



Planning & Building Department Planning Commission

Kumkum Gupta, 1st District
Frederick Hansson, 2nd District
Zoe Kersteen-Tucker, 3rd District
Manuel Ramirez, Jr., 4th District
Mario Santacruz, 5th District

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

ACTION MINUTES

MEETING NO. 1649
Wednesday May 23, 2018

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

Chair Kersteen-Tucker called the meeting to order at 9:02 a.m.

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

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

Legal Notice published in the San Mateo County Times on May 12, 2018 and the Half Moon Bay Review on May 16, 2018.

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

None

Consideration of the Minutes of the Planning Commission meeting of May 9, 2018.
Commissioner Gupta moved for approval of the minutes and Commissioner Hansson seconded the motion. **Motion carried 4-0-0-1(Commissioner Ramirez absent)**

At the request of the Planning Commission, this item has been moved to the regular agenda.

CONSENT AGENDA 9:00 a.m.

- Owner/Applicant:** Kevin Cerini
File No.: PLN2016-00363
Location: 13700 Skyline Boulevard, unincorporated Woodside
Assessor's Parcel No: 067-080-100

Consideration of the certification of an Initial Study and Mitigated Negative Declaration, pursuant to the California Environmental Quality Act, an Architectural Review Permit, pursuant to the State of California Streets and Highways Code, and a Significant Tree Removal Permit, pursuant to Section 12.023 of the Significant Tree Ordinance, to allow construction of a new 2,498 sq. ft. single-family residence on a legal 17,772 sq. ft. parcel on Skyline Boulevard. The project requires the removal of 10 trees greater than 12 inches in diameter. The property is located within the Skyline Boulevard State Scenic Corridor.

SPEAKERS

None

COMMISSION ACTION

Commissioners unanimously voted to close the public hearing. **Motion carried 4-0-0-1.**

Commissioner Hansson moved to approve the project and Commissioner Gupta seconded the motion. **Motion carried 4-0-0-1.**

Based on information provided by staff and evidence presented at the hearing, the Planning Commission adopted the Initial Study and Mitigated Negative Declaration and approved the Architectural Review and Significant Tree Removal Permit, County File Number PLN 2016-00363, by adopting the required findings and conditions of approval as follows:

FINDINGS**For the Environmental Review, Found**

1. That the Initial Study and Mitigated Negative Declaration are complete, correct and adequate, and prepared in accordance with the California Environmental Quality Act (CEQA) and the applicable State and County Guidelines. An Initial Study and a Mitigated Negative Declaration were prepared and issued with a public review period from April 14, 2018 to May 14, 2018.
2. That, on the basis of the Initial Study, comments received hereto, and testimony presented and considered at the public hearing, there is no substantial evidence that the project, will have a significant effect on the environment. The Initial Study and Mitigated Negative Declaration identify potentially significant impacts to air quality, biological resources, cultural resources, geology and soils, climate change, hazards and hazardous materials, hydrology and water quality, and tribal cultural resources. The mitigation measures contained in the Mitigated Negative Declaration have been included as conditions of approval for the project. As proposed and mitigated, the project will not result in any significant environmental impacts.
3. That the mitigation measures identified in the Mitigated Negative Declaration, agreed to by the applicant, and identified as part of this public hearing, have been incorporated as conditions of project approval.
4. That the Initial Study and Mitigated Negative Declaration reflect the independent judgment of the County.

For the Architectural Review, Found

5. The project as proposed and conditioned, meets applicable requirements of the California Streets and Highways Code, including standards which require that building designs represent "quietness, repose, and unobtrusiveness" and "blend with the natural terrain rather than detracting from it." The proposed single-family dwelling proposal preserves the existing natural qualities of the parcel from public views from Skyline Boulevard by retaining as many mature trees as possible, being one-story, using colors and materials which blend with the existing surroundings, sharing an access driveway, and minimizing grading.

For the Significant Tree Removal Permit, Found

6. Removal of 10 trees complies with the Significant Tree Ordinance. The removal meets the following removal criteria: (1) trees are too closely located to existing or proposed structures; (2) removal is necessary to allow reasonable economic or other enjoyment of the property; and (3) trees will be replaced by plantings approved by the Community Development Director and required by Mitigation Measure 5.

CONDITIONS OF APPROVAL

Current Planning Section

1. This approval applies only to the proposal as described in the plans, supporting materials, and reports as approved by the Planning Commission on May 23, 2018. 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 may be approved by the Community Development Director if they are consistent with the intent of and are in substantial conformance with this approval. Alternatively, the Community Development Director may refer consideration of the revisions to the Planning Commission, with applicable fees to be paid.
2. The Architectural Review and Significant Tree Removal Permit approval shall be valid for two (2) years from the date of final approval, in which time a building permit shall be issued and a completed inspection (to the satisfaction of the building inspector) shall have occurred within 180 days of its issuance. The Architectural Review and Significant Tree Removal Permit approval may be extended by one 1-year increment with submittal of an application for permit extension and payment of applicable extension fees sixty (60) days prior to the expiration date.
3. The applicant shall coordinate with the project planner to record the Notice of Determination and pay an environmental filing fee of \$2,280.75 (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.
4. Landscaping with non-native vegetation shall be prohibited in the first 50 feet of the parcel. Planting of non-native invasive plants is prohibited.
5. Ten (10) trees are approved for removal. Trees designated to remain shall be protected from damage during construction. Any additional tree removal is subject to the San Mateo County Tree Ordinance and will require a separate permit for removal.
6. The project is subject to compliance with the Water Efficient Landscape Ordinance (WELo): <http://planning.smcgov.org/documents/water-efficient-landscape-ordinance-welo>. The landscape plan shall comply with the Water Efficient Landscape Ordinance. The building plans shall demonstrate compliance with the Water Efficient Landscape Ordinance.
7. 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 to prevent erosion and sedimentation off-site.
8. An Erosion Control and/or Tree Protection Inspection is required prior to the issuance of a building permit for grading, construction, and demolition purposes, as the project requires tree protection of significant trees and a grading permit. Once all review agencies have approved

your building permit, you will be notified that an approved job copy of the Erosion Control and/or Tree Protection Plan is ready for pick-up at the planning counter of the Planning and Building Department. Once the Erosion Control and/or Tree Protection measures have been installed per the approved plans, please contact Jeremiah Pons, Building/Erosion Control Inspector, at 650/599-1592 or jpons@smcgov.org, to schedule a pre-site inspection. A \$144.00 inspection fee will be assessed to the building permit for the inspection. If the initial pre-site inspection is not approved, an additional inspection fee will be assessed for each required re-inspection until the job site passes the Pre-Site Inspection, or as determined by the Building Inspection Section.

9. The approved exterior colors and materials shall be verified prior to final approval of the building permit. The applicant shall provide photographs to the Planning Section to verify adherence to this condition prior to a final building permit sign-off by the Current Planning Section.
10. The applicant shall apply for a building permit and shall adhere to all requirements from the Building Inspection Section, the Department of Public Works, and Cal-Fire.
11. 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.
12. The applicant shall provide "finished floor elevation verification" to certify that the structure is actually constructed at the height shown on the submitted plans. The applicant shall have a licensed land surveyor or engineer establish a baseline elevation datum point in the vicinity of the construction site.
 - a. The applicant shall maintain the datum point so that it will not be disturbed by the proposed construction activities until final approval of the building permit.
 - b. This datum point and its elevation shall be shown on the submitted site plan. This datum point shall be used during construction to verify the elevation of the finished floors relative to the existing natural or to the grade of the site (finished grade).
 - c. Prior to the Planning and Building Department's approval of the building permit application, the applicant shall also have the licensed land surveyor or engineer indicate on the construction plans: (1) the natural grade elevations at the significant corners (at least four) of the footprint of the proposed structure on the submitted site plan, and (2) the elevations of proposed finished grades.
 - d. In addition, (1) the natural grade elevations at the significant corners of the proposed structure, (2) the finished floor elevations, (3) the topmost elevation of the roof, and (4) the garage slab elevation must be shown on the plan, elevations, and cross-section (if one is provided).
 - e. Once the building is under construction, prior to the below floor framing inspection or the pouring of the concrete slab (as the case may be) for the lowest floor(s), the applicant shall provide to the Building Inspection Section a letter from the licensed land surveyor or engineer certifying that the lowest floor height, as constructed, is equal to the elevation specified for that floor in the approved plans. Similarly, certifications on the garage slab and the topmost elevation of the roof are required.

- f. If the actual floor height, garage slab, or roof height, as constructed, is different than the elevation specified in the plans, then the applicant shall cease all construction and no additional inspections shall be approved until a revised set of plans is submitted to and subsequently approved by both the Building Official and the Community Development Director.
13. No site disturbance shall occur, including any grading or tree/vegetation removal, 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 impede through traffic along the right-of-way on Skyline Boulevard. All construction vehicles shall be parked on-site outside the public right-of-way or in locations which do not impede safe access on Skyline Boulevard. There shall be no storage of construction vehicles in the public right-of-way.

Mitigation Measures

15. **Mitigation Measure 1:** Identify, establish and maintain 6-foot tree protection zones (TPZ) with fences on posts in the ground. Tree protection fences (TPF) are required to be 2 x 4's wrapped with orange snow fencing to minimize tractor blight, trauma wounds on trees within trafficked areas that do not have TPF. The TPZ's, tree protection zones, should be based on 1'/diameter inch at DBH. Fences should be installed at appropriate radii of trees to remain before any site preparation is done. Six-foot fences on posts in the ground is recommended with as necessary 2 x 4's wrapped with orange snow fencing to minimize tractor blight, trauma wounds, on trees within trafficked areas that do not have TPZ fencing. Any work which is to be done in the TPZ shall be done after consultation with a certified arborist and approval of the Current Planning Section.
16. **Mitigation Measure 2:** Maintain tree protection zones free of equipment and materials storage. Contractors shall not clean any tools, forms or equipment within these areas.
17. **Mitigation Measure 3:** If any large roots or large masses of roots need to be cut, the roots shall be inspected by a certified arborist or registered forester prior to cutting as required in the arborist's report. Any root cutting shall be undertaken by an arborist or forester and documented. Roots to be cut shall be severed cleanly with a saw or topers. A tree protection verification letter from the certified arborist shall be submitted to the Planning Department within five (5) business days from site inspection following root cutting.
18. **Mitigation Measure 4:** A certified arborist should inspect site; (1) after TPZs are established, (2) after selection removal process is completed, (3) after primary grading, (4) during hand

digging of the first 2 feet to expose any roots 1.5 inches or greater in diameter within the TPZs (arborist should inspect the 1.5-inch roots before excision. Excision will be done with clean cuts and tree wound dressing applied.), (5) after foundation excavation, (6) after foundation forming and concrete pour, (7) during of hand digging of the top 2 feet for septic system and drainage system and retention basin, (8) after finish grading and before driveway preparation, (9) after driveway installation, and (10) before and after landscape design/installation.

19. **Mitigation Measure 5:** Five replacement trees, each a native species and a minimum of 15-gallon size, shall be planted in locations, as prescribed by the arborist, with the intent to screen the development from Skyline Boulevard and have ensure growth.
20. **Mitigation Measure 6:** The development shall employ colors and materials which blend in with, rather than contrast with, the surrounding soil and vegetative cover of the site. In forested areas, all exterior construction materials shall be of deep earth hues such as dark browns, greens and rusts. Materials shall absorb light (i.e., dark, rough textured materials). Exterior lighting shall be minimized, and earth-tone colors of lights used (e.g., yellow, brown toned lights, rather than blue-toned fluorescents). In grassland, or grassland/forest areas, all exterior materials shall be of the same earth and vegetative tones as the predominant colors of the site (as determined by on-site inspections). Highly reflective surfaces and colors are discouraged.
21. **Mitigation Measure 7:** All exterior lighting shall be directed downward and/or hooded.
22. **Mitigation Measure 8:** The following dust control measure notes shall be added to the plans at the building permit stage. The applicant shall implement the following dust control measures during grading and construction activities:
 - a. Water all active construction and grading areas at least twice daily.
 - b. Cover all truck hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
 - c. Apply water two times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at the project site.
 - d. Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets/roads.
 - e. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
23. **Mitigation Measure 9:** An unexpected discovery of cultural resources during any phase of the project shall result in a work stoppage in the vicinity of the find until the resources can be evaluated by a professional archaeologist. The applicant and/or project contractor shall educate workers and the public on the consequences of unauthorized collection of artifacts.
24. **Mitigation Measure 10:** In the event that cultural, paleontological, or archaeological resources be encountered during site grading or other site work, such work shall immediately be halted in the area of discovery and the project sponsor shall immediately notify the Community Development Director of the discovery. The applicant shall be required to retain the services of a qualified archaeologist for the purpose of recording, protecting, or curating the discovery as appropriate. The cost of the qualified archaeologist and of any recording,

protecting, or curating shall be borne solely by the project sponsor. The archaeologist shall be required to submit to the Community Development Director for review and approval a report of the findings and methods of curation or protection of the resources. No further grading or site work within the area of discovery shall be allowed until the preceding has occurred. Disposition of Native American remains shall comply with CEQA Guidelines Section 15064.5(e).

25. **Mitigation Measure 11:** The property owner, applicant, and contractors must be prepared to carry out the requirements of California State law with regard to the discovery of human remains during construction, whether historic or prehistoric. 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.
26. **Mitigation Measure 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.
27. **Mitigation Measure 13:** Prior to commencement of the project, the applicant shall submit to the Planning Department for review and approval an erosion and drainage control plan that shows how the transport and discharge of soil and pollutants from and within the project site shall be minimized. The plan shall be designed to minimize potential sources of sediment, control the amount of runoff and its ability to carry sediment by diverting incoming flows and impeding internally generated flows, and retain sediment that is picked up on the project site through the use of sediment-capturing devices. The plan shall also limit application, generation, and migration of toxic substances, ensure the proper storage and disposal of toxic materials, and apply nutrients at rates necessary to establish and maintain vegetation without causing significant nutrient runoff to surface waters. Said plan shall adhere to the San Mateo County Wide 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 project activities.
 - d. Within five days of clearing or inactivity, stabilize bare soils through either non-vegetative BMPs, such as mulching, or vegetative erosion control methods such as seeding. Vegetative erosion control shall be established within two weeks of seeding/planting.
 - e. Project site entrances shall be stabilized immediately after grading and frequently maintained to prevent erosion and control dust.

- f. Control wind-born dust through the installation of wind barriers such as hay bales and/or sprinkling.
- g. Soil and/or other construction-related material stockpiled on-site shall be placed a minimum of 200 feet from all wetlands and drain courses. Stockpiled soils shall be covered with tarps at all times of the year.
- h. Intercept runoff above disturbed slopes and convey it to a permanent channel or storm drains by using earth dikes, perimeter dikes or swales, or diversions. Use check dams where appropriate.
- i. Provide protection for runoff conveyance outlets by reducing flow velocity and dissipating flow energy.
- j. Install storm drain inlet protection that traps sediment before it enters any adjacent storm sewer systems. This barrier shall consist of filter fabric, straw bales, gravel, or sand bags.
- k. Install sediment traps/basins at outlets of diversions, channels, slope drains, or other runoff conveyances that discharge sediment-laden water. Sediment traps/ basins shall be cleaned out when 50% full (by volume).
- l. Use silt fence and/or vegetated filter strips to trap sediment contained in sheet flow. The maximum drainage area to the fence should be 0.5-acre or less per 100 feet of fence. Silt fences shall be inspected regularly and sediment removed when it reaches 1/3 the fence height. Vegetated filter strips should have relatively flat slopes and be vegetated with erosion-resistant species.
- m. Utilize coir fabric/netting on sloped graded areas to provide a reduction in water velocity, erosive areas, habitat protection, and topsoil stabilization.
- n. 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.

28. **Mitigation Measure 14:** The applicant shall implement the following basic construction measures at all times:

- a. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxic Control Measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- b. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
- c. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person, or his/her designee, shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

29. **Mitigation Measure 15:** 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 Ordinance Code Section 4.88.360).
30. **Mitigation Measure 16:** Should any traditionally or culturally affiliated Native American tribe respond to the County's issued notification for consultation, such process shall be completed and any resulting agreed upon measures for avoidance and preservation of identified resources be taken prior to implementation of the project.
31. **Mitigation Measure 17:** 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.
32. **Mitigation Measure 18:** Any 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.

Cal-Fire

33. Fire Department access shall be to within 150 ft. 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 ft. is required for a minimum of 20 feet on each side of the hydrant. This access shall be provided from a publicly maintained road to the property. Grades over 15% shall be paved and no grade shall be over 20%. When gravel roads are used, it shall be Class 2 base or equivalent compacted to 95%. Gravel road access shall be certified by an engineer as to the material thickness, compaction, all weather capability, and weight it will support.
34. All buildings that have a street address shall have the number of that address on the building, mailbox, or other type of sign at the driveway entrance in such a manner that the number is easily and clearly visible from either direction of travel from the street. New residential buildings shall have internally illuminated address numbers contrasting with the background so as to be seen from the public way fronting the building. Residential address numbers shall be at least 6 feet above the finished surface of the driveway. An address sign shall be placed at each break of the road where deemed applicable by Cal Fire. Numerals shall be contrasting in color to their background and shall be no less than 4 inches in height, and have a minimum 1/2-inch stroke. Remote signage shall be a 6" x 18" green reflective metal sign.
35. The applicant shall contact the County Fire Marshal's Office to schedule a Final Inspection by a building inspector. Please allow for a minimum 72-hour notice to Cal-Fire at 650/573-3846.
36. A fire flow of 1,000 gallons per minute (gpm) for 2 hours with a 20 pounds per square inch (psi) residual operating pressure must be available as specified by additional project conditions to the project site. The applicant shall provide documentation including hydrant

location, main size, and fire flow report at the building permit application stage. Inspection required prior to Fire's final approval of the building permit or before combustibles are brought on site.

37. Any chimney or woodstove outlet shall have installed onto the opening thereof an approved (galvanized) spark arrester of a mesh with an opening no larger than 1/2-inch in size or an approved spark arresting device. Maintain around and adjacent to such buildings or structures a fuelbreak/firebreak made by removing and clearing away flammable vegetation for a distance of not less than 30 feet and up to 100 feet around the perimeter of all structures or to the property line, if the property line is less than 30 feet from any structure. 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 roofline of any structure.
38. LP-gas equipment shall be installed in accordance with the California Fire and Mechanical Codes and NFPA 58.
39. CRC T-14 requires structures, subdivision and developments in State Responsibility Areas on parcels an acre and larger to provide a minimum 30-foot setbacks for buildings and accessory structures from all property lines and the center of the road.
40. 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.
41. A statement that the building will be equipped and protected by automatic fire sprinklers must appear on the title page of the building plans.
42. This project is located in a wildland urban interface area. Roofing, attic ventilation, exterior walls, windows, exterior doors, decking, floors, and underfloor protection to meet CRC R327 or CBC Chapter 7A requirements.
43. The required fire flow shall be available County Standard Wet Barrel Fire Hydrant, the configuration of the hydrant shall be a minimum of a 6" opening with a minimum of one each 4-1/2" outlet and one each 2-1/2" outlet located not less than 5 feet nor more than 250 feet from the building, measured by way of approved drivable access to the project site.
44. The standpipe/hydrant shall be capable of a minimum fire flow of 1,000 gallons per-minute. A statement that the building will be equipped and protected by automatic fire sprinklers must appear on the title page of the building plans.
45. An approved Automatic Fire Sprinkler System meeting the requirements of NFPA-13R 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 Cal-Fire.

Department of Public Works

46. Prior to the issuance of the building permit, the applicant shall have prepared, by a registered civil engineer, a drainage analysis of the proposed project and submit it to the Department of Public Works for review and approval. The drainage analysis shall consist of a written narrative and a plan. The flow of the stormwater onto, over, and off of the property shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the pattern of flow. The analysis shall detail the measures necessary to certify adequate drainage. Post-development flows and velocities shall not exceed those that existed in the

pre-developed state. Recommended measures shall be designed and included in the improvement plans and submitted to the Department of Public Works for review and approval.

- 47. Prior to the issuance of the building permit, the applicant shall submit a driveway “Plan and Profile,” to the Department of Public Works, showing the driveway access to the parcel (garage slab) complying with County Standards for driveway slopes (not to exceed 20%) and to County Standards for driveways (at the property line) being the same elevation as the center of the access roadway. When appropriate, as determined by the Department of Public Works, this plan and profile shall be prepared from elevations and alignment shown on the roadway improvement plans. The driveway plan shall also include and show specific provisions and details for both the existing and the proposed drainage patterns and drainage facilities.
- 48. The applicant shall submit to the Department of Public Works, for review, documentation of ingress/egress easements for the applicant’s use and the use of others.
- 49. No proposed construction work within the Caltrans right-of-way shall begin until Caltrans requirements for the issuance of an encroachment permit, including review of the plans, have been met and an encroachment permit issued. The applicant shall contact a California Department of Transportation Inspector 48 hours prior to commencing work in the right-of-way.
- 50. 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.

Caltrans

- 51. Please be advised that any work or traffic control that encroaches onto the state Right-of-Way (ROW) requires an encroachment permit that is issued by Caltrans. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating state ROW must be submitted to: Office of Permits, California DOT, District 4, P.O. Box 23660, Oakland, CA 94623-0660. Traffic-related mitigation measures should be incorporated into the construction plans during the encroachment permit process. See the website link below for more information:
<http://www.dot.ca.gov/hq/traffops/developserv/permits/>.

REGULAR AGENDA
9:00 a.m.

- 2. **Owner/Applicant:** Maris Jones
 File No.: PLN2017-00476
 Location: 1796 Lexington Ave., San Mateo Highland
 Assessor’s Parcel No.: 041-135-060

Consideration of an appeal of the Community Development Director’s denial of a Fence Height Exception, pursuant to Section 6412.2 of the San Mateo County Zoning Regulations, for the legalization of an existing 6-foot high fence within the front yard setback.

SPEAKERS

1. Timothy Moppin
2. Maris Jones, Owner
3. Kenneth Jones

COMMISSION ACTION

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

Commissioner Santacruz moved to approve the project and Commissioner Gupta seconded the motion. **Motion carried 4-0-0-1.**

Based on information provided by staff and evidence presented at the hearing, the Planning Commission approved the appeal and approved the Fence Height Exception, County File Number PLN 2017-00476, by making the required findings and adopting the conditions of approval as follows:

FINDINGS

Regarding the Fence Height Exception, Found:

1. **Approving the exception will not jeopardize public safety.**

Staff has determined that the fence, as conditioned, will not inhibit line-of-sight for drivers nor jeopardize public safety.

2. **Approving the exception will be compatible with the neighborhood surrounding the parcel where the fence would be placed and will not be detrimental to the public welfare.**

Staff's research concludes that the placement of the fence, as conditioned, will not be detrimental to the public welfare. The Department of Public Works has conditionally approved of the project to be moved back onto the property line.

3. **The proposed fence promotes or enhances good design, site relationships and other aesthetic considerations, in accordance with San Mateo County General Plan Policy 4.14. In order to make this determination, the Planning Commission may condition the exception with certain requirements, including design, location, materials, colors and landscaping requirements.**

Staff has determined the fence, once it is re-constructed to comply with the conditions of approval, will be aesthetically pleasing, and meets these criteria. However, staff recommends that the applicant provide landscaping along the front facade of the fence for aesthetic purposes and that the fence height does not exceed 6 feet at any given point.

CONDITIONS OF APPROVAL

Current Planning Section

1. This approval applies to the project as described on the plans and documents submitted to the Current Planning Section on November 15, 2017. Any revisions to these plans must be submitted to the Current Planning Section for review and approval prior to implementation.

2. Within 60 days of this approval, the applicant shall provide a landscaping plan, for review and approval by the Community Development Director that identifies the type and location of plants that will be installed to soften the appearance of the fence. All plants to be installed shall be drought resistant, non-invasive, and grow no taller than 6 feet at maximum height.
3. The applicant shall lower the existing fence such that the fence measures no higher than 6 feet on any side. Planning and Building staff will verify height upon completion.
4. The applicant shall complete landscaping, relocate the fence, and lower the existing fence to 6 feet within four (4) months of the approval of this permit.

Department of Public Works

5. The applicant shall relocate the fence to the property line or onto private property. Any work done in the right-of-way shall be inspected by the County Road Inspector prior to the completion of the project.

3. **Owner:** State of California
Applicant: California Department of Transportation
 File No.: PLN 2018-00051
 Location: State Route 1 at Postmile 0.3 and 0.6 (adjacent to 640 Cabrillo Hwy., Pescadero)
 Assessor’s Parcel Nos.: Public Right of Way (adjacent to 089-230-420)

Consideration of a Coastal Development Permit to repair a section of eroding road embankment located at Postmile 0.3 (Elliot Creek) and reconstruct a minor drainage system located at Postmile 0.6 (Finney Creek), both located on Highway 1, just north of the Santa Cruz County line, in the unincorporated Pescadero area of San Mateo County.

SPEAKERS

1. Gregory Berns
2. Peter Aguilera, Caltrans

COMMISSION ACTION

Commissioners unanimously voted to close the public hearing. **Motion carried 4-0-0-1.**

Commissioner Hansson moved to approve the project and Commissioner Santacruz seconded the motion. **Motion carried 4-0-0-1.**

Based on information provided by staff and evidence presented at the hearing, the Planning Commission approved the Coastal Development Permit, County File Number PLN 2018-00051, by adopting the required findings and conditions of approval as follows:

FINDINGS

Regarding the Environmental Review, Found:

1. That this project is categorically exempt pursuant to Section 15301 of the California Environmental Quality Act Guidelines, relating to the repair or minor alteration of existing

public or private structures, facilities, or topographical features, involving negligible or no expansion of use.

Regarding 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, conforms with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program with regards to the protection of biotic and visual resources.
3. That the project conforms to the specific findings required by policies of the San Mateo County Local Coastal Program as discussed in Section A (2) of this Staff Report. Protection measures will be implemented to prevent any impact to biological resources, including San Francisco garter snake, California red-legged frog, and San Francisco dusky-footed woodrat.
4. That where the project is located between the nearest public road and the sea, or the shoreline of Pescadero Marsh, 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 SR-1 and the sea, to the south of Año Nuevo State Park. There is no current or historic public access at this location due to the steep nature of the adjacent bluff and close proximity of the travel way to the bluff edge. Completion of the project will not change this situation nor will it inhibit existing public access at other nearby locations.

CONDITIONS OF APPROVAL

Current Planning Section

1. The approval applies only to the proposal as described in this report and materials submitted for review and approval by the Planning Commission on May 23, 2018. 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.

CalTrans General Avoidance and Minimization Measures

2. **Seasonal Avoidance.** To the extent practicable, construction will not occur during the wet season. Except for limited vegetation clearing (necessary to minimize impacts to nesting birds), work will be limited to the period from June 1 to October 31 to avoid the period when SFGS may be overwintering in uplands and CRLF are most active.
3. **A USFWS-Approved Biological Monitor.** The names and qualifications of proposed biological monitor(s) will be submitted to the USFWS for approval prior to the start of construction. Through communication with the resident engineer, the USFWS-approved biological monitor will be onsite during all work that could reasonably result in take of CRLF, SFGS, or marbled murrelet. The USFWS-approved biological monitor will have the authority to stop work that may result in the unauthorized take of special-status species.
4. **Worker Environmental Awareness Training.** Before beginning construction activities, a qualified biologist will conduct an education program for all Project construction personnel. At a minimum, the training will include a description of CRLF, SFGS, marbled murrelet, and migratory birds and their habitats; a discussion of the potential occurrence of these species within the Project footprint; an explanation of the status of these species and protection under

Federal Endangered Species Act and California Endangered Species Act; the description of measures to be implemented to conserve listed species and their habitats as they relate to the work site; and the description of boundaries within which construction may occur. A fact sheet conveying this information will be prepared and distributed to the construction and Project personnel entering the Project footprint.

5. **Migratory Bird Treaty Act Protection.** To minimize and avoid take of migratory birds, their nests, and their young, Caltrans will conduct vegetation and tree trimming between September 30 and January 30 before Project construction. This work will be limited to vegetation and trees that are within the Project footprint. No grubbing or other ground-disturbing actions will occur during that period. Upon completion of vegetation and tree trimming, Caltrans will install stormwater and erosion control BMPs. A biological monitor with appropriate construction and species experience will conduct nest and bird surveys and other wildlife surveys before and during tree cutting. All work will be conducted under a Regional Water Board-approved Water Pollution Control Plan or Stormwater Pollution Prevention Plan (SWPPP). Vegetation will be cleared only where necessary and will be cut above soil level. This will allow plants that reproduce vegetatively to re-sprout after construction. During the nesting season, pre-construction surveys for nesting birds, including the marbled murrelet, will be conducted by a qualified biologist no more than 72 hours prior to the start of construction activities. If work is to occur within 300 feet of active raptor nests or 50 feet of active passerine nests, a non-disturbance buffer will be established at a distance sufficient to minimize disturbance based on the nest location, topography, cover, the species' sensitivity to disturbance, and the intensity/type of potential disturbance. All clearing and grubbing of woody vegetation will be performed by hand or using light construction equipment, such as backhoes and excavators.
6. **Environmentally Sensitive Area Fencing.** Before starting construction, ESAs (defined as areas containing sensitive habitats adjacent to or within construction work areas for which physical disturbance is not allowed) will be clearly delineated using high-visibility orange fencing. The ESA fencing will remain in place throughout Project duration and will prevent construction equipment or personnel from entering sensitive habitat areas. The final Project plans will depict the locations where ESA fencing will be installed and how it will be assembled or constructed. The special provisions in the bid solicitation package will clearly describe acceptable fencing material and prohibited construction-related activities, vehicle operation, material and equipment storage, and other surface-disturbing activities within ESAs.
7. **Wildlife Exclusion Fencing.** Before starting construction, Wildlife Exclusion Fencing (WEF) will be installed along the Project footprint perimeter in the areas where wildlife could enter the Project site. Locations of the WEF will be determined in coordination with USFWS. The final Project plans will depict the locations where WEF fencing will be installed and how it will be assembled/constructed. The special provisions in the bid solicitation package will clearly describe acceptable WEF fencing material and proper WEF installation and maintenance. The WEF will remain in place throughout the Project duration, and will be regularly inspected for stranded animals and fully maintained.
8. **Implementation of Best Management Practices.** In accordance with Central Coast Regional Water Quality Control Board requirements, a SWPPP will be developed and erosion control BMPs implemented to minimize wind- or water related erosion. The Caltrans BMP Guidance Handbook provides guidance for the inclusion of provisions in all construction contracts to protect sensitive areas and prevent and minimize stormwater and non-stormwater discharges. At a minimum, protective measures will include:

- a. Disallowing discharging of pollutants from vehicle and equipment cleaning into storm drains or watercourses.
 - b. Keeping vehicle and equipment fueling and maintenance operations at least 50 feet away from watercourses, except at established commercial gas stations or an established vehicle maintenance facility.
 - c. Collecting and disposing of concrete wastes and water from curing operations in appropriate washouts, located at least 50 feet from watercourses.
 - d. Maintaining spill containment kits onsite at all times during construction operations and/or staging or fueling of equipment.
 - e. Using water trucks and dust palliatives to control dust in un-vegetated areas and covering of temporary stockpiles when weather conditions require.
 - f. Installing coir rolls or straw wattles along or at the base of slopes during construction to capture sediment.
 - g. Protecting graded areas from erosion using a combination of silt fences, fiber rolls along toes of slopes or along edges of designated staging areas, and erosion control netting (jute or coir) as appropriate on sloped areas.
 - h. Establishing permanent erosion control measures such as bio-filtration strips and swales to receive stormwater discharges from the highway or other impervious surfaces to the maximum extent practicable.
9. **Construction Site Management Practices.** The following site restrictions will be implemented to avoid or minimize potential impacts on listed species and their habitats:
- a. Enforcing a speed limit of 15 miles per hour in the Project footprint in unpaved and paved areas to reduce dust and excessive soil disturbance.
 - b. Locating construction access, staging, storage, and parking areas within the Project right-of-way outside any designated ESA or outside the right-of-way in areas environmentally cleared and permitted by the contractor. The following areas will be limited to the minimum necessary to construct the proposed Project: access routes, staging and storage areas, and contractor parking. Routes and boundaries of roadwork will be clearly marked before initiating construction or grading.
 - c. Certifying, to the maximum extent practicable, borrow material is non-toxic and weed free.
 - d. Enclosing food and food-related trash items in sealed trash containers and removing them from the site at the end of each day.
 - e. Prohibiting pets from entering the Project footprint area during construction.
 - f. Prohibiting firearms within the Project site, except for those carried by authorized security personnel or local, state, or federal law enforcement officials.
 - g. Maintaining equipment to prevent the leakage of vehicle fluids such as gasoline, oils, or solvents and developing a Spill Response Plan. Storing hazardous materials, such as

fuels, oils, and solvents, in sealable containers in a designated location that is at least 50 feet from aquatic habitat.

- h. Servicing vehicles and construction equipment, including fueling, cleaning, and maintenance, at least 50 feet from aquatic habitat unless separated by topographic or drainage barrier.
10. **Avoidance of Entrapment.** To prevent inadvertent entrapment of animals during construction, excavated, steep-walled holes or trenches more than 1 foot deep will be covered at the close of each working day using plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled they must be thoroughly inspected for trapped animals. Replacement pipes, culverts, or similar structures stored in the Project area overnight will be inspected before they are subsequently moved, capped, and/or buried.
11. **Vegetation Removal.** Vegetation that is within the cut-and-fill line or growing in locations where permanent structures will be placed (e.g., RSP.) will be cleared. Vegetation will be cleared only where necessary and will be cut above soil level except in areas that will be excavated. This will allow plants that reproduce vegetatively to re-sprout after construction. Clearing and grubbing of woody vegetation will occur by hand or using construction equipment such as mowers, backhoes, and excavators. If clearing and grubbing occurs between February 1 and September 30, a qualified biologist will survey for nesting birds within the areas to be disturbed, including a perimeter buffer of 50 feet for passerines and 300 feet for raptors, before clearing activities begin.
12. **Replant, Reseed, and Restore Disturbed Areas.** Caltrans will restore temporarily disturbed areas to the maximum extent practicable. Exposed slopes and bare ground will be reseeded with native grasses and shrubs to stabilize and prevent erosion. Where disturbance includes the removal of trees and woody shrubs, native species will be replanted, based on the local species composition.
13. **Reduce Spread of Invasive Species.** To reduce the spread of invasive, nonnative plant species and minimize the potential decrease of palatable vegetation for wildlife species, Caltrans will comply with Executive Order 13112. This order is provided to prevent the introduction of invasive species and provide for their control to minimize economic, ecological, and human-health impacts. In the event that noxious weeds are disturbed or removed during construction-related activities, the contractor will be required to contain the plant material associated with these noxious weeds and dispose of them in a manner that will not promote the spread of the species. The contractor will be responsible for obtaining all permits, licenses, and environmental clearances for properly disposing of materials. Areas subject to noxious weed removal or disturbance will be replanted with fast-growing native grasses or a native erosion-control seed mixture. Where seeding is not practical, the target areas within the Project footprint will be covered to the extent practicable with heavy black plastic solarization material until the end of the Project.
14. **Inclement Weather Restriction.** No work will occur during or within 24 hours following a rain event exceeding 0.2-inch as measured by the National Oceanic and Atmospheric Association National Weather Service for the Soquel, California, (SOQC1) base station.

California Red-legged Frog and San Francisco Garter Snake Specific Measures

As required under the Federal Endangered Species Act, Caltrans will implement reasonable and prudent measures to minimize and avoid take of CRLF. Because suitable habitat is present and CRLF have been documented within 1.5 miles of both project sites, Caltrans will implement both the general avoidance and minimization measures (listed above) and the following species-specific measures:

15. **Proper Use of Erosion Control Devices.** To prevent CRLF and SFGS from becoming entangled or trapped in erosion control materials, plastic monofilament netting (i.e., erosion control matting) or similar material will not be used within the Project footprint. Acceptable substitutes include coconut coir matting or tackifier hydroseeding compounds.
16. **Pre-Construction Surveys.** Pre-construction surveys for CRLF, SFGS, and marbled murrelet will be conducted by the USFWS-approved biological monitor no more than 20 calendar days prior to any initial ground disturbance and immediately prior to ground-disturbing activities (including vegetation removal) within upland habitat identified for the CRLF in the August 2017 Biological Assessment (Caltrans 2017). These efforts will consist of walking surveys of the Project footprint and, if possible, accessible adjacent areas within at least 50 feet of the Project footprint. The biological monitor will investigate potential cover sites when it is feasible and safe to do so. This includes thorough investigation of mammal burrows, rocky outcrops, appropriately sized soil cracks, tree cavities, and debris. Native vertebrates found in the cover sites within the Project footprint will be documented and relocated to an adequate cover site in the vicinity.
17. **Biological Monitoring.** The USFWS-approved biological monitor will be present during construction activities where take of a listed species could occur. Through communication with the resident engineer or his/her designee, the USFWS approved biological monitor may stop work if deemed necessary for any reason to protect listed species and will advise the resident engineer or designee on how to proceed.
18. **Protocol for Species Observation.** The USFWS-approved biological monitor(s) will have the authority to halt work through coordination with the resident engineer in the event that a listed species is observed in the Project footprint. The resident engineer will keep construction activities suspended in any construction area where the biologist has determined that a potential take of the species could occur. Work will resume after observed listed individuals leave the site voluntarily, the biologist determines that no wildlife is being harassed or harmed by construction activities, or the wildlife is removed by the biologist to a release site using USFWS-approved handling techniques.
19. **Handling of Listed Species.** If a listed species is discovered, the resident engineer and USFWS-approved biological monitor will be immediately informed.
 - a. If a CRLF, SFGS, or marbled murrelet gains access to a construction zone, work will be halted immediately within 50 feet until the animal leaves the site or is captured and relocated by the USFWS-approved biological monitor.
 - b. The USFWS will be notified within one (1) working day if a CRLF, SFGS, or marbled murrelet is discovered within the construction site.
 - c. The captured CRLF, SFGS, or marbled murrelet will be released within appropriate habitat outside of the construction area but nearby the capture location. The release habitat will be determined by the USFWS-approved biological monitor.

- d. The USFWS-approved biological monitor will take precautions to prevent introduction of amphibian diseases in accordance with the *Revised Guidance on Site Assessments and Field Surveys for the California Red-legged Frog* (USFWS 2005).

San Francisco Dusky-Footed Woodrat specific conditions

The following additional species-specific measures will be implemented to minimize potential adverse impacts on the San Francisco dusky-footed woodrat:

20. **Pre-construction Surveys for San Francisco Dusky-Footed Woodrat.** Before the start of construction, a qualified biologist will conduct a survey of the Project footprint and a 30-foot buffer beyond the Project footprint boundaries to determine the location of active and inactive woodrat dens. Any dens detected during the surveys will be recorded and mapped in relation to the construction disturbance footprint. In addition, the biologist will evaluate any signs of current woodrat activity, including the presence of fresh scat, freshly chewed vegetation, and the presence of cobwebs covering nest entrances. A 30-foot equipment exclusion buffer will be established around active and inactive dens that can be avoided; within such buffers, all vegetation will be retained and nests will remain undisturbed.
21. **Potential Trapping and Relocation.** If the Project cannot avoid impacts on an active den(s), then a trapping and relocation effort will be implemented. Relocation of trapped woodrats will occur as close as possible to the original den site. If suitable habitat is not available for relocation of woodrats in the Project vicinity, offsite locations will be identified. Trapping of woodrats will be conducted by a qualified biologist who has a current CDFW collection permit to trap and relocate the species. Such trapping will occur outside the breeding season, between September and December. Specific methods for trapping woodrats and relocation of individuals and their nest sites, including identification of suitable sites for relocation, will be developed in collaboration with CDFW.

4. **Correspondence and Other Matters**

Commissioner Kersteen-Tucker has asked to have a line item added after the Directors Report to include **Questions from Planning Commission** on the agenda.

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

A study session has been scheduled for the next meeting. We only have one Consent Item for the next meeting followed by a Study Session on housing laws.

6. **Director's Report**

The Planning Commission has requested that we include a section in the agenda to allow time for questions to staff.

The Community Development Director informed the Planning Commission of recent Board of Supervisors items approved.

The California Environmental Quality Act (CEQA) challenge regarding the Ascension Heights project litigated in court and the court upheld the decision and approved the project.

Staff has released a draft for the Tree Regulation which will be shared with the Steering Committee for comments following the public review period in approx. 1 month.

7. **Adjournment**

The meeting was adjourned at 10:45 am.