



Planning & Building Department Planning Commission

Laurie Simonson, 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. 1611
Wednesday, March 23, 2016

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

Chair Simonson called the meeting to order at 9:00 a.m.

Pledge of Allegiance: The Pledge of Allegiance was led by Chair Simonson.

Roll Call:

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

Legal Notice published in the San Mateo County Times on March 12, 2016 and the Half Moon Bay Review on March 9, 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 of March 9, 2016.

Commissioner Ramirez moved, and Commissioner Hansson seconded, that the minutes be approved as submitted. Motion carried **4-0-1-0**.

CONSENT AGENDA 9:00 a.m.

Commissioner Hansson moved for approval of the Consent Agenda, and Commissioner Ramirez seconded the motion. **Motion carried 4-0-1-0**, approving one item as follows:

- Owner:** Harrysson Iliana
Applicant: Real Property Division
File No.: PLN2016-00089

Location: 152 Ramona Road, unincorporated Portola Valley
 Assessor's Parcel No.: 080-101-050

Consideration of a General Plan Conformity determination for vacation of unused public right of way easement along Ramona Road.

FINDING

Find and determine that the proposed vacation of the right-of-way easement crossing 152 Ramona Road, APN 080-101-050, in Los Trancos Woods (unincorporated Portola Valley), as shown on the attached map, conforms to General Plan Policy 12.23, and is consistent with all other policies of the County General Plan.

REGULAR AGENDA
9:00 a.m.

- 2. **Owner:** Pomponio Ranch LLC
Applicant: Kerry Burke
 File No.: PLN2011-00088
 Location: 3300 Pomponio Creek Road, unincorporated San Gregorio
 Assessor's Parcel No.: 082-100-060

Consideration of a Coastal Development Permit and a Planned Agricultural Permit, pursuant to Sections 6328.4 and 6353 of the San Mateo County Zoning Regulations, to amend an existing Farm Labor Housing permit to add one new Farm Labor Housing unit. The project is appealable to the California Coastal Commission.

SPEAKERS:

- 1. Signe Ostby, Owner

COMMISSION ACTION:

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

Commissioner Dworetzky moved and Commissioner Ramirez seconded the motion. **Motion carried 4-0-1-0.**

Based on information provided by staff and evidence presented at the hearing, the Planning Commission approve the Coastal Development Permit and Planned Agricultural District Permit amendment for County File Number PLN 2011-00088, by making the required findings and adopting the conditions of approval listed as follows:

FINDINGS

For the Environmental Review, Found:

- 1. That this project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), Section 15301, Class 1, relating to the minor alteration to an existing facility.

For the Coastal Development Permit, Found:

2. That the project, as described in the application and accompanying materials required by Zoning Regulations Section 6328.7, and as conditioned in accordance with Section 6328.14 of the Zoning Regulations, conforms with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program (LCP). The plans and materials have been reviewed against the application requirement in Section 6328.7 of the Zoning Regulations and the project has been conditioned to minimize impacts to land use, agriculture, sensitive habitats, and visual resources in accordance to the components of the Local Coastal Program.
3. That the project conforms to the specific findings required by policies of the San Mateo County Local Coastal Program.

CONDITIONS OF APPROVAL

Current Planning Section

1. This approval applies only to the proposal as described in this report and materials submitted for review and approval by the Planning Commission at the March 23, 2016 meeting. The Community Development Director may approve minor revisions or modifications to the project if they are found to be consistent with the intent of and in substantial conformance with this approval.
2. This permit shall be valid for a period of five (5) years from the date of final approval, with annual administrative review. The applicant shall submit documentation for the farm labor housing unit, to the satisfaction of the Community Development Director, at the time of each administrative review (i.e., prior to the anniversary date on which these permits were approved), which demonstrates that the occupant has a minimum of 20 hours of employment per week on this project site or at another farm or ranch within the County. This documentation shall include signed statements from the occupant and any other relevant documentation, which the Community Development Director deems necessary. Failure to submit such documentation may result in a public hearing to consider revocation of this permit. Renewal of the Farm Labor Housing permit shall be applied for six (6) months prior to expiration to the Planning and Building Department.
3. The units shall be occupied by farm workers and their dependents only.
4. This permit does not allow for the removal of any trees. Removal of any tree with a circumference of 55 inches or greater, as measured 4.5 feet above the ground, shall require additional review by the Community Development Director prior to removal.
5. Access to the proposed facility shall utilize the existing roadway. No additional vegetation shall be removed to provide access to the new unit.
6. The provision of the San Mateo County Grading Ordinance shall govern all grading on and adjacent to this site. Prior to any on-site grading, the applicant may be required to obtain a grading permit, or grading permit exemption from the Current Planning Section. A grading permit is required if 250 cubic yards or more of earth is to be removed or if a cut or fill exceeds two (2) feet in vertical depth, measured from ground level. No grading, requiring a permit or exemption, shall occur until after such permit is approved.
7. Any exterior lights shall be designed and located so as to confine direct rays to the subject property and prevent glare in the surrounding area. Any proposed lighting shall be reviewed and approved by the Planning Department during the building permit process to verify compliance with this condition.

8. The applicant shall require construction contractors to implement all the Bay Area Air Quality Management District's Basic Construction Mitigation Measures, listed below:
 - a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
 - b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
 - c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
 - d. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
 - e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - f. 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 Toxics Control Measure, Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
 - g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
 - h. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person 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.
9. Noise sources associated with demolition, construction, repair, remodeling, or grading of any real property shall be limited to the hours from 7:00 a.m. to 6:00 p.m. weekdays and 9:00 a.m. to 5:00 p.m. Saturdays. Said activities are prohibited on Sundays, Thanksgiving and Christmas (San Mateo Ordinance Code Section 4.88.360).

Building Inspection Section

10. A building permit is required and shall be applied for and obtained prior to the commencement of any construction or staging activities.
11. At the time of Building Inspection Section submittal, the following items shall be shown to comply:
 - a. The door from the stairwell/corridor to the housing unit shall be 32" clear width when the door is opened to 90 degrees.
 - b. Natural light and ventilation shall be provided or provide either or both by artificial means.
 - c. A window from the unit shall meet the requirements for egress.

Department of Public Works

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

Environmental Health Division

13. At the time of building permit review, the applicant shall submit an application to confirm that the existing septic system will provide adequate treatment and disposal of the waste water that will be generated by the new unit to the Environmental Health Division.
14. The applicant shall meet all requirements from the San Mateo County Environmental Health Division.

Cal-Fire

15. At the time of building permit review the project will need to comply with the following:
 - a. The residence will require an automatic fire sprinkler system
 - b. During the building permit process, provide engineered detail of the existing road and existing bridge.
 - c. Each residence shall require a proper address as assigned by the San Mateo County Building Inspection Section.
 - d. Any chimney or woodstove outlet shall have installed onto the opening thereof an approved (galvanized) spark arrestor of a mesh with an opening no larger than 1/2 inch in size or an approved spark arresting device. Maintain around and adjacent to such buildings or structures a fuelbreak/firebreak made by removing and cleaning away flammable vegetation for a distance of not less than 30 feet and up to 100 feet around the perimeter of all structures or to the property line, if the property line is less than 30 feet from any structure. This is not a requirement nor an authorization for the removal of live trees. Remove that flammable portion of any tree which extends within 10 feet of the outlet of any chimney or stovepipe, or within 5 feet of any portion of any building or structures. Remove that dead or dying portion of any tree which extends over the roof line of any structure.
 - e. A Wet Draft Hydrant with a 4 1/2" National Hose Thread outlet with a valve shall be mounted 30 to 36 inches above ground level and within 5 feet of the main access road or driveway, and not less than 50 feet from any portion of any building nor more than 150 feet from the main residence or building.
 - f. All roof assemblies in Very High Fire Hazard Severity Zones shall have a minimum CLASS-A fire resistive rating and be installed in accordance with the manufacturer's specifications and the current California Building and Residential Codes.
 - g. 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.
 - h. An approved Automatic Fire Sprinkler System meeting the requirements of National Fire Protection Association (NFPA-13D) shall be required to be installed for your project. Plans shall be submitted to the San Mateo County Building Department for review and approval by

the authority having jurisdiction. A statement that the building will be equipped and protected by automatic fire sprinklers must appear on the title page of the building plans.

- i. Due to limited access of the property, the authority having jurisdiction is requiring the installation of a Knox Box, Knox Key Switch, or Knox Padlock to allow rapid response of emergency vehicles on the property in case of a fire or medical emergency.
- j. Will need to meet all requirements for new structures.
- k. Contact the Fire Marshal's Office to schedule a Final Inspection prior to occupancy and Final Inspection by a Building Inspector.

3. **Owner:** Robert Card
Applicant: Kerry Burke
 File No.: PLN2015-00517
 Location: 150 North Street, unincorporated Pescadero
 Assessor's Parcel No.: 087-100-080

Consideration of a Coastal Development Permit and a Planned Agricultural Permit, pursuant to Sections 6328.4 and 6353 of the San Mateo County Zoning Regulations, to convert an existing agricultural well to domestic water source to serve an existing residence on the property. The project is appealable to the California Coastal Commission.

SPEAKERS:

- 1. Kerry Burke, Applicant

COMMISSION ACTION:

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

Commissioner Dworetzky moved and Commissioner Ramirez 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 Coastal Development Permit and Planned Agricultural District Permit for County File Number PLN 2015-00517, by making the required findings and adopting the conditions of approval listed as follows:

FINDINGS

For the Environmental Review, Found:

- 1. That this project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), Section 15301, Class 1, relating to the minor alteration to an existing facility.

For the Coastal Development Permit, Found:

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

application requirement in Section 6328.7 of the Zoning Regulations and the project has been conditioned to minimize impacts to land use, agriculture, sensitive habitats, and visual resources in accordance with the components of the LCP.

3. That the project conforms to the specific findings required by policies of the San Mateo County LCP.

CONDITIONS OF APPROVAL

Current Planning Section

1. This approval applies only to the proposal as described in this report and materials submitted for review and approval by the Planning Commission at the March 23, 2016 meeting. The Community Development Director may approve minor revisions or modifications to the project if they are found to be consistent with the intent of and in substantial conformance with this approval.
2. This permit shall be valid for one (1) year. Any extension of this permit shall require submittal of an application for permit extension and payment of applicable permit extension fees.
3. The applicant shall have been issued a building permit and a completed inspection (to the satisfaction of the Building Inspector) within one (1) year of final approval of this permit. Any extension of this permit shall require submittal of an application for permit extension and payment of applicable extension fees sixty (60) days prior to the expiration date.
4. This permit does not allow for the removal of any trees. Removal of any tree with a circumference of 55 inches or greater, as measured 4.5 feet above the ground, shall require additional review by the Community Development Director prior to removal. Only the minimum vegetation necessary shall be removed to accommodate the construction of the solar panel and the trenching of the new water pipes.
5. Access to the proposed facility shall utilize the existing roadway. No additional vegetation shall be removed to provide access to the well.
6. The provision of the San Mateo County Grading Ordinance shall govern all grading on and adjacent to this site. Prior to any on-site grading, the applicant may be required to obtain a grading permit, or grading permit exemption from the Current Planning Section. A grading permit is required if 250 cubic yards or more of earth is to be removed or if a cut or fill exceeds two (2) feet in vertical depth, measured from ground level. No grading, requiring a permit or exemption, shall occur until after such permit is approved.
7. Any exterior lights shall be designed and located so as to confine direct rays to the subject property and prevent glare in the surrounding area. Any proposed lighting shall be reviewed and approved by the Planning Department during the building permit process to verify compliance with this condition.
8. The applicant shall require construction contractors to implement all Bay Area Air Quality Management District's Basic Construction Mitigation Measures, listed below:
 - a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
 - b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

- c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
 - d. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
 - e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - f. 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 Toxics Control Measure, Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
 - g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
 - h. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person 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.
9. Noise sources associated with demolition, construction, repair, remodeling, or grading of any real property shall be limited to the hours from 7:00 a.m. to 6:00 p.m. weekdays and 9:00 a.m. to 5:00 p.m. Saturdays. Said activities are prohibited on Sundays, Thanksgiving and Christmas (San Mateo Ordinance Code Section 4.88.360).

Building Inspection Section

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

Environmental Health Division

- 11. Upon receipt of the approved Coastal Development Permit (CDP), the applicant shall submit application for a Well Drilling Permit, Certification (pump test and quality test), and a Permit to Operate to San Mateo County Environmental Health Division with the approved CDP. The proposed well will need to meet the minimum standards of quantity and quality for domestic use. Note: A fee waiver should apply per the Board of Supervisors Resolution No. 73536 for Failed Domestic Well.
- 12. The applicant shall meet all requirements from the San Mateo County Environmental Health Division.

4. **Correspondence and Other Matters**

None.

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

Not recommending a Study Session at this time.

In the near future we will have a Subdivision Regulations Ordinance Study Session.

6. **Director's Report**

On April 12, 2016 the Board of Supervisors will consider (1) a General Plan Map Amendment changing the land use designation of one parcel from Open Space to Timber Production, (2) a Zoning Map Amendment to rezone same parcel from Resource Management (RM) to Timberland Preserve Zone (TPZ), and (3) Williamson Act contract non-renewal (Stoddard Trust)

On April 26, 2016 The Board of Supervisors will consider the appeal of the Planning Commission's decision to deny a Use Permit Amendment and Design Review Permit, to legalize unpermitted construction and use of two patios at a 189-seat restaurant located at 8150 Cabrillo Highway in the unincorporated Montara area of San Mateo County (La Costanera Restaurant).

The County has received notice of a CEQA lawsuit regarding the Board of Supervisors approval of the Ascension Heights Subdivision Project.

At the last Coastal Commission hearing, the panel voted 11 to 1 to appoint Jack Ainsworth, the agency's senior deputy director, as interim executive director until a permanent replacement is named. More information to come once the nationwide search is underway to find the new executive director.

7. **Adjournment**

The meeting was adjourned at 9:40 a.m.