



Planning & Building Department Planning Commission

Kumkum Gupta, 1st District
Frederick Hansson, 2nd District
Lisa Ketcham, 3rd District
Manuel Ramirez, Jr., 4th District
Mario Santacruz, Vacant

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

ACTION MINUTES- DRAFT

MEETING NO. 1713 **Revised**
Wednesday December 8, 2021

BY VIDEOCONFERENCE ONLY

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

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

Roll Call: Commissioners Present: Ketcham, Hansson, Gupta, Santacruz, Ramirez
Commissioners Absent: None
Staff Present: Monowitz, Fox, Montes

Legal notice published in the San Mateo County Times on November 27, 2021 and the Half Moon Bay Review on December 1, 2021.

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

None

CONSENT AGENDA

1. **Consideration of the Minutes** of the Planning Commission meeting of November 10, 2021.

2. **Remote Meetings Under Brown Act**

Vote to Place Future Resolutions Regarding Continued Remote Meetings Under Brown Act on a Consent Agenda

Commissioner Hansson motioned to approve the minutes as revised. Commissioner Santacruz seconded the motion. **Motion carried 5-0-0-0.**

REGULAR AGENDA

9:00 a.m.

3. **Information Item:** A briefing on Senate Bill 9 (SB 9), a new state law effective January 1, 2022, which imposes new requirements and limitations on the County's consideration and approval of subdivisions and residential development on parcels zoned for single-family residential use. Please direct any questions to Project Planner William Gibson at wqibson@smcgov.org.

SPEAKERS:

1. Lennie Roberts, Green Foothills
2. Barry, Moss Beach

4. **Owner:** Kardosh Mounir
Applicant: Moshe Dinar
 File Number: PLN2019-00252
 Location: 1301 and 1311 Woodside Rd, Sequoia Tract
 Assessor's Parcel No's: 069-311-250 and 069-311-340 (District 3)

Consideration of an Initial Study and Mitigated Negative Declaration, General Plan Amendment, Zoning Map Amendment, Major Subdivision, and Grading Permit to construct a six (6) unit 18,550 sq. ft. townhouse development consisting of two (2) three-story buildings and twelve (12) parking spaces, on two existing parcels (combined 13,225 sq. ft.). The project requires a General Plan Land Use Map amendment from Medium Density Residential to High Density Residential and Zoning Map amendment from single-family residential (R-1/S-74) to multi-family residential (R-3/S-3). The project involves 220 cubic yards of cut and 60 cubic yards of fill and the removal of ten (10) significant trees. The two (2) existing single-family residences are proposed to be demolished. The application was deemed complete on July 16, 2021. Please direct questions to Project Planner Ruemel Panglao at rpanglao@smcgov.org.

SPEAKERS:

1. Moshe Dinar

COMMISSION ACTION

Public hearing was closed by unanimous consent.

Commissioner Gupta moved to approve the project; Commissioner Ramirez seconded the motion.
Motion carried 4-1-0-0. (Commissioner Hansson opposed)

Based on information provided by staff and evidence presented at the hearing, the Planning Commission recommended that the Board of Supervisors adopt the Mitigated Negative Declaration and approve the General Plan Amendment, Zoning Map Amendment, Major Subdivision, and Grading Permit, County File Number PLN 2019-00252, by making the required findings and adopting the conditions of approval as follows:

FINDINGS

That the Planning Commission recommend that the San Mateo County Board of Supervisors:

Regarding the Environmental Review, Found:

1. That the Board of Supervisors does hereby find that the Initial Study/Mitigated Negative Declaration reflects the independent judgment of San Mateo County.
2. That the Initial Study/Mitigated Negative Declaration is complete, correct, and adequate and prepared in accordance with the California Environmental Quality Act (CEQA) and applicable State and County Guidelines.
3. That on the basis of the Initial Study/Mitigated Negative Declaration, comments received hereto, testimony presented and considered at the public hearing, and based on analysis contained in the staff reports prepared for the Board of Supervisors, there is no substantial evidence that the project will have a significant effect on the environment.
4. That the Mitigation Measures (numbered 1 through 9) in the Initial Study/Mitigated Negative Declaration and agreed to by the owner and placed as conditions on the project address the Mitigation Monitoring and Reporting Plan requirements of California Public Resources Code Section 21081.6.1. The Mitigation Measures have been included as conditions of approval in this attachment. This attachment shall serve as the Mitigation Monitoring and Reporting Plan.

Regarding the General Plan Land Use Map Amendment and Zoning Map Amendment, Found:

5. That the proposed rezoning of the subject parcels meets the public necessity, convenience, and the general welfare of the community. The project parcel is located in the highly urbanized Sequoia Tract area of San Mateo County. The proposed rezoning would be compatible with the type and density of development in the area and will allow better utilization of the combined parcels for a transitional buffer of multi-family residential development between the commercial corridor along Woodside Road and single-family residential area within the Sequoia Tract neighborhood. The rezoning provides the opportunity the development of much needed housing in an area that already has this use present, as well as adequate infrastructure.
6. That the General Plan Land Use Map Amendment is compatible with adjacent land uses and will not be in conflict with the policies of the General Plan. The property abuts commercial development along Woodside Road and multi-family and single-family development. The project site is comparably larger in size at 13,225 sq. ft. than the 5,000 sq. ft. – 10,000 sq. ft. adjoining one-family residential zoned parcels. Redesignation of the subject parcels will allow better utilization of the project site as a transitional buffer of multi-family residential development between the higher intensity commercial corridor while maintaining a consistent land use pattern in the area.

Regarding the Major Subdivision, Found:

7. That there are special circumstances or conditions affecting the property, or the exception is necessary for the preservation and enjoyment of substantial property rights of the owner/subdivider. Due to the attached nature and relatively narrow design of traditional townhomes, the lot width and street frontage required for such development is smaller than the required fifty (50) feet and twenty (20) feet, respectively, typically associated with detached single-family dwellings. Two lots lack street frontage entirely but do access the shared private driveway due to the configuration required to build six (6) units. This number of townhouses could not be achieved without the loss of street frontage for a small number of the lots.
8. That the exception enhances or is appropriate for the proper design and/or function of the subdivision. The proposed exceptions are appropriate to accommodate six (6) townhouse units and the necessary access via the shared driveway.

9. That the exception facilitates or guarantees preservation of sensitive habitats or natural or scenic resources, will not negatively impact adequate infrastructure capacity, will not have any adverse cumulative impacts; or will avoid natural or man-made hazards. There are no sensitive habitats or natural or scenic resources on site and water and sewer capacity have been confirmed.
10. That the granting of the exception will not be detrimental to the public health, safety or welfare or injurious to other property or uses in the area in which the property is situated. Specifically, the relief from lot width and street frontage requirements will not be detrimental to the public health, safety or welfare or injurious to other property or uses in the area in which the property is situated, addressed in the review of Department of Public Works and Menlo Park Fire Protection District. The additional units will improve public welfare by increasing the available housing stock in the County and by providing an affordable housing unit.
11. That the proposed map is consistent with applicable general and specific plans. The project is consistent with the County General Plan and Zoning Regulations, specifically with regard to soil resources, visual quality, urban land use, water supply, wastewater, transportation, and the housing element.
12. That the design or improvement of the proposed subdivision is consistent with the applicable general and specific plans. The project is consistent with the County General Plan and Zoning Regulations, specifically with regard to soil resources, visual quality, urban land use, water supply, wastewater, transportation, and the housing element.
13. That the site is physically suitable for the type and proposed density of development. The site is in a highly urbanized area and is relatively flat. In addition, there are no sensitive resources on site. The proposed density is within the range of the proposed General Plan designation. Water and sewer capacity has been confirmed.
14. That the design of the subdivision or type of improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. It is not anticipated that the project will cause substantial environmental damage or substantially injure fish or wildlife or their habitat. The site is located in a highly urbanized area and contains no sensitive environmental resources.
15. That the design of the subdivision or type of improvements is not likely to cause serious public health problems. The proposed subdivision is not likely to cause serious public health problems as it is served by public water and sewer systems. There are no hazardous or noxious uses proposed and no public health problems are likely to occur from construction and grading work.
16. That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. There are no existing public access easements on the parcels, nor are any being proposed.
17. That in this connection, the Advisory Agency may approve a map if it is found that alternate easements, for access or for use, are otherwise available within a reasonable distance from the subdivision, will be provided, and are substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to the Advisory Agency to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision. There are no existing easements.

18. That the land is subject to a contract entered into pursuant to the California Land Conservation Act of 1965 ("The Williamson Act") and that the resulting parcels following a subdivision of that land would not be too small to sustain their agricultural use. For purposes of this section, land shall be presumed to be in parcels too small to sustain their agricultural use if the land is: (a) Less than ten (10) acres in size in the case of prime agricultural land, or (b) Less than forty (40) acres in size in the case of land which is not prime agricultural land. A subdivision of land subject to the Williamson Act, with parcels smaller than those specified above, may be approved only under the special circumstances prescribed in Section 66474.4(b) of the Map Act. The subject parcels are not subject to a Williamson Act contract and are not designated by the General Plan as open space.
19. That the discharge of waste from the proposed subdivision into an existing community sewer system would not result in violation of existing requirements prescribed by a State Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the State Water Code. The Fair Oaks Sewer Maintenance District (operated by the San Mateo County Department of Public Works) has reviewed the application and found no concerns with the connections to the public sewer system.
20. That, for a subdivision on land located in a state responsibility area or a very high fire hazard severity zone, as both are defined in Section 51177 of the California Government Code, all of the following are supported by substantial evidence in the record:
 - a. The design and location of each lot in the subdivision, and the subdivision as a whole, are consistent with any applicable regulations adopted by the State Board of Forestry and Fire Protection pursuant to Sections 4290 and 4291 of the Public Resources Code;
 - b. Structural fire protection and suppression services will be available for the subdivision through a county, city, special district, political subdivision of the state, or another entity organized solely to provide fire protection services that is monitored and funded by a county or other public entity; or the Department of Forestry and Fire Protection by contract entered into Pursuant to Sections 4133, 4142, or 4144 of these Public Resources Code; and
 - c. To the extent practicable, ingress and egress for the subdivision meets the regulations regarding road standards for fire equipment access adopted pursuant to Section 4290 of the Public Resources Code as interpreted and applied by the County Fire Marshal, and any applicable County ordinance.

The project parcels are not located in a state responsibility area or a very high fire hazard severity zone. The project was reviewed by the Menlo Park Fire Protection District and received conditional approval.

Regarding the Grading Permit, Found:

21. That the granting of the permit will not have a significant adverse effect on the environment. The project has been reviewed by the Planning Section, who prepared an Initial Study/Mitigated Negative Declaration and found that the project can be completed without significant harm to the environment as conditioned.
22. That this project, as conditioned, conforms to the criteria of the San Mateo County Grading Ordinance and is consistent with the General Plan. Planning staff and the Department of Public Works have reviewed the project and have determined its conformance to the criteria of Section 9296 and the San Mateo County General Plan.

CONDITIONS OF APPROVALCurrent Planning Section

1. This approval only applies to the proposal, documents and plans described in this report and approved by the Board of Supervisors. Minor modifications to the project may be approved by the Community Development Director if they are consistent with the intent of, and in substantial conformance with this approval.
2. This subdivision approval is valid for two years, during which time a final map shall be recorded. An extension to the time period, pursuant to Section 7013.5 of the County Subdivision Regulations, may be issued by the Planning Department upon written request and payment of any applicable extension fees prior to the expiration date.
3. A building permit shall be applied for and obtained from the Building Inspection Section prior to demolishing any existing on-site structures.
4. Prior to recordation of the Final Map, the applicant shall pay to the San Mateo County Planning and Building Department in-lieu park fees as required by County Subdivision Regulations, Section 7055.3. The fees shall be based upon the assessed value of the project parcel at the time of recordation and calculated as shown on the attached worksheet.
5. Per Section 7028.4 of the County Subdivision Regulations, any new utilities shall be located underground from the nearest existing pole. No new poles are permitted to be installed.
6. Prior to recordation of the final map, the applicant shall submit to the Current Planning Section for review and approval the proposed common area Covenants, Conditions, and Restrictions (CC&Rs). Once approved, the CC&Rs shall be recorded with the final map and become binding upon all parcels created by this project. This document shall expressly address maintenance of common areas, landscaping, stormwater treatment/control devices and the private driveway and shared utilities therein.
7. The exterior colors and materials 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.
8. At the building permit application stage, the project shall demonstrate compliance with the Water Efficient Landscape Ordinance (WELO) and provide the required information and forms.
9. The selected plant materials shall consist of California native, non-invasive drought tolerant species.
10. The applicant shall provide "finished floor elevation verification" to certify that the structures are 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 grade or to the grade of the site (finished grade).

- c. Prior to Planning approval of the building permit application, the applicant shall also have the licensed land surveyor or engineer indicate on the construction plans: (1) the natural grade elevations at the significant corners (at least four) of the footprint of the proposed structure on the submitted site plan, and (2) the elevations of proposed finished grades.
 - d. In addition, (1) the natural grade elevations at the significant corners of the proposed structure, (2) the finished floor elevations, (3) the topmost elevation of the roof, and (4) the garage slab elevation must be shown on the plan, elevations, and cross-section (if one is provided).
 - e. Once the building is under construction, prior to the below floor framing inspection or the pouring of the concrete slab (as the case may be) for the lowest floor(s), the applicant shall provide to the Building Inspection Section a letter from the licensed land surveyor or engineer certifying that the lowest floor height, as constructed, is equal to the elevation specified for that floor in the approved plans. Similarly, certifications on the garage slab and the topmost elevation of the roof are required.
 - f. If the actual floor height, garage slab, or roof height, as constructed, is different than the elevation specified in the plans, then the applicant shall cease all construction and no additional inspections shall be approved until a revised set of plans is submitted to and subsequently approved by both the Building Official and the Community Development Director.
11. 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 the site and obtain all necessary permits.
 - h. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
 - i. Limiting and timing applications of pesticides and fertilizers to prevent polluted runoff.

- j. Limiting construction access routes and stabilization of designated access points.
 - k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
 - l. Training and providing instruction to all employees and subcontractors regarding the Watershed Protection Maintenance Standards and construction Best Management Practices.
 - m. Additional Best Management Practices in addition to those shown on the plans may be required by the Building Inspector to maintain effective stormwater management during construction activities. Any water leaving the site shall be clear and running slowly at all times.
 - n. Failure to install or maintain these measures will result in stoppage of construction until the corrections have been made and fees paid for staff enforcement time.
12. 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.
13. No site disturbance shall occur, including any tree/vegetation removal or grading, until a building permit has been issued.
14. 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 Woodside Road and Rutherford 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 Woodside Road and Rutherford Avenue. There shall be no storage of construction vehicles in the public right-of-way.
15. The property owner(s) shall coordinate with the project planner to record the Notice of Determination and pay an environmental filing fee of \$2,354.75 \$2,480.25 (or current fee), as required under Fish and Game Code Section 711.4(d), plus a \$50.00 recording fee to the San Mateo County within four (4) working days of the final approval date of this project.
16. All landscaping shall be properly maintained and shall be designed with efficient irrigation practices to reduce runoff, promote surface filtration, and minimize the use of fertilizers, herbicides and pesticides which can contribute to runoff pollution.

17. **Mitigation Measure 1:** The applicant shall require construction contractors to implement all the Bay Area Air Quality Management District's Basic Construction Mitigation Measures, listed below, and include these measures on permit plans submitted to the Building Inspection Section:
- a. Water all active construction areas at least twice daily.
 - b. Apply water two 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.
 - c. Sweep adjacent public streets daily (preferably with water sweepers) if visible soil material is carried onto them.
 - d. Limit traffic speeds on unpaved roads within the project parcel to 15 miles per hour.
 - e. All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
 - 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 the California Code of Regulations (CCR)). Clear signage shall be provided for construction workers at all access points.
18. **Mitigation Measure 2:** The applicants and contractors must be prepared to carry out the requirements of California State law with regard to the discovery of human remains, whether historic or prehistoric, during grading and construction. In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately, and the County coroner shall be notified immediately. If the coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within 24 hours. A qualified archaeologist, in consultation with the Native American Heritage Commission, shall recommend subsequent measures for disposition of the remains.
19. **Mitigation Measure 3:** The design of the proposed development (upon application submittal of the Building Permit) on the subject parcel shall generally follow the recommendations cited in the geotechnical reports and letter prepared by Summit Engineering regarding seismic criteria, grading, concrete mat or slab on grade construction, and surface drainage. Any such changes to the recommendations by the project geotechnical engineer cited in this report and subsequent updates shall be submitted for review and approval by the County's Geotechnical Engineer.
20. **Mitigation Measure 4:** At the time of building permit and encroachment permit application, the applicant shall submit for review and approval, erosion and drainage control plans that show how the transport and discharge of soil and pollutants from and within the project site will be minimized. The plans 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 plans shall include measures that limit the application, generation, and migration of toxic substances, ensure the proper storage and disposal of toxic materials, and apply nutrients at rates necessary to establish and maintain vegetation without causing significant nutrient runoff to surface waters. Said plan shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:

- a. Sequence construction to install sediment-capturing devices first, followed by runoff control measures and runoff conveyances. No construction activities shall begin until after all proposed measures are in place.
 - b. Minimize the area of bare soil exposed at one time (phased grading).
 - c. Clear only areas essential for construction.
 - d. Within five (5) days of clearing or inactivity in construction, stabilize bare soils through either non-vegetative Best Management Practices (BMPs), such as mulching, or vegetative erosion control methods, such as seeding. Vegetative erosion control shall be established within two (2) weeks of seeding/planting.
 - e. Construction entrances shall be stabilized immediately after grading and frequently maintained to prevent erosion and to control dust.
 - f. Control wind-born dust through the installation of wind barriers such as hay bales and/or sprinkling.
 - g. Soil and/or other construction-related material stockpiled on-site shall be placed a minimum of 200 feet, or to the extent feasible, 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 acres or less per 100 feet of fence. Silt fences shall be inspected regularly, and sediment removed when it reaches 1/3 of fence height. Vegetated filter strips should have relatively flat slopes and be vegetated with erosion resistant species.
 - k. Throughout the construction period, the applicant shall conduct regular inspections of the condition and operational status of all structural BMPs required by the approved erosion control plan.
 - l. No erosion or sediment control measures will be placed in vegetated areas.
 - m. Environmentally sensitive areas shall be delineated and protected to prevent construction impacts.
 - n. Control of fuels and other hazardous materials, spills, and litter during construction.
 - o. Preserve existing vegetation whenever feasible.
21. **Mitigation Measure 5:** To provide adequate sight distance, a fifteen-foot curb segment next to the driveway on Rutherford Avenue should be painted red to indicate no parking is allowed. The applicant shall apply for this through the Department of Public Works and attain approval prior to occupancy.

22. **Mitigation Measure 6:** Should any traditionally or culturally affiliated Native American tribe respond to the County's issued notification for consultation, such process as required by State Assembly Bill 52 shall be completed and any resulting agreed upon measures for avoidance and preservation of identified resources be taken prior to implementation of the project.
23. **Mitigation Measure 7:** In the event that tribal cultural resources are inadvertently discovered during project implementation, all work shall stop until a qualified professional can evaluate the find and recommend appropriate measures to avoid and preserve the resource in place, or minimize adverse impacts to the resource, and those measures shall be approved by the Current Planning Section prior to implementation and continuing any work associated with the project.
24. **Mitigation Measure 8:** Inadvertently discovered tribal cultural resources shall be treated with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resource, including, but not limited to, protecting the cultural character and integrity of the resource, protecting the traditional use of the resource, and protecting the confidentiality of the resource.

Grading Permit

25. No grading shall be allowed during the winter season (October 1 to April 30) to avoid potential soil erosion, unless the applicant applies for an Exception to the Winter Grading Moratorium and the Community Development Director grants the exception. Exceptions will only be granted if the associated building permit is a week or less from being issued, dry weather is forecasted during scheduled grading operations, and the erosion control plan includes adequate winterization measures (amongst other determining factors). An applicant-completed and County-issued grading permit "hard card" is required prior to the start of any land disturbance/grading operations.
26. No grading activities shall commence until the property owner has been issued a grading permit (issued as the "hard card" with all necessary information filled out and signatures obtained) by the Current Planning Section.
26. Prior to any land disturbance and throughout the grading operation, the property owner shall implement the erosion control plan, as prepared and signed by the engineer of record and approved by the decision maker. Revisions to the approved erosion control plan shall be prepared and signed by the engineer and submitted to the Community Development Director for review and approval.
27. 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. The submitted schedule shall include a schedule for winterizing the site. 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. All submitted schedules shall represent the work in detail and shall project the grading operations through to completion.
28. 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.
29. For the final approval of the grading permit, the property owner shall ensure the performance of the following activities within 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.

Building Inspection Section

30. The proposed project requires building permits that must be obtained prior to any demolition or construction activities.

Drainage Section

31. The following will be required at the time of building permit submittal:
 - a. Drainage Report prepared and stamped by a Registered Civil Engineer demonstrating that the project complies with the County's current drainage policy restricting stormwater flows from development projects.
 - b. Final Grading and Drainage Plan prepared and stamped by a Registered Civil Engineer showing any features required to retain additional stormwater resulting from the new impervious areas onsite, including any metering to the public storm drain system as appropriate (as determined in the Drainage Report).
 - c. An updated C.3/C.6 Checklist (if changes to impervious areas have been made during the design phase).
 - d. Project shall comply with all requirements of the Municipal Regional Stormwater NPDES Permit Provision C.3. Please refer to the San Mateo Countywide Water Pollution Prevention Program's (SMCWPPP) C.3 Stormwater Technical Guidance Manual for assistance in implementing LID measures at the site.
 - e. Prior to the final of the building permit for the project, the property owner shall coordinate with the Project Planner to enter into an Operation and Maintenance Agreement (O and M Agreement) with the County (executed by the Community Development Director) to ensure long-term maintenance and servicing by the property owner of stormwater site design and treatment control measures according the approved Maintenance Plan(s), for the life of the project. The O and M Agreement shall provide County access to the property for inspection and be recorded for the property.

Geotechnical Section

32. The geotechnical report will be peer reviewed at the time of building permit application.

Department of Public Works

33. The applicant shall have prepared, by a Registered Civil Engineer, a drainage analysis of the proposed subdivision 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 being subdivided 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 predeveloped state. Recommended measures shall be designed and included in the street improvement plans and submitted to the Department of Public Works for review and approval.
34. 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 percent) 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.
35. The applicant shall submit to the Department of Public Works, for review, documentation of ingress/egress and utility easements for the applicant's use and the use of others.
36. 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.
37. The applicant shall execute and record an agreement in a form approved by the County for maintenance of the approved access easement and shared stormwater facility.
38. 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.
39. Prior to completion of the building permit, all storm drains on-site shall be labeled "No Dumping - Drains to Bay."
40. The applicant shall apply for an apportionment of the existing Sequoia Tract Storm Drainage Assessment District assessment on the property to the parcels created by this subdivision.
41. The applicant shall submit written certification from the appropriate utilities to the Department of Public Works and the Planning and Building Department stating that they will provide utility (e.g., sewer, water, energy, communication, etc.) services to the proposed parcels of this subdivision.
42. A maintenance agreement for all the plantings and irrigation in right of way shall be required. Otherwise remove these items from the right of way.

Fair Oaks Sewer District

43. The Sewer District will allow the proposed connections providing that all associated fees are paid. The Sewer District may require payment of additional sewer connection fees and sewage treatment capacity fees.
44. The applicant shall submit building plans to the Sewer District for review when the building permit application is submitted. The plans shall indicate the location of the existing and proposed sewer laterals to the Sewer District main.
45. Sewer Inspection Permits (SIP) must be obtained to cap the existing sewer laterals prior to demolition of the existing buildings. Sewer Inspection Permits may be obtained from the Sewer District office at 555 County Center, 5th Floor, Redwood City.

California Water Service – Bear Gulch

46. Any improvements to the water system will be at the owner(s) expense including additional services or fire protection needs.
47. All storm and sewer lines must have separation from Water, 10-foot horizontal separation and 1-foot vertical separation below the Water main or service line.
48. Service lines which go through one property to another property must have legal easements granted with documentation submitted to Cal-Water before installation.

Menlo Park Fire Protection District

49. Fire apparatus roadways, including public and the private 20-foot-wide driveway used for vehicle access to onsite garages, shall be capable of supporting the imposed weight of a 75,000-pound (34,050 kg) fire apparatus and shall be provided with an all-weather driving surface. Only paved or concrete surfaces are considered to be all-weather driving surfaces. CFC 2016, Appendix D.
50. Private Roadways serving three or more residential occupancies shall be all-weather roads with a minimum width of 20 feet and a clear height of 13 feet 6 inches. Roadways shall be designed to accommodate the weight of the fire apparatus and the minimum turning radii of 36 feet for fire apparatus, make necessary curb cuts at the driveway entrance off Rutherford Avenue. A turn-around will not be required on this project. As specified by CFC Appendix D, Table D103.4.
51. NOTE ON FIELD PLAN: All curbing located within the complex that has not been assigned as onsite parking shall be designated as "No Parking Fire Lane". All fire lanes to comply with Menlo Park Fire Protection District (MFPD) standard for "Designation and Marking of Fire Lane"~ since there is only 1 point of access to the complex. Provide a complete no parking-fire lane striping plan with no parking signage in accordance with MFPD standard on subsequent submittal:
 - a. Required no parking signage installed at Rutherford Ave main entrance.
52. NOTE ON FIELD PLAN: Fire apparatus roadways, including public or private streets or roads used for vehicle access shall be installed and in service prior to construction. Fire protection water serving all hydrants shall be provided as soon as combustible material arrives on the site:
 - a. PRIOR TO COMBUSTIBLE MATERIAL ARRIVING ON THE SITE, CONTACT THE MENLO PARK FIRE PROTECTION DISTRICT TO SCHEDULE AN INSPECTION OF ROADWAYS AND FIRE HYDRANTS. CFC 2016.
53. For buildings 30 feet (9144 mm) and over in height above natural grade, the required fire apparatus access roadway shall be a minimum of 26 feet (7925 mm) in width and shall be

positioned parallel to at least one entire side of the building, and the fire lane shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building. CFC 2016, Appendix D105:

- a. Fire District staging areas to be determined for Aerial Ladder Truck Minimum and Maximum climbing angles. If a climbing angle is less than 50 degrees, the roadway shall be adjusted to comply to the charging condition listed above. Note, Aerial Ladder requires minimum 4 feet setback on any side to allow for outriggers.

- 54. If applicable, Traffic Opticom Signal Preemption System required for all traffic intersections controlled with a traffic signal. An encroachment permit shall accompany these installations.
- 55. Applicant to provide fire flow information through a separate engineered fire flow modeling report with corresponding plan sheet showing how this is to be achieved. This document shall be submitted to Menlo Park Fire Protection District for review and approval prior to issuance of grading and building permits. CFC 2016, Sec. 507.5.1 Appendix B Section 105.2 and Table 105.1
- 56. A Public hydrant is required on Woodside Road at Rutherford Avenue. All hydrants to comply to the following:
 - a. All fire hydrants shall be wet barrel standard steamer type with 1-4 1/2-inch (114.3 mm) and 2-2 1/2-inch (63.5 mm) outlets. Menlo Park Fire Protection District CFC Sec. 507.5.1 Appendix C
- 57. Fire hydrants and fire appliances (fire department connections and post indicator valves) shall be clearly accessible and free from obstruction.
- 58. An approved Fire Sprinkler System shall be installed throughout structure. Residential units shall be designed to .15 gpm/1,500 sq. ft. of area plus hose stream allowance. In garage area, the automatic fire sprinkler system shall be designed to .20 gpm/ 2,000 sq. ft. of coverage area plus hose stream allowance. Fire sprinkler system to comply with NFP A 13 2016 edition and Menlo Park Fire Protection District Standards. A separate plan review fee will be collected upon review of these plans.
- 59. Means of egress components to include exit pathway throughout use, exit stairwells, exit enclosure providing access to exit doors, door hardware, exit signs, exit illumination and emergency lighting shall comply to CFC/CBC Chapter 10.
- 60. The single man door providing direct access to the Sprinkler Riser Assembly (for each building) shall require signage on the door accessing riser stating- "Riser Room" or agreed upon language.
- 61. Approved plans and approval letter must be on site at the time of inspection.
- 62. Final acceptance of this project is subject to field inspection.

RSP:cmc – RSPFF0884_WCU.DOCX

5. **Owner:** SUNCAL PROPERTIES & INVESTMENTS PARTNERSHIP LLC
Applicants: Raj Sharma
File Number: PLN2020-00043
Location: Located off of Ocean Boulevard between Precita Avenue and Bernal Avenue

(District 3)
Assessor's Parcel No's: 037-278-090

Consideration of a Coastal Development Permit, Design Review Non-Conforming Use Permit, and Variance, to allow the construction of a new 1,861 sq. ft. single-family residence with an attached two-car garage (423 sq. ft.), with a reduced front setback to 14 feet, 8 inches where 20 feet is required, and an increase in allowed site coverage from 25% to 32% on a substandard 4,761 sq. ft. legal parcel located on Ocean Boulevard in the unincorporated Moss Beach area. The project includes a sewer mainline extension along Ocean Avenue. The Coastal Development Permit is appealable to the California Coastal Commission. Project was continued from September 22, 2021. Please direct any questions to Project Planner Kanoa Kelley at KKelley@smcgov.org.

SPEAKERS:

1. Raj Sharma, Applicant
2. Lennie Roberts, Green Foothills
3. Barry, Seal Cove
4. Tim Machold

COMMISSION ACTION:

Public hearing was closed by unanimous consent.

Commissioner Ramirez moved to approve the project; Commissioner Gupta seconded the motion.

Motion carried 3-2-0-0 (Commissioners Ketcham and Santacruz opposed)

That the Planning Commission approve the Coastal Development Permit, Design Review, Non-Conforming Use Permit, and Variance, County File Number PLN 2020-00043, by adopting the required findings and conditions of approval listed as follows:

FINDINGS:

Regarding the Environmental Review, Found:

1. That the project is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines, Section 15303(a), which exempts the construction of a single-family residence in an urbanized area. The parcel will be served by all public services.

Regarding the Coastal Development Permit, Found:

2. That the project, as described in the application and accompanying materials required by Section 6328.7 and as conditioned in accordance with Section 6328.14, conforms with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program as described in Section A.2 of this staff report related to Locating and Planning New Development, Sensitive Habitats, Shoreline Access, and Hazards Components.
3. Where the project is located between the nearest public road and the sea, or the shoreline of Pescadero Marsh, that the project is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Section 30200 of the Public Resources Code).

The project site is located between the first public road and the sea. The site is surrounded by existing development, located on the east side of Ocean Boulevard, and does not have direct access to the sea due to steep cliffs west of Ocean Boulevard. Additionally, the siting of the

project does not impede bluff access to the west of Ocean Boulevard. Therefore, development of the parcel is in conformance with public access policies and will not block or impede access to local beaches or recreation areas.

4. That the project conforms to specific findings required by policies of the San Mateo County Local Coastal Program with regard to Locating and Planning New Development, Sensitive Habitats, Shoreline access, and Hazards Components.

The project incorporates conditions to comply with erosion control requirements and the design is consistent with Coastside Design Review standards for single-family residential buildings. The project is not in or near a sensitive habitat area and conforms with the land use and density designations of the General Plan and Local Coastal Program. Furthermore, the project has been reviewed and conditionally approved by the geotechnical review section.

5. That the number of building permits for construction of single-family residences other than for affordable housing issued in the calendar year does not exceed the limitations of LCP Policy 1.23. San Mateo County is not projected to exceed the 40 unit maximum for the 2021 Calendar year.

Regarding the Design Review, Found:

6. Section 6565.20 (C) SITE PLANNING AND STRUCTURE PLACEMENT b. Grading Standards:

The proposed design requires minimal grading. The proposed design limits grading to the footprint of the structure and its immediate vicinity.

7. Section 6565.20 (D) ELEMENTS OF DESIGN; 3. Roof Design a. Massing and Design of Roof Forms Standard:

The proposed roof design provides visual interest and articulation with use of primary and secondary roof forms. The proposed primary roof material is non-reflective material and color.

8. Section 6565.20 (D)1 (b) NEIGHBORHOOD SCALE; (1) New and enlarged homes should respect the scale of the neighborhood through building dimensions, shape and form, façade articulation, or architectural details that appear proportional and complementary to other homes in the neighborhood.

The revised design has balanced and appropriate proportions of the massing. Changes to the rooflines and second floor footprint provide articulation and reduce the apparent scale of the home.

9. Section 6565.20 (D)2 (a) ARCHITECTURAL STYLE; (1) Use an architectural style and design elements that complement the predominant style of nearby homes, only when such homes conform with the design standards. Likewise, avoid the architectural styles and design elements of nearby homes when such homes do not conform with the design standards. Where no predominant architectural style can be defined, encourage compatibility through the use of similar building shapes, exterior materials or (2) Architectural styles that complement the coastal, semi-rural, diverse small-town character of the area, such as coastal craftsman are encouraged. Contemporary and uncommon styles can be compatible if building shapes, and materials are carefully chosen to complement other homes in the neighborhood.

The revised design has been refined to demonstrate a clear architectural style with details that complement the neighboring homes.

10. Section 6565.20 (D)2 (b) OPENINGS (1) Select windows and doors that are compatible with the

dominant types on the house and in the neighborhood; when assessing compatibility consider the size and proportions of the openings, materials, and style or detailing.

The window design has been simplified and has a cohesive and balanced composition for the Architectural style of the home.

Regarding the Non-Conforming Use Permit, Found:

11. That the establishment, maintenance and/or conducting of the 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.

This project was reviewed and conditionally approved by all applicable agencies including the Building Inspection Section and Coastside Fire Protection District. With the exception of the front setback and the site coverage, the project complies with all other S-105 District Development Standards. The development of the parcel and encroachment of the front left corner of the garage into the front setback would not be detrimental to the general public safety and no coastal resources are impacted by the development.

12. That the proposed development is proportioned to the size of the parcel on which it is being built.

The proposed development is a two-story, 2,284 square-foot-single-family home which complies with density, floor area, and height requirements of the S-105 District. The development has been found to be compatible with the neighborhood in both scale and design, as concluded by the Coastside Design Review Committee, and is well suited to the substandard parcel.

13. 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 to be infeasible.

The two adjacent parcels at 961 Ocean Boulevard and 999 Ocean Boulevard are developed with existing single-family homes under separate ownership. The parcel (APN 037-278-070) located to the rear of the subject parcel is not available for purchase and is currently under construction for a new single-family residence. Therefore, there is not an opportunity in this area to purchase additional vacant space for the purposes of a merger.

14. That the proposed development is as nearly in conformance with the zoning regulations currently in effect as is reasonably possible.

The proposed development is seeking relief from the front setback and site coverage requirements only. The project is compliant with all other zoning regulations such as parking, density, floor area, and height. The CDRC has recommended approval for the design.

15. That the Non-Conforming Use Permit approval does not constitute a granting of special privileges.

The Non-conforming Use Permit does not constitute the granting of special privileges as the same consideration may be granted to any other party seeking to develop a similar substandard lot.

Regarding the Variance, Found:

16. The parcel's location, size, shape, topography and/or other physical conditions vary substantially from those of other parcels in the same zoning district or vicinity.

The parcel is 76 percent smaller than the required lot size for the S-105 Zoning District of which requires a minimum lot size of 20,000 square feet. The parcel size differs substantially from the parcels in the same zoning district.

17. Without the Variance, the landowner would be denied the rights and privileges that are enjoyed by other landowners in the same zoning district or vicinity.

Without the Variance the property owner would not be able to develop the lot as proposed. The proposed site coverage is within the range of other developments in the area. The Variance is required to utilize the parcel to its full extent, comply with design standards, and mitigate the restrictions on the parcel due to its diminutive size.

18. The Variance does not grant the landowner a special privilege which is inconsistent with the restrictions placed on other parcels in the same zoning district or vicinity.

The Variance does not constitute the granting of special privileges as the same consideration may be granted to any other party seeking to develop a similar substandard lot in the area.

19. The Variance authorizes only uses or activities which are permitted by the zoning district.

The Variance authorizes only a single-family dwelling on the residentially zoned parcel.

20. The Variance is consistent with the objectives of the General Plan, the Local Coastal Program (LCP) and the Zoning Regulations.

The Variance will allow the orderly development of a vacant lot in an urbanized area that will comply with all development standards with the exception of lot coverage and front setback requirements. The increase in site coverage will allow the design of the home to be compliant with coastal design standards, as supported by the Coastside Design Review Committee's recommendation for approval, ensuring a design that is harmonious with and enhances the community of Moss Beach. The project is consistent with the goals and objectives of the General Plan, LCP, and Zoning Regulations, as discussed in the staff report.

CONDITIONS OF APPROVAL

Current Planning Section

1. The project shall be constructed in compliance with the plans reviewed by the Coastside Design Review Committee and approved by the Planning Commission on December 8, 2021. Any changes or revisions to the approved plans shall be submitted to the Community Development Director for review and approval prior to implementation. Minor adjustments to the project design 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 final approval of the subject permits shall be valid for five (5) years from the date of final approval, in which time a valid building permit shall be issued for the work and a completed inspection (to the satisfaction of the Building Official) shall have occurred within one (1) year of the associated building permit's issuance. This approval may be extended by a 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 project shall adhere to the following as conditioned by the Coastside Design Review Committee:
 - a. The planting plan and irrigation plan prepared by Taproot Garden Design, from the original submittal date of March 11, 2021, shall be included without changes.
 - b. One exterior sconce shall be provided for each garage door. The exterior sconce between the garage doors shall be removed on the 3-D renderings and any other drawings.
4. The applicant shall provide “finished floor elevation verification” to certify that the structure is constructed at the height shown on the approved plans. The applicant shall have a licensed land surveyor or engineer establish a baseline elevation datum point near the construction site.
 - a. The applicant shall maintain the datum point so that it will not be disturbed by the proposed construction activities until final approval of the building permit.
 - b. This datum point and its elevation shall be shown on the submitted site plan. This datum point shall be used during construction to verify the elevation of the finished floors relative to the existing natural or to the grade of the site (finished grade).
 - c. Prior to Planning approval of the building permit application, the applicant shall also have the licensed land surveyor or engineer indicate on the construction plans: (1) the natural grade elevations at the significant corners (at least four) of the footprint of the proposed structure on the submitted site plan, and (2) the elevations of proposed finished grades.
 - d. In addition, (1) the natural grade elevations at the significant corners of the proposed structure, (2) the finished floor elevations, (3) the topmost elevation of the roof, and (4) the garage slab elevation must be shown on the plan, elevations, and cross-section (if one is provided).
 - e. Once the building is under construction, prior to the below floor framing inspection or the pouring of the concrete slab (as the case may be) for the lowest floor(s), the applicant shall provide to the Building Inspection Section a letter from the licensed land surveyor or engineer certifying that the lowest floor height, as constructed, is equal to the elevation specified for that floor in the approved plans. Similarly, certifications on the garage slab and the topmost elevation of the roof are required.
 - f. If the actual floor height, garage slab, or roof height, as constructed, is different than the elevation specified in the plans, then the applicant shall cease all construction and no additional inspections shall be approved until a revised set of plans is submitted to and subsequently approved by both the Building Official and the Community Development Director.
 - g. A survey verification letter will be required during the construction phase of this project. Once the building permit has been issued and the forms have been set, the surveyor of record shall field measure the setback dimensions of the set forms from applicable property lines and compose a survey verification letter, with stamp and signature, of the field measurements to be submitted to the Planning and Building Department for review and approval.
5. 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.

6. Approved erosion and sediment control measures shall be installed prior to beginning any work and maintained throughout the term of the building permit. 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.
7. The applicant is responsible for ensuring that all contractors minimize the transport and discharge of pollutants from the project site into water bodies by adhering to the San Mateo Countywide Stormwater Pollution Prevention Program “General Construction and Site Supervision Guidelines,” below.
 - a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 1 and April 30. Stabilizing shall include both proactive measures, such as the placement of hay bales or coir netting, and passive measures, such as revegetating disturbed areas with plants propagated from seed collected in the immediate area.
 - b. Storing, handling, and disposing of construction materials and wastes properly, so as to prevent their contact with stormwater.
 - c. Controlling and preventing the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
 - d. Using sediment controls or filtration to remove sediment when dewatering site and obtaining all necessary permits.
 - e. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
 - f. Delineating with field markers clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses.
 - g. Protecting adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
 - h. Performing clearing and earth-moving activities only during dry weather.
 - i. Limiting and timing applications of pesticides and fertilizers to prevent polluted runoff.
 - j. Limiting construction access routes and stabilizing designated access points.
 - k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
 - l. The contractor shall train and provide instruction to all employees and subcontractors regarding the construction best management practices.
8. 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. All construction vehicles shall be parked on-site outside the public right-of-way. There shall be no storage of construction vehicles in the public right-of-way.
9. 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.
 10. 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 p.m., Saturdays. Said activities are prohibited on Sundays, Thanksgiving, and Christmas (San Mateo County Ordinance Code Section 4.88.360).
 11. The exterior colors and materials as approved by the Planning Commission shall be implemented. 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. The applicant shall include a copy of the approval letter with conditions of approval on the top pages of the building plans.
 13. The applicant shall demonstrate compliance with the Water Efficient Landscape Ordinance (WELO) and provide the required forms at the Building Permit stage.
 14. The Permittee shall remove or relocate, in part or in whole, the development authorized by this CDP, including, but not limited to, the residential buildings and other development authorized under this CDP, when any government agency with legal jurisdiction has issued a final order, not overturned through any appeal or writ proceedings, determining that the structures are currently and permanently unsafe for occupancy or use due to coastal hazards and that there are no measures that could make the structures suitable for habitation or use without the use of a shoreline protective device; or in the event that coastal hazards eliminate access for emergency vehicles, residents, and/or guests to the site due to the degradation and eventual failure of Ocean Boulevard as a viable roadway. The County of San Mateo shall not be required to maintain access and/or utility infrastructure to serve the approved development in such circumstances. Development associated with removal or relocation of the residential buildings or other development authorized by this CDP shall require Executive Director approval of a plan to accommodate same prior to any such activities. In the event that portions of the development fall into the ocean or the beach, or to the ground, before they are removed or relocated, the Permittee shall remove all recoverable debris associated with the development from such areas, and lawfully dispose of the material in an approved disposal site, all subject to Executive Director approval.
 15. The Permittee: assumes the risks to the Permittee and the properties that are the subject of this CDP of injury and damage from such hazards in connection with this permitted development; unconditionally waives any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; indemnifies and holds harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the CDP against any and all liability, claims, demands, damages, costs (including costs and fees

incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards; accepts full responsibility for any adverse effects to property caused by the permitted project; acknowledges and agrees that the boundary between public land (tidelands) and private land may shift with rising seas, the structure may eventually be located on public trust lands, and the development approval does not permit encroachment onto public trust land; and that any future encroachment must be removed unless the Coastal Commission determines that the encroachment is legally permissible pursuant to the Coastal Act and authorizes it to remain, and any future encroachment would also be subject to the State Lands Commission's (or other trustee agency's) leasing approval.

16. Disclosure documents related to any future marketing and/or sale of the condominiums, including but not limited to marketing materials, sales contracts, and similar documents, shall notify potential buyers of the terms and conditions of this CDP, including explicitly the coastal hazard requirements of **Special Condition 14**. A copy of this CDP shall be provided in all real estate disclosures.
17. **PRIOR TO ISSUANCE OF THE CDP**, the Permittee shall submit to the Executive Director for review and approval documentation demonstrating that the landowners have executed and recorded against the parcels governed by this CDP a deed restriction, in a form and content acceptable to the Executive Director:
 - a. Indicating that, pursuant to this CDP, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property.
 - b. Imposing the terms and conditions of this CDP as covenants, conditions and restrictions on the use and enjoyment of the property. The deed restriction shall include a legal description of all of the parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes – or any part, modification, or amendment thereof – remains in existence on or with respect to the subject property.

Building Inspection Section

18. A building permit is required for this project. The applicant shall apply for a building permit and shall adhere to all requirements from the Building Inspection Section, the Geotechnical Section, the Department of Public Works, and the Coastside Fire Protection District. No site disturbance shall occur, including any grading, until a building permit has been issued.

Geotechnical Section

19. A Geotechnical Report shall be submitted at the Building Permit stage. The report shall be updated to the current locally adopted building code Significant grading profiles, grading proposals, foundation design recommendations, retaining wall design recommendations, and basement design recommendations, if any, shall be provided in the geotechnical report at the Building Permit stage. For a vacant site, the Geotechnical Report shall provide sufficient soil investigation data to evaluate the potential hazards, for example, expansive soils, soil corrosivity, weak soil strength, and liquefaction. If any hazards are found, mitigation shall be provided in foundation design and grading proposal.

Department of Public Works

20. 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 percent) 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.
21. 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.
22. 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.

Drainage Section

23. The following will be required at the building permit stage:
 - a. A final, full drainage report prepared by a registered Civil Engineer.
 - b. A final grading and drainage plan stamped and signed by a registered Civil Engineer.
 - c. An updated C3 and C6 Checklist, if changes to impervious areas have been made during the design phase.

Montara Water and Sanitary District

24. The applicant is required to obtain Sewer Permits prior to issuance of the building permit. A sewer mainline extension will be required, and a Sewer grinder pump may be required. Sewer Connection Fees must be paid prior to issuance of the connection permit.
25. The applicant is required to obtain a Domestic Water Connection Permit prior to issuance of the building permit. The connection fee for domestic water must be paid prior to issuance of the connection permit. Water mainline extension may be required.
26. Connection to the Montara Water and Sanitary District's fire protection system is required. A Certified Fire Protection Contractor must certify adequate fire flow calculations. Connection fees for the fire protection system is required. The connection charge must be paid prior to issuance of a Private Fire Protection permit.

Coastside Fire Protection District

27. Fire Department access shall be to within 150 feet of all exterior portions of the facility and all portions of the exterior walls of the first story of the buildings as measured by an approved access route around the exterior of the building or facility. Access shall be a minimum of 20 feet wide, all weather capability, and able to support a fire apparatus weighing 75,000 lbs. Where a fire hydrant is located in the access, a minimum of 26 feet is required for a minimum of 20 feet on each side of the hydrant. This access shall be provided from a publicly maintained road to the property.

Grades over 15 percent shall be paved and no grade shall be over 20 percent. When gravel roads are used, it shall be class 2 base or equivalent compacted to 95 percent. Gravel road access shall be certified by an engineer as to the material thickness, compaction, all weather capability, and weight it will support.

28. 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 six 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-inch by 18-inch green reflective metal sign.
29. Contact the Fire Marshal's Office to schedule a Final Inspection prior to occupancy and Final Inspection by a Building Inspector. Allow for a minimum of 72 hours notice to the Fire Department at 650/ 573-3846.
30. A fire flow of 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 is required prior to Fire's final approval of the building permit or before combustibles are brought on site.
31. 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. An interior and exterior audible alarm activated by automatic fire sprinkler system water flow shall be required to be installed in all residential systems. All hardware must be included on the submitted sprinkler plans.
32. 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.
33. A statement that the building will be equipped and protected by automatic fire sprinklers must appear on the title page of the building plans.

6. 2022 Planning Commission Election for Chair and Vice Chair

Commissioner Ramirez excepted the role of Chair for 2022. Motion by Commissioner Gupta and was seconded by Commissioner Hansson. Motion approved unanimously.

Commissioner Gupta excepted the role of Vice Chair for 2022. Motion by Commissioner Hansson and was seconded by Commissioner Ramirez. Motion approved unanimously.

7. Correspondence and Other Matters

None

8. Consideration of Study Session for Next Meeting

No study session for the next meeting and currently there are no items for the upcoming meeting.

9. Director's Report

- Will Gibson was awarded the Employee of the month for his work on the Housing Element. This is the first time the Planning and Building has received this award.
- NFO Community Plan update, implementing the plan that was adopted. The areas eligible
- Director Monowitz informed the Commission on upcoming Pre-App workshops meetings.

10. Commissioner Updates and Questions

- Commissioner Gupta asked about the Consulting firm that was brought to the Board of Supervisors. This consulting firm it geared to help with the next phase of Zoning in the NFO area between Middlefield and El Camino.
- Redistricting Map was approved by the Board of Supervisors, but this does not have potential impact because this does not interfere with the building, zoning, and general plan.
- Commissioner Santacruz thanked the Commission for all of the support, but he is resigning as Commissioner effective today. This change is to allow more time to focus on his business and future endeavors.

11. Adjournment

Meeting adjourned at 11:46 AM