



Planning & Building Department

Planning Commission

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

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

ACTION MINUTES

DRAFT

MEETING NO. 1624

Wednesday, December 14, 2016

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

Vice-Chair Kersteen-Tucker called the meeting to order at 9:03 a.m.

Pledge of Allegiance: The Pledge of Allegiance was led by Vice-Chair Kersteen-Tucker

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

Legal notice published in the San Mateo County Times on December 3, 2016 and in the Half Moon Bay Review on December 7, 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 November 30, 2016.

The Minutes dated November 30, 2016 will be considered at the meeting scheduled for January 11, 2017.

Commissioner Hansson moved for approval of the Consent Agenda, and Commissioner Dworetzky seconded the motion. **Motion carried 3-0-0-1, (Commissioner Ramirez absent)** approving one item as follows:

CONSENT AGENDA

9:00 a.m.

- Owner:** Bruce and Sandra Durham
Applicant: Pescadero Public Community Radio Station (KPDO)
File No.: PLN2016-00037
Location: 510 Hill Rd., unincorporated Pescadero

Assessor's Parcel No: 086-171-050

Consideration of a Coastal Development Permit, Planned Agricultural District Permit, and Use Permit, pursuant to Sections 6328.4, 6353, and 6500, respectively, of the County Zoning Regulations, and Architectural Review, pursuant to the State Streets and Highways Code, and certification of a Negative Declaration, pursuant to the California Environmental Quality Act, to construct a 35 ft. public radio tower and equipment cabinet. This project is appealable to the California Coastal Commission.

FINDINGS:

Regarding the Negative Declaration, Found:

1. That the Negative Declaration is complete, correct and adequate and prepared in accordance with the California Environmental Quality Act and applicable State and County Guidelines.
2. That, on the basis of the Initial Study, comments received thereto, and testimony presented and considered at the public hearing, there is no substantial evidence that the project, if subject to the mitigation measures contained in the Negative Declaration, will have a significant effect on the environment.
3. That the Negative Declaration reflects the independent judgment of San Mateo County.
4. The mitigation measures identified in the Negative Declaration, agreed by the applicant, placed as conditions on the project, and identified as part of this public hearing, have been incorporated into the Mitigation Monitoring and Reporting Plan in conformance with California Public Resources Code Section 21081.6.

Regarding 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, conforms with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program (LCP), since the project will provide radio transmission and reception to local residents and travelers within the Pescadero area without causing a significant visual impact due to the distance from Highway 1.
6. That the project conforms to the specific findings required by policies of the San Mateo County LCP related to the protection of agricultural land, since the project does not interfere with existing or future agriculture on the site due to the small scale of the project and its location within an existing driveway.

Regarding the Planned Agricultural District Permit, Found:

7. That the proposed project, as described in the application and accompanying materials, complies with all applicable criteria for issuance of a Planned Agricultural District Permit contained in Section 6350 of the Zoning Regulations, including the fact that the proposed radio tower is located on an existing graveled driveway and poses no impact to the current or future agricultural viability and use of the parcel.

Regarding the Architectural Review, Found:

8. That the proposed project is in compliance with the architectural design standards for the Cabrillo Highway State Scenic Corridor, since the proposed tower, based on its height and distance eastward will not represent a significant visual impact as seen from Highway 1.

Regarding the Use Permit, Found:

9. That the establishment, maintenance, and/or conducting of the proposed project will not, under the circumstances of the particular case result in a significant adverse impact to coastal resources, or be detrimental to the public welfare or injurious to property or improvements in said neighborhood. The cumulative radio frequency electromagnetic field levels for this project site will be 13.3% of the applicable public exposure limit at ground level. There is no evidence to suggest that this use will impact nearby property, existing utility provisions or future public improvements.
10. That the project is necessary for public health, safety, convenience or welfare, as it will allow for local radio transmission and reception capability for San Mateo County coastal residents and travelers.

CONDITIONS OF APPROVALCurrent Planning Section

1. This approval applies only to the proposal as described in those plans, supporting materials and reports submitted on December 14, 2016 and as approved by the Planning Commission. Minor revisions or modifications to the project may be made subject to the review and approval of the Community Development Director, if they are consistent with the intent of and in substantial conformance with this approval.
2. Any changes in use or intensity of the radio facility (that otherwise do not qualify as a "minor modification") may require an amendment to the Use Permit and/or Coastal Development Permit. Any such amendment to these permits shall require compliance with all application and fee requirements, and permit approvals prior to construction.
3. The power lines leading to the radio tower shall be installed underground, from the nearby building to the tower's base as proposed.
4. No materials used for installation shall be reflective or painted a reflective color.
5. The equipment area for this facility shall be fenced and screened with brown or otherwise acceptable material/colored slats.
6. Prior to final inspection for the building permit, the applicant shall paint and/or maintain the tower structure a medium gray color to blend in and have low visibility from the scenic roads in the area.
7. The applicant shall submit the following fees to the Current Planning Section: Within four (4) working days of the final approval date of this permit, the applicant shall submit a \$50.00 recording fee, required for posting of the CEQA document's Final Notice of Determination. The check shall be made

payable to San Mateo County, and submitted to the project planner to file with the Final Notice of Determination. No California Department of Fish and Wildlife fee is due, since no such department review or permit was required, nor was a permit or review required from any other state agency.

8. This use permit shall be valid for ten (10) years following the date of final approval. The applicant shall file for a renewal of this permit six (6) months prior to expiration with the County Planning and Building Department, if continuation of this use is desired.
9. The applicant shall receive and maintain approval from the Federal Communications Commission (FCC) for the operation of the project at this site. Upon receipt of this approval, the applicant shall supply the Current Planning Section with proof of this approval. If this approval is ever revoked, the applicant shall inform the Current Planning Section of the revocation within thirty (30) days of notice of revocation.
10. This installation shall be removed in its entirety at that time when this technology becomes obsolete or this facility is no longer needed. Applicant shall notify the Current Planning Section within thirty (30) days if it ceases to use the facility.
11. The applicant shall obtain a building permit and install the tower and miscellaneous power lines and support equipment in accordance with the approved plans and conditions of approval. All cabled energy lines to the tower and equipment area shall be installed underground.
12. During project construction, the applicant shall, pursuant to Chapter 4.100 of the San Mateo County Ordinance Code, minimize the transport and discharge of stormwater runoff from the construction site into storm drain systems and water bodies by:
 - a. Using filtration materials on storm drain covers to remove sediment from dewatering effluent.
 - b. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 1 and April 30.
 - c. Removing spoils promptly, and avoiding stockpiling of fill materials, when rain is forecast. If rain threatens, stockpiled soils and other materials shall be covered with a tarp or other waterproof material.
 - d. Storing, handling, and disposing of construction materials and wastes so as to avoid their entry to the storm drain system or water body.
 - e. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in an area designated to contain and treat runoff.
 - f. Limiting and timing application of pesticides and fertilizers to avoid polluting runoff.
13. 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).

14. Since the plans have indicated that no lighting atop or attached to the tower is required, such lighting is prohibited and shall be cited on the associated building permit plans. No additional lighting is allowed, except for emergency or security lighting as attached to the nearby agricultural building, which – if proposed – shall be motion activated only, whose location and details shown on the associated building plans.
15. (Mitigation Measure No. 1) Vehicle 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 California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
16. (Mitigation Measure No. 2) 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.
17. (Mitigation Measure No. 3) Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person, or his/her 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.
18. (Mitigation Measure No. 4) 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.
 - 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, 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 miles per hour (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.
19. (Mitigation Measure No. 5) Prior to building permit issuance, the project sponsor shall incorporate, via a note on the first page of the construction plans, that should cultural or archaeological 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.
20. (Mitigation Measure No. 6) Prior to the issuance of a building permit, 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 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.
21. (Mitigation Measure No. 7) Upon any instances where equipment or related infrastructure is removed from the project site (i.e., due to replacement, upgrades, etc.), the applicant or radio station tower sponsor shall adhere to all Federal, State, and local/County regulations relative to the proper recycling and/or disposal of all such materials.

REGULAR AGENDA

9:00 a.m.

2. Owner/Applicant: Naveen Bisht
 File No.: PLN2016-00133
 Location: 147 Windsor Dr., Devonshire
 Assessor’s Parcel No: 049-133-470

Consideration of Design Review Permit and Non-Conforming Use Permit, pursuant to Section 6565.3 and 6137 of the San Mateo County Zoning Regulations, to allow construction a 554 sq. ft. addition and a 438 sq. ft., attached garage on a non-conforming 4,189 sq. ft. parcel. The Non-Conforming Use Permit is required to allow an existing 5 inch right side setback to remain, to allow a non-conforming front setback of 7-foot, 10-inch setback for a deck where 14-foot is the minimum, an 18-foot, 1 inch front setback for the second story addition where a 20-foot setback is required, and a 3-foot right side setback where 5-foot is required. No significant trees are proposed to be removed.

SPEAKERS:

None

COMMISSION ACTION:

Commissioner Dworetzky moved and Commissioner Hansson seconded to close the public hearing. **Motion carried 3-0-0-1 (Commissioner Ramirez absent).**

Commissioner Dworetzky moved and Commissioner Hansson seconded the motion. **Motion carried 3-0-0-1 (Commissioner Ramirez absent)**

Based on information provided by staff and information presented at the hearing, the Planning Commission approved the Design Review Permit and Non-Conforming Use Permit, County File Number PLN 2016-00133, based on and subject to the required findings and conditions of approval listed as follows:

FINDINGS:**For the Environmental Review, Found:**

1. This project is categorically exempt pursuant to Section 15301, Class 1, of the California Environmental Quality Act, related to construction of additions to existing structures which are less 10,000 square feet if: (A) The project is in an area where all public services and facilities are available to allow and (B) The area in which the project is located is not environmentally sensitive.

For the Design Review, Found:

2. This project has been reviewed under and found to be in compliance with the Design Review Standards as stipulated in Chapter 28, Section 6565.15, of the San Mateo County Zoning Regulations. The proposal was reviewed and approved by the Bayside Design Review Committee (Committee) on August 10, 2016.
3. After consideration of public testimony, the Committee found that the project, as proposed and conditioned, is in compliance with the Design Review Standards because the project: (a) is architecturally compatible with the neighborhood, (b) has a building shape that will allow for privacy and will not create blockage of sunlight, (c) has a well-articulated facade and other elevations, and (d) uses colors and materials which comply with the Design Review Standards.

For the Use Permit Found:

4. The establishment, maintenance, and/or conducting of the addition and major remodel, as conditioned, will not be detrimental to the public welfare or injurious to property or proposed improvements in said neighborhood. The addition will be sited on the subject property such that privacy would be protected for the right side neighbor. In addition, due to the irregular shape of the parcel created by the curved road frontage, the project adheres to Devonshire Design Review Standards and the resulting residence will not appear to be disharmonious with the surrounding residences or the Devonshire community.

CONDITIONS OF APPROVAL**Current Planning Section**

1. The project shall be constructed according to the approved plans. 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. Adjustments to the design during the building plan stage may result in the assessment of an additional plan resubmittal or revision fees. Alternatively, the Design Review Officer may refer consideration of the adjustments, if they are deemed to be major, to a new Bayside Design Review Public Hearing which requires payment of an additional fee of \$1,500.
2. No significant trees are approved for removal. Any tree removal is subject to the San Mateo County Tree Ordinance and will require a separate permit for removal.
3. Prior to any grading or construction activity on the project site, the property owner shall protect trees designated to remain by implementing the following tree protection plan outlined by Kielty Arborist Services, in the arborist report, dated June 21, 2016. A separate tree protection plan based on the arborist report shall be included in building plans submitted for a building permit.
4. All tree trimming shall follow the procedures outlined by Kielty Arborist Services, in the arborist report, dated June 21, 2016. Applicant shall submit evidence of compliance to the Project Planner within 24-hours of any trimming procedure.
5. All new utilities shall be installed underground. If the location of an existing utility is modified from its current location, the new or re-installation shall comply with current regulations regarding location of utilities.
6. The approved exterior colors and materials shall be verified prior to final approval of the building permit. The applicant shall provide photographs to the Design Review Officer to verify adherence to this condition prior to a final building permit sign-off by the Current Planning Section.
7. Prior to the Current Planning Section 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. 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).
8. The applicant shall apply for a building permit and shall adhere to all requirements from the Building Inspection Section, the Department of Public Works, and Cal-Fire.
9. No site disturbance, including any grading or vegetation removal, shall occur until a building permit has been issued.
10. 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 impede through traffic along the right-of-way on Windsor Drive. All construction vehicles shall be parked on-site outside the public right-of-way or in locations which do not impede safe access on Windsor Drive. There shall be no storage of construction vehicles in the public right-of-way.
11. 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).
12. 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 application 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.

The applicant shall include an erosion and sediment control plan to comply with the County's Erosion Control 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 prevent erosion and sedimentation off-site.

Separate Erosion Control plans shall be submitted for the demolition of the existing house and the construction of the new house.

Cal-Fire

- 13. Fire Department access shall be 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. When 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.
- 14. 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 background and shall be no less than 4 inches in height, and have a minimum 1/2-inch stroke. Remote signage shall be a 6" x 18" green reflective metal sign.
- 15. A fire flow of 1,500 GPM for 2 hours with a 20-psi residual operating pressure must be available as specified by additional project conditions to the project site. The applicant shall provide documentation including hydrant location, main size, and fire flow report at the building permit

application stage. Inspection required prior to Fire's final approval of the building permit or before combustibles are brought on the site.

16. The required fire flow shall be available from a County Standard 6-Inch Wet Barrel Fire Hydrant. The configuration of the hydrant shall have a minimum of one each 4 1/2 inches outlet and one each 2 1/2 inches outlet located not more than 250 feet from the building measured by way of approved drivable access to the project site.
17. The standpipe/hydrant shall be capable of a minimum fire flow of 1,000 GPM.
18. When receiving water service for fire protection (hydrants, fire sprinkler systems) from a public or municipal water purveyor, written certification from the water company that hydrants will be installed or the existing water system is capable of meeting the project conditions, is required to be presented to the San Mateo County Fire Department for verification to show that required upgrades to the system will be installed and that existing fire flows will meet the project requirements.
19. 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 San Mateo County Fire Department.
20. A statement that the building will be equipped and protected by automatic fire sprinklers must appear on the title page of the building plans.
21. An interior and exterior audible alarm active 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

22. The applicant shall submit to the Department of Public Works, for review, documentation of existing easements on the proposed site plan. Applicant shall remove all encroachments and as directed by the County Inspector.
23. 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.
24. 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.

25. 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.
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- 3. Owner/Applicant: Tuomo Katajamaki**
File No.: PLN2016-00051
Location: 645 Park Road, unincorporated Emerald Lake Hills
Assessor's Parcel No: 057-163-110

Consideration of a Design Review Permit, a Non-Conforming Use Permit, and a Certificate of Compliance (Type B), pursuant to Sections 6565.3 and 6137 of the San Mateo County Zoning Regulations and Section 7134.2 of the San Mateo County Subdivision Regulations, respectively, to allow construction of a new 2,278 sq. ft. single-family residence on a 3,500 sq. ft. non-conforming parcel. The Non-Conforming Use Permit is required to allow a 6-foot front setback and a stairway landing front setback of one foot (where 20 ft. is the minimum), a height of 33 feet (where 28 feet is the maximum), and to allow lot coverage of 35% (where 25% is the maximum) for the proposed house. Six significant trees are proposed to be removed. This item is continued from the October 26, 2016 meeting.

SPEAKERS:

Tuomo Katajamaki, Applicant

COMMISSION ACTION:

Commissioner Dworetzky moved and Commissioner Hansson seconded to close the public hearing. **Motion carried 3-0-0-1 (Commissioner Ramirez absent).**

Commissioner Dworetzky moved and Commissioner Hansson seconded the motion to approve the project. **Motion carried 3-0-0-1 (Commissioner Ramirez absent).**

Based on information provided by staff and evidence presented at the hearing, the Planning Commission approved the Design Review Permit, Certificate of Compliance (Type B), and Non-Conforming Use Permit, County File Number PLN 2016-00051, based on and subject to the required findings and conditions of approval listed as follows:

FINDINGS:

For the Environmental Review, Found:

1. This 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, within an urbanized area.

For the Conditional Certificate of Compliance (Type B), 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 Sections 7134.2(a), (b), and (c).

3. That the processing of the Conditional CoC (Type B) is in full conformance with Government Code Section 66499 et seq., as there are no additional improvements (typical of an urban subdivision) that must be required via conditions at this time. Applicable improvements (i.e., building permits, sewer connection, access upgrades and energy line laterals from the street to a future house) will be triggered and required at the time of receipt of a building permit application.

For the Design Review, Found:

4. This project has been reviewed under and found to be in compliance with the Design Review Standards as stipulated in Chapter 28, Section 6565.15, of the San Mateo County Zoning Regulations. The proposal was reviewed and approved by the Emerald Lake Hills Design Review Officer (DRO) on July 5, 2016. The revised proposal was reviewed by the DRO and found to be in compliance with the applicable Design Review Standards.
5. After consideration of public testimony, the DRO found that the project, as proposed and conditioned, is in compliance with the Design Review Standards because the project: (a) is architecturally compatible with the neighborhood, (b) has a building shape that will allow for privacy and will not create blockage of sun, (c) has a well-articulated facade and other elevations, and (d) uses colors and materials which comply with the Design Review Standards.

For the Use Permit, Found:

6.
 - a. The proposed development is proportioned to the size of the parcel on which it is being built. The floor area is less than is allowed by the zoning, the increase in height and reduced front yard setbacks are off-set by the residence's step design, and minimal visibility from the street.
 - b. That all opportunities to acquire additional contiguous land in order to achieve conformity with the zoning regulations currently in effect have been investigated and proven infeasible, because both adjacent parcels are developed with residences.
 - c. Due to the steep slope and small size of the parcel, the proposed development is as nearly in conformance with the zoning regulations currently in effect as is reasonably possible. The exceptions which are being requested, 1) a reduced front setback, 2) an additional five feet of height, and 3) additional lot coverage, are the minimum necessary to develop the parcel with a reasonably-sized single-family residence. The proposal is in compliance with floor area ratio, minimum side setbacks, and minimum rear setbacks.
 - d. The establishment, maintenance, and/or conducting of the construction of the single-family residence, as conditioned, will not be detrimental to the public welfare or injurious to property or improvements in said neighborhood. The residence will be sited on the subject property such that impacts are not significant, and replacement trees will be located and grow to enhance privacy to adjoining residences. The residence will not be disharmonious with the surrounding residences or the Emerald Lake Hills Community in general due to project adherence to Emerald Lake Hills Design Review Standards.

CONDITIONS OF APPROVAL

Current Planning Section

1. The project shall be constructed in compliance with plans approved by the Planning Commission on December 14, 2016. Any changes or revisions to the approved plans shall be submitted for review by the Community Development Director to determine if they are compatible with the Design Review Standards and are in substantial compliance with the approved plans prior to being incorporated into the building plans. Adjustments to the project may be approved by the Emerald Lake Hills Design Review Officer if they are consistent with the intent of and are in substantial conformance with this approval. Adjustments to the design during the building plan stage may result in the assessment of additional plan resubmittal or revision fees. Alternatively, the Design Review Officer may refer consideration of the adjustments, if they are deemed to be major, to a new Emerald Lake Hills Design Review Officer public hearing which requires payment of an additional fee of \$1,500, and surcharges.
2. The applicant is advised that prior to recordation of the Certificate of Compliance (CoC), the owner/applicant shall provide the project planner with a check for \$34.00 to cover the fee charged by the Recorder's Office. The project planner will confirm the amount prior to recordation. The CoC shall be recorded prior to Planning's approval of the associated building permit for the new residence.
3. Six trees, as shown on the submitted plans, are approved for removal. Any additional trees greater than 6" in diameter at breast height are subject to the San Mateo County Tree Ordinance and will require a separate permit for removal.
4. Six, 15-gallon size (minimum) replacement trees shall be planted as presented on the tree plan reviewed by the Planning Commission on December 14, 2016. Three of the six replacement trees shall be planted along the left side of the property, and the remaining three trees shall be planted between the right rear corner of the house and the property line.
5. At the building permit application stage, the project shall demonstrate compliance with the Water Efficient Landscape Ordinance (WELO). 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:
 - a. 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).
 - b. 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.
 - c. 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.
 - d. 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.

- e. 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.
6. Prior to any grading or construction activity on the project site, the property owner shall implement the following tree protection plan for trees that have not been approved for removal:
 - a. The property owner shall establish and maintain tree protection zones throughout the entire duration of the project for all trees to remain following construction, including trees on adjoining properties with drip lines extending over the project site.
 - b. Tree protection zones shall be delineated using 4-ft. tall orange plastic fencing supported by poles pounded into the ground, located as close to the driplines as possible while still allowing room for construction/grading to safely continue.
 - c. The property owner shall maintain tree protection zones free of equipment and materials storage and shall not clean any equipment within these areas.
 - d. Should any large roots or large masses of roots need to be cut, the roots shall be inspected by a certified arborist or registered forester prior to cutting.
 - e. Any root cutting shall be conducted by an arborist or forester and documented.
 - f. Roots to be cut should be severed cleanly with a saw or topers.
 - g. Normal irrigation shall be maintained, but oaks should not need summer irrigation.
 - h. Any remedial measures recommended in an arborist report for trees on-site shall be implemented during and following project construction, as directed.
 7. All utilities shall be installed underground.
 8. The approved exterior colors and materials shall be verified prior to final approval of the building permit. The applicant shall provide photographs to the Design Review Officer to verify adherence to this condition prior to a final building permit sign-off by the Current Planning Section.
 9. Prior to the Current Planning Section 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. 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).
 10. 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, and that all setbacks are consistent with the approved plans. Similarly, certifications on the garage slab and the topmost elevation of the roof are required.

If the actual setbacks, floor height, garage slab, or roof height, as constructed, are 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.

11. The applicant shall adhere to all requirements of the Building Inspection Section, the Department of Public Works, and Cal-Fire.
12. No site disturbance shall occur, including any grading or tree removal, until a building permit has been issued.
13. 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 impede through traffic along the right-of-way on Park Road. All construction vehicles shall be parked on-site outside the public right-of-way or in locations which do not impede safe access on Park Road. There shall be no storage of construction vehicles in the public right-of-way.
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 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 application 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.
16. It shall be the responsibility of the engineer of record to regularly inspect the erosion control measures for the duration of all grading remediation 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.

Cal-Fire

17. 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 background and shall be no less than 4 inches in height, and have a minimum 1/2-inch stroke. Remote signage shall be a 6" x 18" green reflective metal sign.

18. A fire flow of 1,500 gpm for 2 hours with a 20-psi residual operating pressure must be available as specified by additional fire flow report at the building permit application stage. Inspection is required prior to Fire's final approval of the building permit or before combustibles are brought on-site.
19. 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.
20. 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 authority having jurisdiction.
21. A statement that the building will be equipped and protected by automatic fire sprinklers must appear on the title page of the building plans.

Department of Public Works

22. 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.
23. 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 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.
24. 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.

25. 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.
 26. The applicant shall execute and record an agreement in a form approved by the County for maintenance of the approved facilities in the public right-of-way. The Property Owners agree to remove, replace, and repair, upon demand by the Director of the Department of Public Works, any facilities in the public right-of-way.
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4. Correspondence and Other Matters

None

5. Consideration of Study Session for Next Meeting

The draft agenda for the next meeting includes:

Informational Item on the El Granada Fire Station

CDP- Green Valley Trail

CDP- Single Family Dwelling in Miramar

6. Director’s Report

The second reading of the adoption of the Building Regulations was heard on 12/13/2016 by the Board of Supervisors.

The Board of Supervisors denied the appeal and upheld the decision of the Planning Commission to approve the Design Review Permit on the Segner Lai project.

On 1/10/2017 the Board of Supervisors will consider the adoption of an Ordinance amending the Second Unit Ordinance (Zoning Regulations) and adopting a Resolution directing staff to submit a Second Unit Ordinance to the California Coastal Commission.

Joan Kling, Code Compliance Manager will be conducting a presentation to the Midcoast Community Council tonight 12/14/2016.

7. Adjournment

Meeting adjourned at 9:54 am