to the San Mateo Countywide Stormwater Pollution Prevention Program and General Construction and Site Supervision Guidelines, including:

- a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 1 and April 30. Stabilizing shall include both proactive measures, such as the placement of hay bales or coir netting, and passive measures, such as revegetating disturbed areas with plants propagated from seed collected in the immediate area.
  - b. Storing, handling, and disposing of construction materials and wastes properly, so as to prevent their contact with stormwater.
  - c. Controlling and preventing the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
  - d. Using sediment controls or filtration to remove sediment when dewatering site and obtaining all necessary permits.
  - e. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
  - f. Delineating with field markers clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses.
  - g. Protecting adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
  - h. Performing clearing and earth-moving activities only during dry weather.
  - i. Limiting and timing applications of pesticides and fertilizers to prevent polluted runoff.
  - j. Limiting construction access routes and stabilizing designated access points.
  - k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
  - l. The contractor shall train and provide instruction to all employees and subcontractors regarding the construction best management practices.
17. No trees are approved for removal as part of this permit approval. A separate permit shall be required for the removal of any trees. An application and processing, including applicable fees, shall be required prior to any proposed tree removal.
  18. Prior to the issuance of a building permit the applicant shall submit color and materials samples for review and approval by the Community Development Director.
  19. Prior to scheduling a final inspection, color verification shall occur in the field after the applicant has applied the approved materials and colors. The applicant is required to maintain the approved materials and colors.
  20. All new power and telephone utility lines from the street or nearest existing utility pole to the main dwelling and/or any other structure on the property shall be placed underground.



21. Prior to building permit issuance, the project sponsor shall incorporate via a note on the first page of the construction plans that, should cultural resources be encountered during site grading or other site work, such work shall immediately be halted in the area of discovery and the project sponsor shall immediately notify the Community Development Director of the discovery. The applicant shall be required to retain the services of a qualified archaeologist for the purpose of recording, protecting, or curating the discovery as appropriate. The cost of the qualified archaeologist and of any recording, protecting, or curating shall be borne solely by the project sponsor. The archaeologist shall be required to submit to the Community Development Director for review and approval a report of the findings and methods of curation or protection of the resources. No further grading or site work within the area of discovery shall be allowed until the preceding has occurred. Disposition of Native American remains shall comply with CEQA Guidelines Section 15064.5(e). The note on the plans shall be subject to review and approval of the Current Planning Section.

#### Building Inspection Section

22. Project shall meet the requirements of the current California Residential Code and Section R327 for Exterior Wildfire Exposure.
23. Infrastructure for Electric Vehicle Charging shall be installed per the current California Green Building Standards.

#### Environmental Health Division

24. The applicant shall comply with all requirements of the Environmental Health Division at the building permit stage of the application.

#### Geotechnical Section

25. The applicant shall comply with all requirements of the Geotechnical Section prior to the issuance of the building permit and during the construction phase of the project.
26. The applicant shall submit a soil/foundation report at the building permit stage of the application.

#### Department of Public Works

27. Prior to the issuance of the Building Permit or Planning Permit (for Provision C3 Regulated Projects), the applicant shall have prepared, by a registered civil engineer, a drainage analysis of the proposed project and submit it to the Department of Public Works for review and approval. The drainage analysis shall consist of a written narrative and a plan. The flow of the stormwater onto, over, and off of the property shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the pattern of flow. The analysis shall detail the measures necessary to certify adequate drainage. Post-development flows and velocities shall not exceed those that existed in the pre-developed state. Recommended measures shall be designed and included in the improvement plans and submitted to the Department of Public Works for review and approval.
28. No proposed construction work within the County right-of-way shall begin until County requirements for the issuance of an encroachment permit, including review of the plans, have been met and an encroachment permit issued. Applicant shall contact a Department of Public Works Inspector 48 hours prior to commencing work in the right-of-way.

- 29. Prior to the issuance of the Building Permit, the applicant will be required to provide payment of "roadway mitigation fees" based on the square footage (assessable space) of the proposed building per Ordinance #3277.

Woodside Fire Protection District

- 30. Must comply with Chapter 7A of California Building Code for ignition resistant construction and materials. All wood siding must be listed on California State Fire Marshal website as tested and approved ignition resistant materials. Foundation, attic, gable, soffit and eave vents must be Brandguard or Vulcan type. Windows to be tempered and roof to be Class A.
- 31. The property address shall be clearly posted and visible from street with a minimum of 4-inch numbers on a contrasting background.
- 32. An approved spark arrestor shall be installed on all chimneys including any outside fireplace.
- 33. Smoke and CO detectors shall be installed per code.
- 34. A NFPA 13D Fire Sprinkler system shall be installed
- 35. One hundred (100) feet of defensible space shall be provided around the proposed new structure prior to start of construction. This does not permit the removal of any significant trees or vegetation. Please consult with the Current Planning Section prior to the trimming or removal of any trees or vegetation.
- 36. Upon final inspection, a 30-foot perimeter defensible space shall be provided. This does not permit the removal of any significant trees or vegetation. Please consult with the Current Planning Section prior to the trimming or removal of any trees or vegetation.
- 37. The existing driveway will require a turnout if over 350 feet in length and a fire department truck turnaround if over 150 feet in length. ([www.woodsidefire.org](http://www.woodsidefire.org))
- 38. A fire hydrant is required to be located within 500 feet of the front door, measured, on a drivable roadway and capable of producing 1,000 GPM. At the building permit phase, please show on the plans the location and distance of the nearest fire hydrant to the proposed residence via a drivable roadway.

California Water Service Company

- 39. The applicant shall comply with all California Water Service Company requirements at the building permit stage of the application.

**END OF CONSENT AGENDA**

**REGULAR AGENDA**

**9:00 a.m.**

- 4. **Owner:** Sean Stenger
- Applicant:** Tim Finicle
- File No.: PLN2016-00091
- Location: Sevilla Avenue, El Granada
- Assessor's Parcel No: 047-071-270

Consideration of a Coastal Development Permit, Design Review, Grading Permit, and Certificate of Compliance (CoC) Type B, pursuant to Sections 6328.4 and 6565.3 of the County Zoning Regulations, Section 8600 of the County Ordinance Code, and Section 7134.2 of the County Subdivision Regulations, respectively, to allow construction of a new single-family residence with an attached two-car garage on an undeveloped parcel. This project is appealable to the California Coastal Commission.

**SPEAKERS:**

1. Tim Finicle, applicant

**COMMISSION ACTION:**

Commissioner Kersteen-Tucker moved and Commissioner Hansson seconded to close the public hearing. **Motion carried 3-0-0-0.**

Commissioner Kersteen-Tucker moved and Commissioner Hansson seconded the motion. **Motion carried 3-0-0-0.**

Based on information provided by staff and evidence presented at the hearing, the Planning Commission approved the Coastal Development Permit, Design Review, Grading Permit, and Certificate of Compliance (CoC) Type B, based on and subject to the required findings and conditions of approval as follows:

**FINDINGS:**

Regarding the Environmental Review, Found:

1. That the proposed project is categorically exempt pursuant to Section 15303, Class 3, of the California Environmental Quality Act related to construction of a single-family residence in a residential zone and associated development including legalization of the parcel and the road extension.

Regarding the Certificate of Compliance, Found:

2. That the processing of the Certificate of Compliance (CoC) (Type B) is in full conformance with the County Subdivision Regulations Section 7134 (*Legalization of Parcels; Certificate of Compliance*) particularly Section 7134.2(a), (b), and (c). The subject parcel was determined to be conveyed separately from adjacent parcels around it in the 1909 recorded subdivision as cited in "El Granada Highlands Subdivision No. 8" thus requiring the CoC (Type B). The processing of the CoC (Type B) is in full conformance with Section 7134 of the County Subdivision Regulations and will be subject to conditions of approval to ensure that the development on the parcel complies with public health and safety standards. The sanitary, water distribution and energy infrastructure currently exists within the road right-of-way in this developed and improved area of El Granada. While the project is not accessible by roadway (as the paved portion of Sevilla Avenue ends at the parcel's southern border), a condition of approval is not needed, as road extension to the parcel is part of the development proposal and will be required by the Department of Public Works and built at the time of the construction of the proposed residence.
3. That the processing of the Conditional CoC (Type B) is in full conformance with Government Code Section 66499 et seq.

Regarding the Coastal Development Permit, Found:

4. That the project, as described in the application and accompanying materials required by Section 6328.7 and as conditioned in accordance with Section 6328.14, conforms with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program. The plans and materials have been reviewed against the application requirement Section 6328.7 of the Zoning Regulations, and the project has been conditioned to minimize impacts to the location of new development and visual resources in accordance with the components of the Local Coastal Program. The project was also recommended for approval by the Coastsides Design Review Committee (CDRC) on August 11, 2016 in which the CDRC determined that it is in compliance with all applicable Design Review Standards.
5. Where the project is located between the nearest public road and the sea that the project is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Section 30200 of the Public Resources Code). The project is not located between a public road and the sea, and will not interfere with the public's right-of-access to the sea.
6. That the project conforms to specific findings required by policies of the San Mateo County Local Coastal Program. The project will not significantly impact coastal resources or sensitive habitats as it is located within an urban area zoned for single-family residential development, is not located near any creeks or coastal bluffs, and does not contain sensitive habitat or trees 12" or more in dbh.
7. That the number of building permits for construction of single-family residences other than for affordable housing issued in the calendar year does not exceed the limitations of Policies 1.22 and 1.23 as stated in Section 6328.19. Staff anticipates that the building permits to be issued for the 2016 calendar year will not exceed this limit, based on estimates of current applications for building permits for this calendar year and those received in 2015.

Regarding the Design Review, Found:

8. The project has been reviewed under and found to be in compliance with the Design Review Standards for One-Family and Two-Family Residential Development in the Midcoast under Section 6565.20 of the San Mateo County Zoning Regulations, specifically elaborated as follows:
  - a. The proposed respects the scale of the neighborhood through dimensions, shape, façade articulation, and architectural details that are proportional and complementary to other homes in the neighborhood.
  - b. The style of the proposed house complements the coastal, semi-rural, diverse small-town character of the area and surrounding neighborhood.
  - c. The proposed design features primary and secondary roof forms and features that reduce the mass of the structure and provide visual interest.
  - d. As proposed and conditioned, the proposed design features exterior colors and materials that complement the surrounding neighborhood and house design, reduce apparent mass, and blend with the surrounding natural features. Condition No. 8.a requires that façade and wall articulation be incorporated on three non-articulated sides of the proposed residence by changing the laundry room and pop out of Bedroom 3 to lap siding and the dining room to shingles.
  - e. The proposed design includes lighting that is architecturally integrated with the house's design, style, materials, and colors. The exterior lighting is designed and located to direct light and glare

away from neighbors and stay confined to the site. The proposed "dark sky" lighting fixtures would minimize nighttime light pollution. The driveway was formerly proposed as concrete. The approved plans show permeable pavers for the driveway. As proposed and conditioned in Condition No. 8.c, a can light will be added underneath the front porch roof and back porch roof, and the wall-mounted light on the north side of the garage will be removed. Manufacturer's specification sheets will be submitted for all proposed downward-directed exterior lighting fixtures.

- f. As proposed and conditioned, the proposed landscaping layout that includes drought tolerant, native and non-invasive species prevents adverse impacts to the site and surrounding areas while also maintaining the visual integrity of the residence. Condition No. 8.b requires the replacement of the *Pinus Contortata* on the north side with a *Cercis Occidentalis* (red bud) and the increase in size of the *Comarostaphylis Diversifolia* and the two (2) *Cercis Occidentalis* from 5-gallon to 15-gallon size.

Regarding the Grading Permit, Find:

9. That the granting of the permit will not have a significant adverse effect on the environment. The project is categorically exempt under provisions of Class 3, Section 15303(a) of the California Environmental Quality Act (CEQA), for construction of one single-family residence in a residential zone. CEQA Guidelines determined the class of this project to not have a significant effect on the environment.
10. That the project conforms to the criteria of Chapter 8, Division VII of the San Mateo County Ordinance Code, including the standards referenced in Section 8605. The project, as proposed and conditioned, conforms to the standards in the Grading Regulations, including timing of grading activity, erosion and sediment control, and dust control. The project has been reviewed and conditionally approved by the Department of Public Works and the Geotechnical Section.
11. That the project is consistent with the General Plan, specifically urban land use, visual resources, water supply, and wastewater. The project will be in an urban residentially zoned area. The project, as proposed and conditioned, complies with applicable design review standards and will connect to local public utilities. Conditions of approval have been provided to ensure that grading operations minimize erosion and sedimentation resulting from the project.

**CONDITIONS OF APPROVAL**

Current Planning Section

1. The project shall be constructed in compliance with the plans recommended for approval by the Coastsides Design Review Committee on August 11, 2016, and as reviewed and approved by the Planning Commission on November 30, 2016. Any changes or revisions to the approved plans shall be submitted to the Design Review Officer for review and approval prior to implementation. Minor adjustments to the project may be approved by the Design Review Officer if they are consistent with the intent of and are in substantial conformance with this approval. Alternatively, the Design Review Officer may refer consideration of the revisions to the Coastsides Design Review Committee, with applicable fees to be paid.
2. The Certificate of Compliance (Type B) required to establish the legality of the existing parcel, APN 047-071-270, which shall represent Lot 18, Block 87, as one single legal parcel, shall be recorded prior to the issuance of any other permits related to any development on this property.

3. The applicant is advised that prior to recordation of the Certificate of Compliance description, the owner/applicant shall provide the project planner with a check to cover the current fee charged by the Recorder's Office. The project planner, who records the Certificate of Compliance, will confirm the amount prior to recordation.
4. The Coastal Development and Design Review Permit final approval shall be valid for five (5) years from the date of approval, in which time a building permit shall be issued and a completed inspection (to the satisfaction of the Building Inspector) shall have occurred within 180 days of its issuance. The design review approval may be extended by one 1-year increment with submittal of an application for permit extension and payment of applicable extension fees sixty (60) days prior to the expiration date.
5. The applicant shall apply for a building permit and shall demonstrate compliance with all requirements of the Building Inspection Section, the Department of Public Works, and the Coastside Fire Protection District.
6. The applicant shall include the approval letter on the top pages of the building plans.
7. At the building permit stage, a boundary survey will be required.
8. The applicant shall indicate the following on plans submitted for a building permit, as stipulated by the Coastside Design Review Committee:
  - a. Incorporate façade and wall articulation on three non-articulated sides of the proposed residence:
    - i. Bedroom 3 pop-out to become lap siding
    - ii. Laundry room to change to lap siding
    - ii. Dining room to change to shingles
    - iv. Colors to follow materials
  - b. Make the following changes on the landscape plan:
    - i. Replace the Pinus Contortata on the north side with a Ceris Occidentalis (red bud)
    - ii. Change the size of the Comarostaphylis Diversifolia and the Cercis Occidentalis (2) from 5-gallon to 15-gallon size
  - c. Submit manufacturer's specification sheets (cut sheets) for all proposed downward-directed exterior lighting fixtures.
    - i. Cut sheets submitted for Dark Sky fixtures
    - ii. Add a can light underneath the front porch roof
    - iii. Remove the wall-mounted light on the north side of the garage
    - iv. Add a can light underneath the back porch roof
9. The landscape plan shall comply with the Water Efficient Landscape Ordinance (WELO):

- a. At the building permit application stage, the project shall demonstrate compliance with the Water Efficient Landscape Ordinance (WELo) and provide required forms. WELo applies to new landscape projects equal to or greater than 500 sq. ft. A prescriptive checklist is available as a compliance option for projects under 2,500 sq. ft. WELo also applies to rehabilitated landscape projects equal to or greater than 2,500 sq. ft.

The following restrictions apply to projects using the prescriptive checklist:

- 1) Compost: Project must incorporate compost at a rate of at least four (4) cubic yards per 1,000 sq. ft. to a depth of 6 inches into landscape area (unless contra-indicated by a soil test).
  - 2) Plant Water Use (Residential): Install climate adapted plants that require occasional, little, or no summer water (average WUCOLS plant factor 0.3) for 75% of the plant area excluding edibles and areas using recycled water.
  - 3) Mulch: A minimum 3-inch layer of mulch should be applied on all exposed soil surfaces of planting areas, except in areas of turf or creeping or rooting groundcovers.
  - 4) Turf: Total turf area shall not exceed 25% of the landscape area. Turf is not allowed in non-residential projects. Turf (if utilized) is limited to slopes not exceeding 25% and is not used in parkways less than 10 feet in width. Turf, if utilized in parkways, is irrigated by sub-surface irrigation or other technology that prevents overspray or runoff.
  - 5) Irrigation System: The property shall certify that Irrigation controllers use evapotranspiration or soil moisture data and utilize a rain sensor; Irrigation controller programming data will not be lost due to an interruption in the primary power source; and Areas less than 10 feet in any direction utilize sub-surface irrigation or other technology that prevents overspray or runoff.
10. No site disturbances shall occur, including any grading or vegetation or tree removal, until a building permit has been issued.
  11. A survey verification letter will be required during the construction phase of this project. Once the building permit has been issued and the forms have been set, the surveyor of record shall field measure the setback dimensions of the set forms from applicable property lines and compose a survey verification letter, with stamp and signature, of the field measurements to be submitted to the Planning and Building Department for review and approval.
  12. The applicant shall provide "finished floor elevation verification" to certify that the structure is actually constructed at the height shown on the submitted plans. The applicant shall have a licensed land surveyor or engineer establish a baseline elevation datum point in the vicinity of the construction site.
    - a. The applicant shall maintain the datum point so that it will not be disturbed by the proposed construction activities until final approval of the building permit.
    - b. This datum point and its elevation shall be shown on the submitted site plan. This datum point shall be used during construction to verify the elevation of the finished floors relative to the existing natural or to the grade of the site (finished grade).

- c. Prior to Planning approval of the building permit application, the applicant shall also have the licensed land surveyor or engineer indicate on the construction plans: (1) the natural grade elevations at the significant corners (at least four) of the footprint of the proposed structure on the submitted site plan, and (2) the elevations of proposed finished grades.
  - d. In addition, (1) the natural grade elevations at the significant corners of the proposed structure, (2) the finished floor elevations, (3) the topmost elevation of the roof, and (4) the garage slab elevation must be shown on the plan, elevations, and cross-section (if one is provided).
  - e. Once the building is under construction, prior to the below floor framing inspection or the pouring of the concrete slab (as the case may be) for the lowest floor(s), the applicant shall provide to the Building Inspection Section a letter from the licensed land surveyor or engineer certifying that the lowest floor height, as constructed, is equal to the elevation specified for that floor in the approved plans. Similarly, certifications on the garage slab and the topmost elevation of the roof are required.
  - f. If the actual floor height, garage slab, or roof height, as constructed, is different than the elevation specified in the plans, then the applicant shall cease all construction and no additional inspections shall be approved until a revised set of plans is submitted to and subsequently approved by both the Building Official and the Community Development Director.
13. The applicant shall include an erosion and sediment control plan meeting County guidelines on the plans submitted for the building permit. This plan shall identify the type and location of erosion control measures to be installed upon the commencement of construction in order to maintain the stability of the site and to prevent erosion and sedimentation off-site.
  14. Once approved, erosion and sediment control measures of the erosion control plan shall be installed prior to beginning any work and maintained throughout the term of the grading permit and building permit as confirmed by the County through a pre-site inspection if project initiation occurs immediately prior to or during the wet season. Failure to install or maintain these measures will result in stoppage of construction until the corrections have been made and fees paid for staff enforcement time.
  15. The provision of the San Mateo County Grading Regulations shall govern all grading on and adjacent to this site. Per San Mateo County Ordinance Code Section 8605.5, all equipment used in grading operations shall meet spark arrester and fire-fighting tool requirements, as specified in the California Public Resources Code.
  16. Prior to the issuance of the grading permit "hard card", the applicant shall revise/correct the erosion and sediment control plan to include all grading permit conditions of approval as listed in this letter. All plan notes shall be revised as necessary to be consistent with the conditions of approval (e.g., winter season start date is October 1 and end date is April 30).
  17. No grading shall be allowed during the wet season (October 1 to April 30) to avoid potential soil erosion unless approved, in writing, by the Community Development Director. An applicant-completed and County-issued grading permit "hard card" is required prior to the start of any land disturbance/grading operation. The applicant shall submit a letter to the Current Planning Section, at least, two (2) weeks prior to commencement of grading, stating the date when grading operations will begin, anticipated end date of grading operations, including dates of earth off-haul, street routes of off-haul, and disposal location.
  18. It shall be the responsibility of the engineer of record to regularly inspect the erosion control measures for the duration of all grading activities, especially after major storm events, and determine that they are



functioning as designed and that proper maintenance is being performed. Deficiencies shall be immediately corrected as determined by and implemented under the observation of the engineer of record.

19. Upon the start of grading activities and through to the completion of the project, the applicant shall be responsible for ensuring that the following dust control guidelines are implemented:
  - a. All graded surfaces and materials, whether filled, excavated, transported or stockpiled, shall be wetted, protected or contained in such a manner as to prevent any significant nuisance from dust, or spillage upon adjoining water body, property, or streets. Equipment and materials on the site shall be used in such a manner as to avoid excessive dust. A dust control plan may be required at any time during the course of the project.
  - b. A dust palliative shall be applied to the site when required by the County. The type and rate of application shall be recommended by the soils engineer and approved by the Department of Public Works, the Planning and Building Department's Geotechnical Engineer, and the Regional Water Quality Control Board.
20. For the final approval of the grading permit, the applicant shall ensure the performance of the following activities within thirty (30) days of the completion of grading at the project site:
  - a. The engineer shall submit written certification, that all grading has been completed in conformance with the approved plans, conditions of approval/mitigation measures, and the Grading Regulations, to the Department of Public Works and the Planning and Building Department's Geotechnical Engineer.
  - b. The geotechnical consultant shall observe and approve all applicable work during construction and sign Section II of the Geotechnical Consultant Approval form, for submittal to the Planning and Building Department's Geotechnical Engineer and the Current Planning Section.
21. Projects subject to Provision C.3.i (individual single-family home projects that create and/or replace 2,500 square feet or more of impervious surface, and other projects that create and/or replace at least 2,500 square feet of impervious surface but are not C.3 Regulated Projects) shall implement at least one of the six site design measures listed below:
  - a. Direct roof runoff into cisterns or rain barrels and use rainwater for irrigation or other non-potable use.
  - b. Direct roof runoff onto vegetated areas.
  - c. Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas.
  - d. Direct runoff from driveways and/or uncovered parking lots onto vegetated areas.
  - e. Construct sidewalks, walkways, and/or patios with permeable surfaces.
  - f. Construct bike lanes, driveways, and/or uncovered parking lots with permeable surfaces.
22. The property owner shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including, but not limited to, the following:

- a. Delineation with field markers of clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses within the vicinity of areas to be disturbed by construction and/or grading.
  - b. Protection of adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
  - c. Performing clearing and earth-moving activities only during dry weather.
  - d. Stabilization of all denuded areas and maintenance of erosion control measures continuously between October 1 and April 30.
  - e. Storage, handling, and disposal of construction materials and wastes properly, so as to prevent their contact with stormwater.
  - f. Control and prevention of the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges, to storm drains and watercourses.
  - g. Use of sediment controls or filtration to remove sediment when dewatering site and obtain all necessary permits.
  - h. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
  - i. Limiting and timing applications of pesticides and fertilizers to prevent polluted runoff.
  - j. Limiting construction access routes and stabilization of designated access points.
  - k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
  - l. Training and providing instruction to all employees and subcontractors regarding the Watershed Protection Maintenance Standards and construction Best Management Practices.
  - m. Additional Best Management Practices in addition to those shown on the plans may be required by the Building Inspector to maintain effective stormwater management during construction activities. Any water leaving the site shall be clear and running slowly at all times.
  - n. Failure to install or maintain these measures will result in stoppage of construction until the corrections have been made and fees paid for staff enforcement time.
23. All new power and telephone utility lines from the street or nearest existing utility pole to the main dwelling and/or any other structure on the property shall be placed underground.
24. To reduce the impact of construction activities on neighboring properties, comply with the following:
- a. All debris shall be contained on-site; a dumpster or trash bin shall be provided on-site during construction to prevent debris from blowing onto adjacent properties. The applicant shall monitor the site to ensure that trash is picked up and appropriately disposed of daily.

- b. The applicant shall remove all construction equipment from the site upon completion of the use and/or need of each piece of equipment which shall include but not be limited to tractors, back hoes, cement mixers, etc.
  - c. The applicant shall ensure that no construction-related vehicles shall impede through traffic along the right-of-way on Sevilla Avenue. All construction vehicles shall be parked on-site outside the public right-of-way or in locations which do not impede safe access on Sevilla Avenue. There shall be no storage of construction vehicles in the public right-of-way.
25. The exterior color samples submitted to the Coastside Design Review Committee are approved. Color verification shall occur in the field after the applicant has applied the approved materials and colors but before a final inspection has been scheduled. The applicant shall provide photographs to the Project Planner to verify adherence to this condition prior to a building permit final sign off by the Current Planning Section.
26. Installation of the approved landscape plan is required prior to final inspection.
27. Noise sources associated with demolition, construction, repair, remodeling, or grading of any real property shall be limited to the hours from 7:00 a.m. to 6:00 p.m., weekdays and 9:00 a.m. to 5:00 p.m., Saturdays. Said activities are prohibited on Sundays, Thanksgiving, and Christmas (San Mateo Ordinance Code Section 4.88.360).

#### Building Inspection Section

28. Per County Building Regulations Section 9109, driveways greater than or equal to 15% slope shall be constructed of asphalt or heavily brushed concrete.
29. At the building permit stage, sheet DR/A1.1 must be revised to include the July 1, 2015 supplement requirements of CALGreen.
30. The project shall include provisions for Electric Vehicle Charging per Section 4.106.4 of CALGreen.
31. At the building permit stage, submittal of Model Water Efficient Landscape Ordinance (MWELo) forms is required.

#### Coastside County Water District

32. The project will be required to comply with Coastside County Water District's (District) Indoor Water Use Efficiency Ordinance which includes regulations on water metering and water use efficiency specifications for plumbing fixtures and appliances. The District will perform inspections to verify compliance with all district regulations during and after construction.
33. No passive purge systems are to be installed on fire protection services. Fire protection services are authorized for the sole purpose of fire protection. There shall be no cross connections, and approved backflow protection is required.
34. Before issuance of a building permit, the District will need to evaluate a complete set of building plans to determine if the water service capability availability is adequate for this development and complies with all District regulations.

Coastside Fire Protection District

35. All buildings that have a street address shall have the number of that address on the building, mailbox, or other type of sign at the driveway entrance in such a manner that the number is easily and clearly visible from either direction of travel from the street. New residential buildings shall have internally illuminated address numbers contrasting with the background so as to be seen from the public way fronting the building. Residential address numbers shall be at least 6 feet above the finished surface of the driveway. An address sign shall be placed at each break of the road where deemed applicable by the Coastside Fire Protection District (CFPD). Numerals shall be contrasting in color to their background and shall be no less than 4 inches in height, and have a minimum 3/4-inch stroke. Remote signage shall be a 6" x 18" green reflective metal sign.
36. The required fire flow shall be available from a Clow 960 Standard 6" Wet Barrel Fire Hydrant. The configuration of the hydrant shall have a minimum of one each 4 1/2" outlet and one each 2 1/2" outlet located not more than 250 feet from the building measured by way of approved drivable access to the project site.
37. Contact the Coastside Fire Marshal to schedule a Final Inspection prior to occupancy and Final Inspection by a Building Inspector. Allow for a minimum 72-hour notice to the CFPD at 650/726-5213.
38. Maintain around and adjacent to such buildings or structures a fuelbreak/firebreak made by removing and clearing away flammable vegetation for a distance of not less than 30 feet and up to 100 feet around the perimeter of all structures, or to the property line, if the property line is less than 30 feet from any structure.
39. The applicant shall install the proper occupancy separations, as per current California Building and Residential Codes. Plans at the building permit application stage shall include listing and construction details. Inspections will occur throughout construction and prior to CFPD's final approval of the building permit.
40. All roof assemblies shall have a minimum CLASS-B fire resistive rating and be installed in accordance with the manufacturer's specifications and current California Building and Residential Codes.
41. Smoke alarms and carbon monoxide detectors shall be installed in accordance with the California Building and Residential Codes. This includes the requirement for hardwired, interconnected detectors equipped with battery backup, and placement in each sleeping room in addition to the corridors and on each level of the residence.
42. An approved Automatic Fire Sprinkler System meeting the requirements of NFPA-13D shall be required to be installed for your project. Plans shall be submitted to the San Mateo County Building Inspection Section for review and approval by the Coastside Fire Protection District.
43. An interior and exterior audible alarm activated by automatic fire sprinkler system water flow shall be required to be installed in all residential systems. All hardware must be included on the submitted sprinkler plans.

Department of Public Works

44. Prior to the issuance of the building permit, the applicant shall have prepared, by a registered civil engineer, a drainage analysis of the proposed project and submit it to the Department of Public Works for review and approval. The drainage analysis shall consist of a written narrative and a plan. The flow of the

stormwater onto, over, and off of the property shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the pattern of flow. The analysis shall detail the measures necessary to certify adequate drainage. Post-development flows and velocities shall not exceed those that existed in the pre-developed state. Recommended measures shall be designed and included in the improvement plans and submitted to the Department of Public Works for review and approval.

45. Prior to the issuance of the building permit, the applicant shall submit a driveway "Plan and Profile," to the Department of Public Works, showing the driveway access from the nearest "publicly" maintained roadway to the parcel (garage slab) complying with County Standards for driveway slopes (not to exceed 20%) and to County Standards for driveways (at the property line) being the same elevation as the center of the access roadway. When appropriate, as determined by the Department of Public Works, this plan and profile shall be prepared from elevations and alignment shown on the roadway improvement plans. The driveway plan shall also include and show specific provisions and details for both the existing and the proposed drainage patterns and drainage facilities.
46. No proposed construction work within the County right-of-way shall begin until County requirements for the issuance of an encroachment permit, including review of the plans, have been met and an encroachment permit issued. The applicant shall contact a Department of Public Works Inspector 48 hours prior to commencing work in the right-of-way.
47. Prior to the issuance of the building permit, the applicant will be required to provide payment of "roadway mitigation fees" based on the square footage (assessable space) of the proposed building per Ordinance No. 3277.
48. Prior to the issuance of the building permit, the applicant shall submit a street improvement plan to the Department of Public Works for review and approval. The applicant shall coordinate the street improvement such that the centerline of roadway is located at the centerline of the right-of-way to the extent possible. Coordination of the road improvements for Lot 17 (APN 047-071-260) and Lot 18 (APN 047-071-270 and the subject of this application) is strongly advised.

#### Geotechnical Section

49. At the building permit stage, approval by the County's Geotechnical Section is required prior to the issuance of the building permit.

#### Granada Community Services District

50. The applicant must obtain a sewer connection permit to connect the project onto the District's wastewater facilities.
  51. The District currently has sufficient sewer capacity to serve conforming parcels with the LCP buildout limits, however, if the project is proposed on a non-conforming or antiquated parcel, or includes a non-buildout dwelling such as (but not limited to) a caretaker's unit, the applicant must first obtain a Sewer Permit Variance. All projects requiring a Variance, and also projects which require two or more ERU's of sewer capacity, or the preparation of a negative declaration or environmental impact report pursuant to the California Environmental Quality Act, must be considered by the District Board of Directors for approval before a sewer permit may be obtained. Please contact the Granada Community Services District office for additional information on applying for a Sewer Permit Variance if applicable.
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5. **Owner:** **Scott Cook and Helen Ostby Trust**  
**Applicant:** **Kerry Burke**  
File No.: PLN2016-00257  
Location: 1906 Pomponio Creek Road, San Gregorio  
Assessor's Parcel No: 087-180-150

Consideration of a Coastal Development Permit and a Planned Agricultural District Permit pursuant to Zoning Regulations Sections 6328.4 & 6353, respectively, and Certification of an Initial Study and Mitigated Negative Declaration pursuant to the California Environmental Quality Act, for the construction of one new Farm Labor Housing unit. The project is appealable to the California Coastal Commission.

**SPEAKERS:**

1. Kerry Burke, applicant

**COMMISSION ACTION:**

Commissioner Hansson moved and Commissioner Kersteen-Tucker seconded to close the public hearing. **Motion carried 3-0-0-0.**

Commissioner Kersteen-Tucker moved and Commissioner Hansson seconded the motion. **Motion carried 3-0-0-0.**

Based on information provided by staff and evidence presented at the hearing, the Planning Commission certified the Negative Declaration and approved the requested permits, by making the required findings and adopting the conditions of approval listed as follows:

**FINDINGS:**

**Regarding the Mitigated Negative Declaration, Found:**

1. That the Planning Commission does hereby find that this Initial Study/Mitigated Negative Declaration (IS/MND) reflects the independent judgment of San Mateo County.
2. That the (IS/MND) is complete, correct and adequate and prepared in accordance with the California Environmental Quality Act and applicable State and County Guidelines.
3. That, on the basis of the (IS/MND), comments received hereto, and testimony presented and considered at the public hearing, there is no substantial evidence that the project will have a significant effect on the environment.
4. That the mitigation measures in the (IS/MND) and agreed to by the owner and placed as conditions on the project have been incorporated into the Mitigation Monitoring and Reporting Plan.

**For the Coastal Development Permit, Found:**

5. That the project, as described in the application and accompanying materials required by Zoning Regulations Section 6328.7 and as conditioned in accordance with Section 6328.14 of the Zoning Regulations, conforms with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program (LCP). The plans and materials have been reviewed against the application requirement in Section 6328.7 of the Zoning Regulations and the project has been conditioned to minimize impacts to

land use, agriculture, sensitive habitats, and visual resources in accordance with the components of the Local Coastal Program.

6. That the project conforms to the specific findings required by policies of the San Mateo County Local Coastal Program.

Regarding the Farm Labor Housing permit, Found:

7. That the proposed Farm Labor Housing is consistent with the adopted policies and procedures for approved Farm Labor Housing.
8. That the establishment, maintenance, and conduct of the proposed use will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood.
9. That the continued operation and location of the unit as Farm Labor Housing, is consistent with applicable requirements of the Planned Agricultural District regulations.

**CONDITIONS OF APPROVAL**

Current Planning Section

1. This approval applies only to the proposal as described in this report and materials submitted for review and approval by the Planning Commission at the November 30, 2016 meeting. The Community Development Director (CDD) may approve minor revisions or modifications to the project if they are found to be consistent with the intent of and in substantial conformity with this approval.
2. This permit shall be valid for a period of five (5) years from the date of final approval, with annual administrative review. The applicant shall submit documentation for the Farm Labor Housing unit, to the satisfaction of the Community Development Director, at the time of each administrative review (i.e., prior to the anniversary date on which these permits were approved), which demonstrates that the occupant has a minimum of 20 hours of employment per week on this project site or at another farm or ranch within the County. This documentation shall include signed statements from the occupant and any other relevant documentation, which the Community Development Director deems necessary. Failure to submit such documentation may result in a public hearing to consider revocation of this permit. Renewal of the Farm Labor Housing permit shall be applied for six (6) months prior to expiration to the Planning and Building Department.
3. The unit shall be occupied by farm workers and their dependents only.
4. In the case of proposed changes to permitted Farm Labor Housing (FLH), the owner/applicant shall submit a written description of the proposed change to the Planning Department, and if the change is considered significant by the Community Development Director, submit a complete permit amendment application.
5. In the event that the farming operations justifying the FLH unit ceases or if the FLH development is proposed to be enlarged or significantly changed, it shall be the owner's/applicant's responsibility to notify the County by letter of such change, and applying for the necessary permits to demolish the structure or use it for another permitted use. Accordingly, such notice shall identify the owner's/applicant's intention to either remove the FLH unit (and associated infrastructure) or otherwise convert such improvements to that allowed by Zoning District Regulations. In either case, building permits and associated inspections by the Building Inspection Section and the Environmental Health Division shall

be required to ensure that all structures have been removed, infrastructure properly abandoned or that such converted development complies with all applicable regulations.

6. This permit does not allow for the removal of any trees. Removal of any tree with a circumference of 55 inches or greater, as measured 4.5 feet above the ground, shall require additional review by the Community Development Director prior to removal. Only the minimum vegetation necessary shall be removed to accommodate the Farm Labor Housing unit, driveway, and associated utilities.
7. The Department of Fish and Game has determined that this project is not exempt from Department of Fish and Game California Environmental Quality Act (CEQA) filing fees per Fish and Game Section 711.4. The applicant shall pay to the San Mateo County Recorder's Office an amount of \$2,260.00 plus the applicable recording fee at the time of filing of the Notice of Determination by the County Planning and Building Department staff within ten (10) business days of the approval.
8. **Mitigation Measure 1:** The applicant shall require construction contractors to implement all the Bay Area Air Quality Management District's Basic Construction Mitigation Measures, listed below:
  - a. Water all active construction areas at least twice daily.
  - b. Water or cover stockpiles of debris, soil, sand, or other materials that can be blown by the wind.
  - c. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard.
  - d. Apply water two (2) times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking, and staging areas at construction sites. Also, hydroseed or apply non-toxic soil stabilizers to inactive construction areas.
  - e. Sweep adjacent public streets daily (preferably with water sweepers) if visible soil material is carried onto them.
  - f. Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.).
  - g. Limit traffic speeds on unpaved roads within the project parcel to 15 miles per hour.
  - h. Install sandbags or other erosion control measures to prevent silt runoff to public roadways and water ways.
  - i. Replant vegetation in disturbed areas as quickly as possible.
9. **Mitigation Measure 2:**
  - a. Any exterior lights shall be designed and located so as to confine direct rays to the subject property and prevent glare in the surrounding area. Any proposed lighting shall be reviewed and approved by the Planning Department during the building permit process to verify compliance with this condition.
  - b. The FLH unit shall be painted a color that will match and blend with the existing vegetation on the site.
10. **Mitigation Measure 3:** The following avoidance and minimization measures are



recommended to avoid impacts to CRLF and SFGS and their habitat:

- a. All work will occur during the dry season (May 1 – September 30).
- b. Tightly woven fiber netting or similar material shall be used for erosion control or other purposes at the Project to ensure that the California red-legged frog (CRLF) and the San Francisco garter Snake (SFGS) do not get trapped. This limitation should be communicated to the contractor. Plastic mono-filament netting (erosion control matting), rolled erosion control products or similar material shall not be used because CRLF, SFGS, and other species may become entangled or trapped in it.
- c. Because dusk and dawn are often the times when CRLF are most actively moving and dispersing, all construction activities should cease one half hour before sunset and should not begin prior to one half hour after sunrise.
- d. No work shall occur during rain events (defined as greater than 0.25-inch within a 24-hour period) when either species is most likely to disperse.
- e. If work occurs outside of the dry season, a qualified biologist will conduct a preconstruction survey within 24 hours prior to initiation of ground disturbing activities and within 24 hours prior to re-starting work following a rain event. If vegetation within the work area is sufficiently dense such that absence of either species cannot be determined, a qualified biologist will monitor vegetation removal and initial ground disturbance for CRLF and SFGS. If either species is observed during preconstruction surveys or monitoring, work will be halted and the individual(s) will be allowed to leave the work area on its own.

11. **Mitigation Measure 4:** The following avoidance and minimization measures are recommended to avoid impacts to special-status and non-special-status nesting birds:

- a. If work is to be initiated during the nesting season (February 15 – August 31), a preconstruction nesting bird survey should be performed no more than 14 days prior to initial ground disturbance to avoid impacting active nests, eggs, and/or young.
- b. If the survey identifies any active nest, an exclusion buffer should be established for protection of the nest and young. Buffer distance will vary based on species and conditions at the site, but typically ranges between 25 up to 600 feet. The buffer should be maintained until all young have fledged. Impacts to nesting birds can be avoided if potential activities are initiated outside of the nesting season (September 1 – January 31).

12. **Mitigation Measure 5:** The following avoidance and minimization measures are recommended to avoid impacts to the San Francisco dusky-footed woodrat:

- a. A pre-construction survey within the poison oak scrub habitat will be conducted to identify and mark for avoidance all existing San Francisco dusky-footed woodrat houses in the work area.
- b. Woodrat houses which cannot be avoided will be dismantled by hand under the supervision of a biologist. If young are encountered during the dismantling process, the material should be placed back on the house and the house will remain undisturbed for two to three weeks in order to give the young enough time to mature and leave the house. After two to three weeks, the nest dismantling process may begin again. Nest material will be moved to suitable adjacent areas (riparian, woodland, scrub) that will not be impacted.

13. **Mitigation Measure 6:** Prior to the commencement of the project, the applicant shall submit to the Planning Department for review and approval an erosion and drainage control plan that shows how the transport and discharge of soil and pollutants from and within the project site shall be minimized. The plan shall be designed to minimize potential sources of sediment, control the amount of runoff and its ability to carry sediment by diverting incoming flows and impeding internally generated flows, and retain sediment that is picked up on the project site through the use of sediment-capturing devices. The plan shall also limit application, generation and migration of toxic substances, ensure the proper storage and disposal of toxic materials, and apply nutrients at rates necessary to establish and maintain vegetation without causing significant nutrient runoff to surface waters. Said plan shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:
- a. Sequence construction to install sediment-capturing devices first, followed by runoff control measures and runoff conveyances. No construction activities shall begin until after all proposed measures are in place.
  - b. Minimize the area of bare soil exposed at one time (phased grading).
  - c. Clear only areas essential for construction.
  - d. Within five (5) days of clearing or inactivity in construction, stabilize bare soils through either non-vegetative best management practices (BMPs), such as mulching, or vegetative erosion control methods, such as seeding. Vegetative erosion control shall be established within two (2) weeks of seeding/planting.
  - e. Construction entrances shall be stabilized immediately after grading and frequently maintained to prevent erosion and to control dust.
  - f. Control wind-born dust through the installation of wind barriers such as hay bales and/or sprinkling.
  - g. Soil and/or other construction-related material stockpiled on-site shall be placed a minimum of 200 feet from all wetlands and drain courses. Stockpiled soils shall be covered with tarps at all times of the year.
  - h. Intercept runoff above disturbed slopes and convey it to a permanent channel or storm drains by using earth dikes, perimeter dikes or swales, or diversions. Use check dams where appropriate.
  - i. Provide protection for runoff conveyance outlets by reducing flow velocity and dissipating flow energy.
  - j. Use silt fence and/or vegetated filter strips to trap sediment contained in sheet flow. The maximum drainage area to the fence should be 0.5-acre or less per 100 feet of fence. Silt fences shall be inspected regularly and sediment removed when it reaches 1/3 the fence height. Vegetated filter strips should have relatively flat slopes and be vegetated with erosion-resistant species.
  - k. Throughout the construction period, the applicant shall conduct regular inspections of the condition and operational status of all structural BMPs required by the approved erosion control plan.

- l. Use slit fence and/or vegetated filter strips to trap sediment contained in sheet flow. The maximum drainage area to the fence should be 0.5-acre or less per 100 feet of fence. Slit fences shall be inspected regularly and sediment removed when it reaches 1/3 the fence height. Vegetated filter strips should have relatively flat slopes and be vegetated with erosion-resistant species.
  - m. No erosion or sediment control measures will be placed in vegetated areas.
  - n. Environmentally sensitive areas shall be delineated and protected to prevent construction impacts.
  - o. Control of fuels and other hazardous materials, spills, and litter during construction
  - p. Preserve existing vegetation whenever feasible.
14. **Mitigation Measure 7:** In the event that cultural, paleontological or archaeological resources are inadvertently encountered during site grading or other site work, such work shall immediately be halted in the area of discovery and the project sponsor shall immediately notify the Community Development Director of the discovery. The applicant shall be required to retain the services of a qualified archaeologist for the purpose of recording, protecting, or curating the discovery as appropriate. The cost of the qualified archaeologist and of any recording, protecting, or curating shall be borne solely by the project sponsor. The archaeologist shall be required to submit to the Community Development Director for review and approval a report of the findings and methods of curation or protection of the resources. No further grading or site work within the area of discovery shall be allowed until the preceding has occurred. Disposition of Native American remains shall comply with CEQA Guidelines Section 15064.5(e).
15. **Mitigation Measure 8:** Noise sources associated with demolition, construction, repair, remodeling, or grading of any real property shall be limited to the hours from 7:00 a.m. to 6:00 p.m., weekdays and 9:00 a.m. to 5:00 p.m., Saturdays. Said activities are prohibited on Sundays, Thanksgiving, and Christmas (San Mateo Ordinance Code Section 4.88.360). Noise levels produced by construction activities shall not exceed the 80-dBA level at any one moment.

#### Building Inspection Section

16. A building permit is required and shall be applied for and obtained prior to the commencement of any construction or staging activities.

#### Environmental Health Division

17. At the time of building permit review, the applicant shall submit an application for installation of the septic system and plans to the San Mateo County Environmental Health Division.
18. The applicant shall meet all requirements from the San Mateo County Environmental Health Division.

#### Cal-Fire

19. Fire Department access shall be to within 150 feet of all exterior portions of the facility and all portions of the exterior walls of the first-story of the buildings as measured by an approved access route around the exterior of the building or facility. Access shall be a minimum of 20 feet wide, all weather capability, and able to support a fire apparatus weighing 75,000 lbs. Where a fire hydrant is located in the access, a minimum of 26 feet is required for a minimum of 20 feet on each side of the hydrant. This access shall be provided from a publicly maintained road to the property. Grades over 15% shall be paved and no grade

shall be over 20%. When gravel roads are used, it shall be Class 2 Base or equivalent compacted to 95%. Gravel road access shall be certified by an engineer as to the material thickness, compaction, all weather capability, and weight it will support.

20. All buildings that have a street address shall have the number of that address on the building, mailbox, or other type of sign at the driveway entrance in such a manner that the number is easily and clearly visible from either direction of travel from the street. New residential buildings shall have internally illuminated address numbers contrasting with the background so as to be seen from the public way fronting the building. Residential address numbers shall be at least 6 feet above the finished surface of the driveway. An address sign shall be placed at each break of the road where deemed applicable by the San Mateo County Fire Department. Numerals shall be contrasting in color to their back-ground and shall be no less than 4 inches in height, and have a minimum 1/2-inch stroke. Remote signage shall be a 6-inch x 18-inch green reflective metal sign.
21. Any chimney or woodstove outlet shall have installed onto the opening thereof an approved (galvanized) spark arrester of a mesh with an opening no larger than 1/2-inch in size or an approved spark arresting device. Maintain around and adjacent to such buildings or structures a fuelbreak/firebreak made by removing and cleaning away flammable vegetation for a distance of not less than 30 feet and up to 100 feet around the perimeter of all structures or to the property line, if the property line is less than 30 feet from any structure. This is not a requirement nor an authorization for the removal of live trees. Remove that flammable portion of any tree which extends within 10 feet of the outlet of any chimney or stovepipe, or within 5 feet of any portion of any building or structures. Remove that dead or dying portion of any tree which extends over the roof line of any structure.
22. A Wet Draft Hydrant with a 4.5-inch National Hose Thread outlet with a valve shall be mounted 30 to 36 inches above ground level and within 5 feet of the main access road or driveway, and not less than 50 feet from any portion of any building nor more than 150 feet from the main residence or building.
23. CRC T-14 requires structures, subdivision and developments in State Responsibility Areas on parcels one-acre and larger to provide a minimum 30-foot setbacks for buildings and accessory structures from all property lines and the center of the road.
24. Smoke alarms and carbon monoxide detectors shall be installed in accordance with the California Building and Residential Codes. This includes the requirement for hardwired, interconnected detectors equipped with battery backup and placement in each sleeping room in addition to the corridors and on each level of the residence.
25. A Site Plan showing all required components of the water system is required to be submitted with the building plans to the San Mateo County Building Inspection Section for review and approval by the authority having jurisdiction for verification and approval. Plans shall show the location, elevation and size of required water storage tanks, the associated piping layout from the tank(s) to the structures, the size of and type of pipe, the depth of cover for the pipe, technical data sheets for all pipe/joints/valves/valve indicators, thrust block calculations/joint restraint, the location of the standpipe/hydrant and the location of any required pumps and their size and specifications.
26. The water storage tank(s) shall be so located as to provide gravity flow to a standpipe/hydrant. Plans and specifications shall be submitted to the San Mateo County Building Inspection Section for review and approval by the authority having jurisdiction.
27. Contact the Fire Marshal's Office to schedule a Final Inspection prior to occupancy and Final Inspection by a Building Inspector. Allow for a minimum of 72-hours notice to the Fire Department at 650/573-3846.

Department of Public Works.

28. Prior to the issuance of the Building permit or Planning permit (for Provision C3 Regulated Projects), the applicant shall have prepared, by a registered civil engineer, a drainage analysis of the proposed project and submit it to the Department of Public Works for review and approval. The drainage analysis shall consist of a written narrative and a plan. The flow of the stormwater onto, over, and off of the property shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the pattern of flow. The analysis shall detail the measures necessary to certify adequate drainage. Post-development flows and velocities shall not exceed those that existed in the pre-developed state. Recommended measures shall be designed and included in the improvement plans and submitted to the Department of Public Works for review and approval.
29. No proposed construction work within the County right-of-way shall begin until County requirements for the issuance of an encroachment permit, including review of the plans, have been met and an encroachment permit issued. Applicant shall contact a Department of Public Works Inspector 48 hours prior to commencing work in the right-of-way.
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**6. Owner/Applicant: Planning and Building Department**

File No.: PLN2016-00473  
Location: Countywide  
Assessor's Parcel No: Countywide

Amendments to the County's Second Unit Regulations (Zoning Regulations Chapter 22.5) to comply with changes to State law, particularly the California Government Code, as variously amended, most recently in September 2016; and, to advance the goal, as expressed by the San Mateo County Board of Supervisors, of incentivizing and streamlining the production of second units as a valuable source of needed housing. The proposed amendments to the County's Second Unit Regulations also constitute a proposed amendment to the Implementation Plan of the County's Local Coastal Program, and if adopted, will be submitted to the California Coastal Commission for review and certification. Copies of the proposed amendments are available at the County Planning and Building Department, as well as local libraries in various locations in San Mateo County.

**SPEAKERS:**

1. Lennie Roberts, Committee for Green Foothills
2. Lisa Ketcham, Midcoast Community Council
3. Carlyle Anne Young
4. Bill Kehoe
5. Ken de Moor

**COMMISSION ACTION:**

Commissioner Kersteen-Tucker moved and Commissioner Hansson seconded to close the public hearing. **Motion carried 3-0-0-0.**

Commissioner Kersteen-Tucker moved and Commissioner Hansson seconded the motion. **Motion carried 3-0-0-0.**

Based on information provided by staff and evidence presented at the hearing, the Planning Commission recommended that the Board of Supervisors adopt the proposed amendments to the County's Second Unit Ordinance, Chapter 22.5 of the County Zoning Regulations, to comply with the requirements of California

Accessory Dwelling Unit Law (Government Code 65852.1, et seq.), and to advance the County's goal of facilitating the production of second units as a valuable source of housing.

**FINDINGS:**

**RECOMMENDED FINDINGS**

1. That the proposed revisions to Chapter 22.5 of the County Zoning Regulations are consistent with the County General Plan, and in particular advance Policy HE32 of the Housing Element of the General Plan, which commits the County to update its second unit regulations in order to comply with State law, and in order to streamline permitting, standardize the County's regulations, and overall, to facilitate the development of second units.
2. That the proposed revisions to Chapter 22.5 of the County Zoning Regulations are consistent with and further the County Board of Supervisors' direction to amend the County's second unit regulations for consistency with State law, and to promote and facilitate the production of second units as a needed source of housing.
3. That the proposed revisions to Chapter 22.5 of the County Zoning Regulations are exempt from environmental review, per CEQA Section 21080.17 and CEQA Guidelines Section 15282(h), which state that adoption of ordinances relating to second units (accessory dwelling units) to implement specific Government Code sections (Sections 65852.1 and 65852.2) is exempt from CEQA.

**RECOMMENDATION**

1. That the Planning Commission recommend that the Board of Supervisors adopt the proposed amendments to the County's Second Unit Ordinance, Chapter 22.5 of the County Zoning Regulations, to comply with the requirements of California Accessory Dwelling Unit Law (Government Code 65852.1, et seq.), and to advance the County's goal of facilitating the production of second units as a valuable source of needed housing.

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**7. Correspondence and Other Matters**

None

**8. Consideration of Study Session for Next Meeting**

None

**9. Director's Report**

Three items tentatively scheduled to go on the December 14, 2016 agenda and two items that will be heard by the Board of Supervisors on December 6<sup>th</sup> and 13<sup>th</sup>, they include:

Second reading of the adoption of the Building Regulations and the appeal of the Segner Lai project located in Montara.

**10. Adjournment**

10:57 am