



## Planning & Building Department Planning Commission

Laurie Simonson, 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. 1598

Wednesday, May 27, 2015

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

Chair Dworetzky called the meeting to order at 9:01 a.m.

**Pledge of Allegiance:** The Pledge of Allegiance was led by Chair Dworetzky.

**Roll Call:** Commissioners Present: Dworetzky, Hansson, Kersteen-Tucker, Simonson  
Commissioners Absent: Ramirez  
Staff Present: Monowitz, Fox, Shu (arrived at 9:11 a.m.)

Legal notice published in the San Mateo County Times on May 16, 2015 and in the Half Moon Bay Review on May 13, 2015.

**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 of May 13, 2015.

Commissioner Simonson moved, and Commissioner Hansson seconded, that the revised minutes be approved as submitted . **Motion carried 3-0-1-1.**

### CONSENT AGENDA

Commissioner Hansson moved for approval of the Consent Agenda, and Commissioner Kersteen-Tucker seconded the motion. **Motion carried 4-0-0-0**, approving one item as follows:

- Owner:** Sara and Nawab Kahn  
**Applicant:** Macksoud Khan  
**File No.:** PLN2015-00005  
**Location:** 2535 Woodland Place, Emerald Lake Hills  
**Assessor's Parcel No.:** 068-052-160

Consideration of a Non-Conforming Use Permit, Design Review Permit, and Grading Permit, pursuant to Zoning Regulations Sections 6133.3b (1) (b) and 6565.7 and Section 8602 of the County Ordinance Code, respectively, to allow construction of a new 1,380 sq. ft. single-family residence with a detached 394 sq. ft. garage on a legal, non-conforming 7,268 sq. ft. parcel. Application deemed complete March 23, 2015. Please direct any questions to Project Planner Erica Adams at: 650-363-1828 or [eadams@smcgov.org](mailto:eadams@smcgov.org).

### **FINDINGS:**

#### **Regarding the Environmental Review, Found:**

1. That this project is exempt from California Environmental Quality Act (CEQA) Section 15303, Class 3, regarding construction of small structures, which include single-family residences.

#### **Regarding the Use Permit, Found:**

2. That the proposed development is proportioned to the size of the parcel on which it is being built, because the proposed residence does not exceed the maximum lot coverage and floor area ratio allowed in the RH/DR (Residential Hillside/Design Review) Zoning District, and the proposed development is comparable to the proportions on adjacent parcels.
3. 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.
4. That the proposed development is as nearly in conformance with the zoning regulations currently in effect as is reasonably possible. The parcel width, steep slope at the front of the parcel and the 30-inch oak on the right side of the parcel make development of the site more difficult. However, the applicant has designed a proposal that complies with side setbacks to the greatest extent feasible, minimizes tree removal and minimizes grading.
5. That the establishment, maintenance, and/or conducting of the proposed use will not, under the circumstances of the particular case, result in a significant adverse impact to the coastal resources, or be detrimental to the public welfare or injurious to property or improvements in the said neighborhood. The proposed single-family residence and garage, as designed and located, will not have any adverse impacts on the surrounding neighborhood, as the proposed use is an allowed use in this district. Encroachments for the residence and garage into the side yard are only 2 feet, and not close to any structure on adjoining parcels. The over-height plate height does not change the overall height of the garage or cause the structure to exceed the allowed height of 19 feet.
6. That the use permit approval does not constitute a granting of special privileges, because the project has been appropriately sized for the parcel and is within the development standards applicable to other residences in the vicinity. The use permit will facilitate construction of a single-family home with a detached garage, which is the principal permitted use in the RH Zoning District.

#### **Regarding the Design Review, Found:**

7. That the project complies with the provisions of Chapter 28.1 of the San Mateo County Zoning Regulations, because the building's site planning, design and massing were found to meet the Design Review Standards for Emerald Lake Hills.

Regarding the Grading Permit, Found:

8. That the granting of the permit will not have a significant adverse effect on the environment. The proposed grading is required to construct a new single-family residence. This project has been reviewed by the Department of Public Works and the Building Inspection Section's Geotechnical Engineer.
9. That the project conforms to the criteria of Chapter 8, Division VII, 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, specifically in the areas of erosion and sediment control, dust control, and the timing of grading activity.
10. That the project is consistent with the General Plan. As proposed and conditioned, the project complies with General Plan Policies 2.23 (*Regulate Excavation, Grading, Filling, and Land Clearing Activities Against Accelerated Soil Erosion*) and 2.17 (*Erosion and Sedimentation*), because the project includes measures to maintain the existing slope and minimizes the removal of significant trees.

CONDITIONS OF APPROVAL:Current Planning Section

1. The project shall be constructed in compliance with the approved plans. 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 Design Review Standards and in substantial compliance with the approved plans prior to being incorporated into the building 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 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 public hearing which requires payment of an additional fee of \$1,500.
2. The design review final approval shall be valid for five (5) years from the date of final 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.
3. The site plan shall be modified to show dimensions of all setbacks to the property line for the garage and residence.
4. An addressing fee of \$45 shall be paid prior to the issuance of a building permit.
5. Eight significant trees are approved for removal per the submitted plans. Trees designated to remain shall be protected from damage during construction. Any additional tree removal is subject to the San Mateo County Tree Ordinance and will require a separate permit for removal.
6. Eight, 15-gallon trees, four of which shall be oaks, shall be planted prior to the Current Planning Section's final approval on the associated building permit. A site plan showing the locations and types of trees to be planted shall be submitted for the review and approval of the Community Development Director prior to planting. Photographs of the planted trees shall be provided to the

Design Review Officer, as proof of compliance with the condition, and for a final building permit sign-off by the Current Planning Section.

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 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. The applicant shall include an erosion and sediment control plan compliant with the County's erosion and sediment control plan guidelines on the plans submitted for the building permit. This plan shall identify the type and location of erosion control devices to be installed upon the commencement of construction in order to maintain the stability of the site and prevent erosion and sedimentation off-site.
11. 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 the Woodside Fire Protection District.
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 Woodland Place. All construction vehicles shall be parked on-site outside the public right-of-way or in locations which do not impede safe access on Woodland Place. There shall be no storage of construction vehicles in the public right-of-way.
14. Noise levels produced by the proposed construction activity shall not exceed the 80-dBA level at any one moment. Construction activities shall be limited to the hours from 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday. Construction operations shall be prohibited at any time on Sunday, Thanksgiving and Christmas.

#### Grading Conditions

15. No grading shall be allowed during the winter season (October 1 to April 30) to avoid potential soil erosion. An applicant-completed and County-issued grading permit "hard card" is required prior to the start of any land disturbance/grading operations. The "hard card" shall only be issued at the same time or after the issuance of the building permit for the new residence.
16. Prior to the issuance of the grading permit "hard card," the applicant shall submit a dust control plan for review and approval by the Current Planning Section. The plan, at a minimum, shall include the following measures:
  - a. Water all construction and grading areas at least twice daily.
  - b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard.
  - c. Pave, apply water two times daily, or apply (non-toxic) soil on all unpaved access roads, parking areas and staging areas at the project site.
  - d. Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
  - e. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
17. Projects subject to Provision C.3.i (individual single-family home projects that create and/or replace 2,500 sq. ft. or more of impervious surface, and other projects that create and/or replace at least 2,500 sq. ft. 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.
18. Prior to issuance of the grading permit "hard card," the property owner shall submit a schedule of all grading operations to the Current Planning Section, subject to review and approval by the Current Planning Section. Along with the "hard card" application, 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 revegetation, and estimated date of establishment of newly planted vegetation. If the schedule of grading operations calls for the grading to be completed in one grading season, then the winterizing plan shall be considered a contingent plan to be implemented if work falls behind schedule.

19. 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.
20. 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.

21. 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/mitigation measures, and the Grading Regulations, to the Department of Public Works and the Planning and Building Department's Geotechnical Engineer; and (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.

#### Department of Public Works

22. Prior to the issuance of the building permit or planning 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 or planning permit (if applicable), 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.

#### Woodside Fire Protection District

26. Project shall comply with Chapter 7A of California Building Code (CBC) code for ignition resistant construction and materials. All wood siding must be listed on the 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.
27. Address shall be clearly posted and visible from the street with a minimum of 4" numbers on contrasting background.

- 28. Approved spark arrester shall be installed on all chimneys including outside fireplace.
- 29. Smoke and Carbon Monoxide detectors shall be installed per code.
- 30. NFPA-13D fire sprinkler system shall be installed in new residence.
- 31. A 100-foot defensible space around the proposed new structure shall be established prior to the start of construction.
- 32. Upon final inspection, a 30-foot perimeter defensible space will need to be completed.
- 33. Driveway shall meet Woodside Fire Protection District requirements ([www.woodsidefire.org](http://www.woodsidefire.org)).
- 34. Fire Hydrant - Need to confirm. Hydrant shall be within 500 feet of the front door measured on a drivable roadway. Please provide drawings on next submittal addressing fire hydrant requirement.

**END OF THE CONSENT AGENDA**

**REGULAR AGENDA**

**9:00 a.m.**

- 2. **Applicant/Owner:** Gerver Hernandez  
 Appellant: Stephen Wood  
 File No.: PLN2014-00464  
 Location: 462 6<sup>th</sup> Avenue, North Fair Oaks  
 Assessor's Parcel No.: 060-073-340

Consideration of an appeal of a decision by the Community Development Director to approve a Tree Removal Permit, pursuant to Section 12,000 of the San Mateo County Ordinance Code, to remove two redwood trees. Application deemed complete March 3, 2015. Please direct any questions to Project Planner Steven Rosen at 650-363-1814 or [srosen@smcgov.org](mailto:srosen@smcgov.org).

**SPEAKERS:**

- 1. Stephen Wood, Appellant
- 2. Derek Chantler
- 3. Susan Brown
- 4. Beverly Barrales-Abarca

**COMMISSION ACTION:**

Commissioner Hansson moved and Commissioner Simonson seconded to close the public hearing.  
**Motion carried 4-0-1-0.**

Commissioner Hansson moved to deny the appeal and Commissioner Simonson seconded the motion.  
**Motion carried 4-0-1-0.**

Based on information provided by staff and evidence presented at the hearing, the Planning Commission denied the appeal and upheld the decision of the Community Development Director, adopting the required findings and conditions of approval as follows:

**FINDINGS:**

Regarding the Environmental Review, Found:



1. That the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15304 (Minor Alterations to Land). This class exempts minor public or private alterations in the condition of land, water, and/or vegetation, such as the removal of two trees.

Regarding the Tree Removal Permit, Found:

2. That the trees could cause substantial damage to the existing structure, as evidenced by the damage to the foundation that has already been caused by the root system.

**CONDITIONS OF APPROVAL:**

1. The trees indicated on the application form dated December 3, 2014, may be removed after the end of the appeal period in the event that no appeal is filed. A separate tree removal permit shall be required for the removal of any additional trees.
2. This tree removal permit approval shall be on the site and available for inspection by any person at all times during the tree removal operation. The issued permit shall be posted in a conspicuous place at eye level at a point nearest the street.
3. The applicant shall plant two trees on the site using at least 15-gallon size stock to replace the trees to be removed. The species of the trees shall be indigenous to inland San Mateo County, drought-resistant, and appropriately sized and located so that they will not be a hazard to any structures or improvements. A site plan showing the type and location of the replacement trees shall be submitted for the review and approval of the Community Development Director, or his or her designee, prior to planting. Replacement planting shall occur within one year of the tree removal permit approval date per Section 12,024 of the San Mateo County Ordinance Code.
4. The applicant shall submit photo verification to the Planning Department of the planted replacement trees required in Condition of Approval No. 3. Photos shall either be submitted in person to the Planning Department, or via email to [plngbldg@smcgov.org](mailto:plngbldg@smcgov.org) with reference to the Planning Application PLN Number (PLN 2014-00464).
5. If work authorized by an approved permit is not commenced within the period of one year from the date of approval, the permit shall be considered void.
6. During the tree removal phase, 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 by:
  - a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 1 and April 30.
  - b. 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.
  - c. Storing, handling, and disposing of construction materials and wastes so as to avoid their entry to the storm drain system or water body.
  - d. Using filtration or other measures to remove sediment from dewatering effluent.

- 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.
7. Prior to the removal of any trees located within the public right-of-way, the applicant shall obtain an encroachment permit from the Department of Public Works. Additionally, prior to planting any trees within the public right-of-way, the applicant shall obtain a landscaping/encroachment permit from the Department of Public Works.
  8. The applicant shall clear all debris from the public right-of-way.

3. **Applicant/Owner: Philomena LLC**  
 File No.: PLN2014-00352  
 Location: Magellan Avenue, Miramar  
 Assessor's Parcel No.: 048-013-090

Consideration of a Non-Conforming Use Permit, Coastal Development Permit and Design Review Permit, pursuant to Sections 6133.3b, 6328.4 and 6565.3 of the San Mateo County Zoning Regulations, respectively, to allow construction of a 1,709 sq. ft. new three-story single-family residence, plus a 400 sq. ft. attached two-car garage on an existing 4,396 sq. ft. non-conforming legal parcel. The Non-Conforming Use Permit is required to allow the development of an unimproved non-conforming legal parcel that is less than 5,000 sq. ft., where the minimum parcel size is 10,000 sq. ft. No trees are proposed for removal. The project is located in the Special Flood Hazard Area (Zone VE) and is appealable to the California Coastal Commission. Application deemed complete February 24, 2015. Please direct any questions to Project Planner Dennis Aguirre at 650-363-1867 or [daquirre@smcgov.org](mailto:daquirre@smcgov.org).

**SPEAKERS:**

1. Lennie Roberts

**COMMISSION ACTION:**

Commissioner Simonson moved and Commissioner Hansson seconded to close the public hearing.  
**Motion carried 4-0-1-0.**

Commissioner Simonson moved to approved the Non-Conforming Use Permit, Coastal Development Permit and Design Review Permit, Commissioner Hansson seconded the motion.  
**Motion carried 4-0-1-0.**

Based on information provided by staff and evidence presented at the hearing, the Planning Commission approved the project by adopting 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 new construction of small structures, including

single-family residences in a residential zone. The project would not result in a significant impact as it is designed to comply with Chapter 35.5 (Flood Hazard Areas) of the San Mateo County Zoning Regulations.

Regarding the Coastal Development Permit, Found:

2. That the project, as described in the application and accompanying materials required by the Zoning Regulations, Section 6328.4, and as conditioned in accordance with Section 6328.14, conforms with the applicable policies and required findings of the San Mateo County Local Coastal Program (LCP). Specifically, the project complies with policies requiring infill development, regulating development in floodplains and compliance with design review standards and findings.
3. That, with the approval of this project, the number of building permits for the construction of single-family residences issued in the calendar year would not exceed the limitation established by LCP Policy 1.23.

Regarding the Design Review, Found

4. That, with the conditions of approval recommended by the Coastside Design Review Committee at its meeting of March 12, 2014, the project is in compliance with the Design Review Standards for the Coastside. The project, as designed and conditioned, fits the design, style and character of the neighborhood homes. The project's two-story proposal is well articulated, uses colors and materials that appear natural and uses downward-directed exterior lighting fixtures.

Regarding the Use Permit, Found:

5. Pursuant to Section 6133.3.b(3) of the San Mateo County Zoning Regulations:
  - a. That the proposed development is proportioned to the size of the parcel on which it is being built. The lot coverage and floor areas remain compliant with the S-94 Zoning District development standards. The total lot coverage of 30% (1,319 sq. ft.) is at the maximum allowed, while the total floor area proposed of 47.9% (2,109 sq. ft.) is also at the maximum allowed of 48% (2,110 sq. ft.). The potential mass and bulk of the proposed structure are mitigated by adequate articulation of all exterior facades. The proposed project includes a design, scale and size similar to other two-story houses located in the vicinity.
  - 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 found to be infeasible. An effort was undertaken by the owner to explore the possibility of a merger with the adjacent property east of the subject site. On December 30, 2013, an offer to purchase was presented to the owner of the target property, but was declined. Based on this outcome, mitigation of the parcel size non-conformity via a parcel merger strategy has been proven infeasible.
  - c. That the proposed development is as nearly in conformance with the zoning regulations currently in effect as is reasonably possible. The proposed development conforms with the existing zoning regulations in as many ways as possible for the development of such a small parcel as indicated in Section 4 in this staff report.
  - d. That the establishment, maintenance, and/or conducting of the proposed use 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 proposed height of 24 feet for the two-story residence, the well-

articulated facades, well-proportioned roof mass and proposed adequate setbacks bring the structure into scale with the established neighborhood context. The project would not result in significant impacts to sensitive habitats, visual resources, or coastal access. Adequate infrastructure is available to serve the project.

- e. That the use permit approval does not constitute a granting of special privileges. While the applicant is required to obtain a use permit for development of the substantially undersized parcel, the parcel is legal and the project complies with other development standards of the S-94 Zoning District.

### **CONDITIONS OF APPROVAL:**

#### **Current Planning Section**

1. The project shall be constructed in compliance with the plans approved by the Planning Commission on May 27, 2015. 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 Coastside Design Review Committee, with applicable fees to be paid.
2. The Use Permit, Coastal Development Permit and Design Review final approvals 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 Use Permit, Coastal Development Permit and 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.
3. The applicant shall include the approval letter on the top pages of the building plans to ensure that the recommended conditions of approval are included with the on-site plans.
4. The applicant shall indicate the following on plans submitted for a building permit, as stipulated by the Coastside Design Review Committee.
  - a. Replacement of the two proposed "Pride of Madeira" shrubs with an alternative non-invasive species.
5. 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 Community Development Director.
6. 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.
7. The applicant shall include an erosion and sediment control plan on the plans submitted for the building permit. This plan shall identify the type and location of erosion control measures, as per County guidelines, 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.
8. 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.
9. The applicant shall apply for a building permit and shall adhere to all requirements of the Building Inspection Section, the Department of Public Works and the Coastside Fire Protection District (CFPD).

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 shall impede through traffic along the right-of-way on Magellan 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 Magellan Avenue. There shall be no storage of construction vehicles in the public right-of-way.
11. 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.
12. Noise levels produced by the proposed construction activity shall not exceed the 80-dBA level at any one moment. Construction activities shall be limited to the hours from 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday. Construction operations shall be prohibited on Sunday and any national holiday.
13. Installation of the approved landscape plan is required prior to final inspection.

#### Building Inspection Section

14. The applicant shall apply for a building permit.

#### Granada Community Services District (GCSD)

15. Prior to the issuance of a building permit, the applicant shall meet the requirements of GCSD for the issuance of a sewer permit variance for a sewer connection.

#### Coastside County Water District

16. Prior to the issuance of a building permit, the applicant shall obtain a water service connection to include fire suppression plans for review and approval.

#### Department of Public Works

17. Prior to the issuance of the building permit or planning 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.

18. Prior to the issuance of the building permit or planning permit (if applicable), 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. Between the edge of pavement and the property line, the applicant shall add a continuous asphalt pavement to conform with existing drainage swale along length of property fronting Magellan Avenue as directed by Public Works.
19. 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.
20. 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.

#### Coastside Fire Protection District

21. Smoke detectors which are hardwired: As per the California Building Code (CBC), State Fire Marshal Regulations, and Coastside Fire Protection District Ordinance No. 2013-03, the applicant is required to install State Fire Marshal approved and listed smoke detectors which are hardwired, interconnected, and have battery backup. These detectors are required to be placed in each new and reconditioned sleeping room and at a point centrally located in the corridor or area giving access to each separate sleeping area. In existing sleeping rooms, areas may have battery powered smoke alarms. A minimum of one detector shall be placed on each floor. Smoke detectors shall be tested and approved prior to the building final.
22. Add note to plans: Smoke alarms/detectors are to be hardwired, interconnected, or with battery backup. Smoke alarms are to be installed per manufacturer's instruction and NFPA 72.
23. Add note to plans: Escape or rescue windows shall have a minimum net clear openable area of 5.7 sq. ft. Five sq. ft. allowed at grade. The minimum net clear openable height dimension shall be 24 inches. The net clear openable width dimension shall be 20 inches. Finished sill height shall be not more than 44 inches above the finished floor.
24. Add this to plans: Identify rescue windows in each bedroom and verify that they meet all requirements.
25. Occupancy separation: As per the 2010 CBC, Section 406.1.4, a 1-hour occupancy separation wall shall be installed with a solid core, 20-minute fire rated, self-closing door assembly with smoke gasket between the garage and the residence. All electrical boxes installed in rated walls shall be metal protected.
26. New attached garage to meet occupancy separation requirements. Provide note/detail (CRC R302.6).

27. Address numbers: As per Coastside Fire Protection District Ordinance No. 2013-03, building identification shall be conspicuously posted and visible from the street. (TEMPORARY ADDRESS NUMBERS SHALL BE POSTED PRIOR TO COMBUSTIBLES BEING PLACED ON-SITE.) The letters/numerals for permanent address signs shall be 4 inches in height with a minimum 3/4-inch stroke. Such letters/numerals shall be internally illuminated and facing the direction of access. Finished height of bottom of address light unit shall be greater than or equal to 6 feet from the finished grade. When the building is served by a long driveway or is otherwise obscured, a 6-inch by 18-inch green reflective metal sign with 3-inch reflective numbers/letters similar to Hy-Ko 911 or equivalent shall be placed at the entrance from the nearest public roadway. See Fire Ordinance for standard sign.
28. Add the following note to plans: 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. Where buildings are located remotely to the public roadway, additional signage at the driveway/roadway entrance leading to the building and/or on each individual building shall be required by the Coastside Fire District. This remote signage shall consist of a 6-inch by 18-inch green reflective metal sign with 3-inch reflective numbers/letters similar to Hy-Ko 911 or equivalent.
29. Roof covering: As per Coastside Fire Protection District Ordinance No. 2013-03, the roof covering of every new building or structure, and materials applied as part of a roof covering assembly, shall have a minimum fire rating of Class "B" or higher as defined in the current edition of the California Building Code.
30. Vegetation management: As per the Coastside Fire Protection District Ordinance No. 2013-03, the 2013 California Fire Code (CFC) and Public Resources Code 4291, a fuelbreak of defensible space is required around the perimeter of all structures to a distance of not less than 30 feet and may be required to a distance of 100 feet or to the property line. In SRA (State Responsible Area), the fuelbreak is 100 feet or to the property line.
31. Add the following note to the plans: Trees located within the defensible space shall be pruned to remove dead and dying portions, and limbed up 6 feet above the ground. New trees planted in the defensible space shall be located no closer than 10 feet to adjacent trees when fully grown or at maturity.
32. Add the following note to the plans: Remove that portion of any existing trees, which extends within 10 feet of the outlet of a chimney or stovepipe or is within 5 feet of any structure. Maintain any tree adjacent to or overhanging a building, free of dead or dying wood.
33. Add the following note to plans: The installation of an approved spark arrester is required on all chimneys, existing and new. Spark arresters shall be constructed of woven or welded wire screening of 12-gauge USA standard wire having openings not exceeding 1/2 inch.
34. Add the following note to plans: A fuel or defensible break is required around the perimeter of all structures, existing and new, to a distance of not less than 30 feet and may be required to a distance of 100 feet or to the property line. This is neither a requirement nor an authorization for the removal of living trees.
35. Fire Access Roads: The applicant must have a maintained asphalt surface road for ingress and egress of fire apparatus. The San Mateo County Department of Public Works, the Coastside Fire District Ordinance No. 2013-03, and the California Fire Code shall set road standards. As per the



2013 CFC, dead-end roads exceeding 150 feet shall be provided with a turnaround in accordance with Coastside Fire Protection District specifications. As per the 2007 CFC, Section Appendix D, road width shall not be less than 20 feet. Fire access roads shall be installed and made serviceable prior to combustibles being placed on the project site and maintained during construction. Approved signs and painted curbs or lines shall be provided and maintained to identify fire access roads and state the prohibition of their obstruction. If the road width does not allow parking on the street (20-foot road) and on-street parking is desired, an additional improved area shall be developed for that use.

- 36. Fire Hydrant: As per 2013 CFC, Appendix B and C, a fire district approved fire hydrant (Clow 960) must be located within 250 feet of the proposed single-family dwelling unit measured by way of drivable access. As per 2013 CFC, Appendix B, the hydrant must produce a minimum fire flow of 1,000 gallons per minute at 20 pounds per square inch residual pressure for 2 hours. Contact the local water purveyor for water flow details.
- 37. Automatic Fire Sprinkler System: As per San Mateo County Building Standards and Coastside Fire Protection District Ordinance No. 2103-03, the applicant is required to install an automatic fire sprinkler system throughout the proposed or improved dwelling and garage. All attic access locations will be provided with a pilot head on a metal upright. All areas that are accessible for storage purposes shall be equipped with fire sprinklers including closets and bathrooms. The only exception is small linen closets less than 24 sq. ft. with full depth shelving. The plans for this system must be submitted to the San Mateo County Planning and Building Department or the City of Half Moon Bay. A building permit will not be issued until the plans are received, reviewed and approved. Upon submission of plans, the County or City will forward a complete set to the Coastside Fire Protection District for review. The fee schedule for automatic fire sprinkler systems shall be in accordance with Half Moon Bay Ordinance No. 2006-01. Fees shall be paid prior to plan review.
- 38. Installation of underground sprinkler pipe shall be flushed and visually inspected by the Coastside Fire Protection District prior to hookup to riser. Any soldered fittings must be pressure tested with trench open.
- 39. Add note to the title page that the building will be protected by an automatic fire sprinkler system.
- 40. Exterior bell and interior horn/strobe: These are required to be wired into the required flow switch on your fire sprinkler system. The bell horn/strobe and flow switch, along with the garage door opener, are to be wired into a separate circuit breaker at the main electrical panel and labeled.
- 41. All fire conditions and requirements must be incorporated into your building plans prior to building permit issuance. It is your responsibility to notify your contractor, architect, and engineer of these requirements.

4. **STUDY SESSION: VACATION HOME RENTAL REGULATIONS**

Presented by: County of San Mateo Office of the County Counsel  
 County of San Mateo Department of Planning & Building

5. **Correspondence and Other Matters**

None

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

There is no recommendation for a Study Session for next meeting. Only one item currently scheduled for the June 10<sup>th</sup> meeting, will be in contact about moving it to the July 8<sup>th</sup> meeting.

7. **Director's Report**

On May 19<sup>th</sup> the Board of Supervisors approved the Big Wave Appeal

8. **Adjournment**

The meeting adjourned at 11:57 a.m.

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