



Planning & Building Department Planning Commission

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

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

Action Minutes

MEETING NO. 1576

Wednesday, April 9, 2014

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

Chair Hansson called the meeting to order at 9:02 a.m.

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

Roll Call: Commissioners Present: Dworetzky, Hansson, Kersteen-Tucker (arrived 9:20), Ramirez, Simonson
Commissioners Absent: None
Staff Present: Eggemeyer, Fox, Shu

Legal notice published in the San Mateo County Times on March 29, 2014.

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

None.

Consideration of the Minutes of the Planning Commission meeting of March 12, 2014.

Commissioner Dworetzky moved, and Commissioner Ramirez seconded, that the minutes be approved as submitted. Motion carried 4-0-0-1 (Commissioner Kersteen-Tucker was absent).

Consideration of the Revised Minutes of the Planning Commission meeting of December 11, 2013.

Commissioner Simonson moved, and Commissioner Dworetzky seconded, that the minutes be approved as submitted. Motion carried 4-0-0-1 (Commissioner Kersteen-Tucker was absent).

REGULAR AGENDA

9:00 a.m.

1. **Owner:** Skylawn Memorial Park
Applicant: David Montgomery; Northstar Memorial Group
File No.: PLN2010-00026
Location: 100 Lifemark Road in unincorporated North Skyline
APN: 056-550-020

Consideration of the certification of a Subsequent Mitigated Negative Declaration/Initial Study, pursuant to the California Environmental Quality Act, and an Amendment to Skylawn Memorial Park's Master Use Permit (20-year term) and Resource Management Permit, pursuant to County Zoning Regulations Sections 6500 and 6313, respectively, and a Grading Permit, pursuant to Section 8600 of the San Mateo County Ordinance Code, for the expansion of the previously approved Phase 1 Project to include an additional approximately 7-acre area to prepare the land for in-ground burials as well as the construction of access improvements, involving a total grading quantity of approximately 145,000 cubic yards for the revised project, located at 100 Lifemark Road near the intersection of San Mateo Road (Highway 92) and Skyline Boulevard (Highway 35) in the unincorporated North Skyline area of San Mateo County. Application filed October 1, 2012. PROJECT PLANNER: Camille Leung. Telephone: 650/363-1826 or Email: cleung@smcgov.org.

SPEAKERS:

1. Audrey Zagazeta
2. Rick Miller

COMMISSION ACTION:

Commissioner Dworetzky moved and Commissioner Simonson seconded to close the public hearing. **Motion carried 5-0-0-0.**

Commissioner Simonson moved to approve the project with the addition of conditions requiring that he property owner provide the Planning and Building Department with a copy of the access easement with regard to the Bay Ridge Trail after it is recorded. Additionally, the property owner shall provide traffic enforcement for impacted holidays including (but not limited to) Memorial Day and Ching Ming. Commissioner Ramirez seconded the motion. **Motion carried 5-0-0-0.**

Based on information provided by staff and evidence presented at the hearing, the Planning Commission approved the request, making the findings and adopting conditions of approval as follows:

FINDINGS:

Regarding the Environmental Review, Found:

1. That the Subsequent Mitigated Negative Declaration/Initial Study is complete, correct and adequate, and prepared in accordance with the California Environmental Quality Act (CEQA) and applicable State and County Guidelines. An Initial Study was completed and a Subsequent Mitigated Negative Declaration issued in conformance with CEQA Guidelines. The public review period for this document was March 7, 2014 to April 7, 2014.

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, if subject to the mitigation measures contained in the Mitigated Negative Declaration, will have a significant effect on the environment. For impacts identified in the Subsequent Mitigated Negative Declaration/Initial Study (Subsequent MND/IS) as "significant unless mitigated," the applicant has concurred to the implementation of mitigation measures which, when implemented, ensure that impacts are not significant. The Subsequent MND/IS identifies potential significant impacts to air quality, biological resources, cultural resources, geology and soils, climate change, hazards and hazardous materials, and hydrology and water quality. All mitigation measures of the Subsequent MND/IS have been incorporated as conditions of approval in this attachment. As proposed and mitigated, the project would not result in any significant environmental impacts.
3. That the mitigation measures identified in the Subsequent MND/IS, agreed to by the applicant, placed as conditions on the project, and identified as part of this public hearing, have been incorporated as conditions of project approval (Condition Nos. 13 through 46 below).
4. That the Negative Declaration reflects the independent judgment of the County.

Regarding the Resource Management Permit, Found:

5. That the project is in conformance with the development review criteria for the Resource Management (RM) District as contained within Chapter 20A.2 of the Zoning Regulations. The project, as proposed and conditioned, complies with the policies and objectives of the RM District, including development standards and Site Design, Water Resources, Cultural Resources, and Primary Scenic Resources Criteria. As proposed and conditioned, the project is designed to fit its environment, would replace removed vegetation and proposes additional new landscaping, would reduce project impact to wildlife species to a less than significant level, incorporates geology-related mitigation measures, improves stormwater drainage through bioswales and other drainage features, and would not result in visual impacts to the I-280 State Scenic Corridor.

Regarding Use Permit, Found:

6. 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. As discussed in the Subsequent MND/IS, the project may result in potential significant impacts to air quality, biological resources, cultural resources, geology and soils, climate change, hazards and hazardous materials, and hydrology and water quality. Mitigation measures have been included in the Subsequent MND/IS to reduce these project impacts to a less than significant level. The project would not result in damage to coastal resources, as the specific project site is not located in the Coastal Zone.

Regarding the Grading Permit, Found:

7. That the granting of the permit will not have a significant adverse effect on the environment. After reviewing the Subsequent MND/IS as required by CEQA, staff found that if all mitigation measures were implemented, there would not be a significant adverse effect on the

environment. All recommended mitigation measures in the Subsequent MND/IS as they apply to the project have been incorporated as conditions of approval, below.

8. That the project conforms to the criteria of Chapter 8, Division VII, San Mateo County Ordinance Code, including the standards referenced in Section 8605. The project, as proposed and conditioned, conforms to the standards in the Grading Regulations, including timing of grading activity, erosion and sediment control, and dust control. The project has been reviewed and approved by the County's Department of Public Works and the Planning and Building Department's Geotechnical Engineer.
9. That the project is consistent with the General Plan. The project, as proposed and conditioned, conforms to all applicable General Plan Policies, including policies that encourage the preservation and management of sensitive habitats, regulate grading activities, protect scenic corridors, protect the San Francisco watershed lands, and encourage efficient water use. As proposed, the project would utilize non-potable water for irrigation. As proposed and conditioned, the project protects biological resources, soils resources, and views from I-280 and the San Francisco watershed lands by implementing recommended mitigation measures of the Subsequent MND/IS.

CONDITIONS OF APPROVAL:

Current Planning Section

1. This approval applies only to the proposal, documents, and plans described in this report and submitted to and approved by the Planning Commission on April 9, 2014. Modifications beyond that which was approved by the Planning Commission will be subject to review and approval by the Community Development Director and may require review at a public hearing. Minor modifications that are consistent with the intent of, and in substantial conformance with, this approval may be approved at the discretion of the Community Development Director.
2. The Master Use Permit Amendment, Resource Management Permit, and Grading Permit, shall be valid for twenty (20) years (Phase 1) from the approval date of the original Phase 1 Project, through August 10, 2031. If continuation of this use is desired, the applicant shall file a use permit renewal application with the Planning and Building Department six (6) months prior to the permit's expiration and pay the fees applicable at that time. Any further cemetery development beyond the Phase 1 projects included in this permit shall be reviewed against the regulations in place at the time of application.

National Pollutant Discharge Elimination System (NPDES) Municipal Regional Permit (MRP) Provision C.3. Requirements:

3. Based on the completed C3 and C.6 Development Review Checklist submitted by the applicant on March 4, 2013, new and replaced project impervious surface exceeds 10,000 sq. ft. totaling 12,700 square feet. The applicant shall prepare a Stormwater Management Plan (SWMP) that includes, at a minimum, exhibit(s) showing drainage areas and location of Low Impact Development (LID) treatment measures; project watershed; total project site area and total area of land disturbed; total new and/or replaced impervious area; treatment measures and hydraulic sizing calculations; a listing of source control and site design measures to be implemented at the site; hydromodification management measures and calculations, if

applicable; NRCS soil type; saturated hydraulic conductivity rate(s) at relevant locations or hydrologic soil type (A, B, C or D) and source of information; elevation of high seasonal groundwater table; a brief summary of how the project is complying with Provision C.3 of the Municipal Regional Permit (MRP); and detailed Maintenance Plan(s) for each site design, source control and treatment measure requiring maintenance. Treatment controls shall be designed and sized to treat runoff from new and/or replaced impervious areas only. Regarding hydromodification management measures, since this project is being developed in phases, when the combined impervious areas of the entire phase reaches the limits set by the MRP, then the applicant shall have a licensed civil engineer review the project to determine if the combined project satisfies hydromodification management requirements, or if not, then additional measures will be added to the project to meet these requirements.

4. Based on the completed C3 and C.6 Development Review Checklist submitted by the applicant on March 4, 2013, the applicant proposes to use infiltration methods, including bioinfiltration and an infiltration trench. The following Conditions of Approval apply, if the applicant has demonstrated that it is feasible to infiltrate 80% of the average annual runoff volume:
 - a. In-situ infiltration rate shall be determined or confirmed by means of percolation testing for all infiltration treatment measures and devices.
 - b. Infiltration devices shall not be used where confirmed seasonal high groundwater is less than 10 feet from the bottom of infiltration measure or device.
 - c. Infiltration treatment measures or devices shall be designed in accordance with the infiltration guidance in Appendix E of the C.3 Technical Guidance.
 - d. All infiltration devices shall be located and designed to ensure no damage will occur to surrounding improvements from underground water.
 - e. Soil media within the bioinfiltration measure shall consist of 18 inches of biotreatment soil consistent with Attachment L of the MRP.
 - f. Other parameters of final design shall be consistent with the design guidelines presented in the latest version of the C.3 Technical Guidance.
5. LID treatment measures to be shown on final improvement or grading plans shall not differ materially from the LID treatment measures presented on the project plans, approved on April 9, 2014, without written approval from the Planning Department.
6. The property owner shall comply with the following Operation and Maintenance Agreement Requirements:
 - a. 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&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&M Agreement shall

- provide County access to the property for inspection. The Maintenance Agreement(s) shall be recorded for the property.
- b. The property owner shall be responsible for conducting all servicing and maintenance as described and required by the treatment measure(s) Maintenance Plan(s). Maintenance of all site design and treatment control measures shall be the owner's responsibility.
 - c. The property owner is responsible for submitting an Annual Report accompanied by a review fee to the County by December 31 of each year, as required by the O&M Agreement. The property owner is also responsible for the payment of an inspection fee for County inspections of the stormwater facility, conducted as required by the NPDES Municipal Regional Permit.
 - d. Approved Maintenance Plan(s) shall be kept on-site and made readily available to maintenance crews. Maintenance Plan(s) shall be strictly adhered to.
 - e. Site access shall be granted to representatives of the County, the San Mateo County Mosquito and Vector Control District, and the Water Board, at any time, for the sole purpose of performing operation and maintenance inspections of the installed stormwater treatment systems. A statement to that effect shall be made a part of the Maintenance Agreement for the property.
 - f. The property owner shall be required to pay for all County inspections of installed stormwater treatment systems as required by the Regional Water Quality Control Board or the County.

C.3 Facility Installation Requirement:

7. Within one (1) week of the installation date of the approved facility, the project civil engineer shall notify Richard Lee, Associate Engineer, Department of Public Works, by email rllee@smcgov.org, or fax at 650/363-4859. Notice shall include the installation date of the last component of the approved facility and the name of the project civil engineer. The County will perform a final inspection of the approved facility within 45 days of the date of installation.

Tree Protection:

8. This permit does not authorize the removal of any trees with trunk circumference of more than 55 inches. Such activity would require application for and issuance of a separate Resource Management (RM) Permit. The property owner shall implement the following tree protection plan as required by Mitigation Measure 12:
 - a. Tree protection zones shall be delineated using 4-foot tall orange plastic fencing supported by poles pounded into the ground, located as close to the driplines as possible while still allowing room for construction/grading to safely continue.
 - b. The property owner shall maintain tree protection zones free of equipment and materials storage and shall not clean any equipment within these areas.

- c. Should any large roots or large masses of roots need to be cut, the roots shall be inspected by a certified arborist or registered forester prior to cutting.
- d. Any root cutting shall be monitored by an arborist or forester and documented.
- e. Roots to be cut should be severed cleanly with a saw or topers.
- f. Normal irrigation shall be maintained, but oaks should not need summer irrigation.

The above information shall be on-site at all times.

Grading and Erosion Control:

- 9. For the final approval of the grading permit, the property owner shall ensure the performance of the following activities within thirty (30) days of the completion of grading at the project site:
 - a. The engineer shall submit written certification that all grading has been completed in conformance with the approved plans, conditions of approval/mitigation measures, and the Grading Regulations to the Department of Public Works and the Planning and Building Department's Geotechnical Engineer.
 - 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 Current Planning Section.
- 10. Regarding the entry/exit modifications to Skyline Memorial Park off of Highway 92 (just east of the junction of Highway 35), the applicant shall refine the plan (as preliminarily submitted to CalTrans) to reflect all of their comments per their email dated February 24, 2014. Upon resubmittal to CalTrans and approval, the applicant shall obtain the required encroachment permit from CalTrans to initiate the work, which will require CalTrans' final inspection approval upon completion. This work shall be completed (with CalTrans' final inspection approval) prior to the completion of the next significant grading expansion project undertaken by Skylawn, as an element anticipated under this Master Use Permit approval.

Miscellaneous:

- 11. The property owner shall provide the County Planning and Building Department with a copy of the recorded Access Easement for portions of the Bay Ridge Trail crossing the Skylawn property immediately after the access easement is recorded.
- 12. The property owner shall continue to provide traffic control at the Skylawn entrance/exit for traffic impacted holidays, including, but not limited to, Memorial Day and Ching Ming.

Condition Nos. 13 through 46 are mitigation measures from the Subsequent MND/IS made available on March 7, 2014 (changes made to the mitigation measures of the 2011 MND and the addition of new mitigation measures, are shown in strike-through and underline format):¹

13. **Mitigation Measure 1 (2011 MND Mitigation Measure 20)**: The applicant shall submit a dust control plan to the Planning and Building Department prior to any Phase 1 grading or construction activities. The approved measures shall be implemented prior to beginning any grading and/or construction activities and shall be maintained for the duration of the project grading and/or construction activities. The plan shall, at minimum, include all the "Basic Control Measures" listed in Table 2 ~~4~~ of the BAAQMD CEQA Guidelines (~~see Appendix D~~):
- a. Water all active construction areas at least twice daily.
 - b. Cover all trucks hauling soil, sand and other loose materials or require all trucks to maintain at least 2 feet of freeboard.
 - c. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
 - d. Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites.
 - e. Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.

Additional measures may be required in order to ensure that construction-related activities do not generate elevated levels of dust particulates at any point throughout the duration of the project.

14. **Mitigation Measure 2 (2011 MND Mitigation Measure 12)**: Prior to initial vegetation removal and/or grading activities in the upland portions of the ~~construction zone~~, Phase 1 area, a pre-construction clearance surveys shall be conducted for the California red-legged frog and San Francisco garter snake by a qualified biologist. Should either species be identified, construction activities shall be immediately halted until the frog or snake leaves the construction zone on its own, or is removed by a qualified biologist in possession of an appropriate permit and authorized by the USFWS. The USFWS shall be immediately notified if either species is observed.

Additionally, following the pre-construction clearance survey and prior to any construction-related grading or excavation activities, vegetation will be mowed to eliminate cover habitat for wildlife. A biological monitor would walk in front of the mower to ensure that the California red-legged frog and San Francisco garter snake are not present.

15. **Mitigation Measure 3 (2011 MND Mitigation Measure 17)**: No earlier than 30 days prior to the commencement of any construction activities in coastal scrub or woodland habitats, a survey ~~shall~~ should be conducted to determine if active woodrat nests (stick houses) with young are present within the disturbance zone or within 50 feet of the disturbance zone. If

¹ Mitigation measures may include requirements applicable to other activities and locations not covered by this permit. Under this permit, the Property Owner is only responsible for the implementation of mitigation measures as they apply to this project.

active woodrat nests with young are identified, a fence shall ~~shall~~ should be erected around the nest site at a distance adequate to provide the woodrat sufficient foraging habitat at the discretion of a qualified biologist. Clearing and construction within the fenced area would be postponed or halted until young have left the nest. A qualified biologist should serve as a construction monitor during those periods when disturbance activities will occur near active nest areas to ensure that no inadvertent impacts on these nests occur. If woodrats or nests are observed within the disturbance footprint outside of the breeding period, individuals should be relocated to a suitable location within the Environmental Protection Zone by a qualified biologist in possession of a scientific collecting permit. This will be accomplished by dismantling woodrat nests (outside of the breeding period), to allow individuals to relocate to suitable habitat within the adjacent Environmental Protection Zone. The Environmental Protection Zone contains large expanses of suitable woodrat habitat that would be protected.

16. **Mitigation Measure 4 (2011 MND Mitigation Measure 18)**: If trees or structures are to be removed during the breeding season of native bat species (generally April 1 through August 31 in California), the presence of active bat maternity roosts should be evaluated by a qualified biologist. If the trees/structures to be removed are determined to provide potential bat roosting habitat, a focused survey should then be conducted to determine if an active maternity roost of a special-status bat species is ~~is~~ bats are present. Should an active maternity roost of a special-status bat species be identified, the roost should not be disturbed until the roost is vacated and juveniles have fledged, as determined by the biologist. Once all young have fledged, the tree/structure may be removed.
17. **Mitigation Measure 5 (2011 MND Mitigation Measure 19)**: If a construction project would commence anytime during the nesting/breeding season of native bird species potentially nesting on the site (typically February through August in the project region), a pre-construction survey of the project vicinity for nesting birds shall be conducted. This survey shall be conducted by a qualified biologist (i.e., experienced with the nesting behavior of bird species of the region) within two weeks of the commencement of construction activities. The intent of the survey would be to determine if active nests of special-status bird species or other species protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code are present within the construction zone or within 500 feet of the construction zone. The survey area would include all trees and shrubs in the construction zone and a surrounding 500-~~feet~~foot area. The survey should be timed such that the last survey is concluded no more than two weeks prior to initiation of construction. If ground disturbance activities are delayed following a survey, then an additional pre-construction survey should be conducted such that no more than two weeks will have elapsed between the last survey and the commencement of ground disturbance activities.

If active nests are found in areas that could be directly affected or are within 500 feet of construction and would be subject to prolonged construction-related noise, a no-disturbance buffer zone shall be created around active nests during the breeding season or until a qualified biologist determines that all young have fledged. The size of the buffer zones and types of construction activities restricted within them will be determined through consultation with the CDFG, taking into account factors such as the following:

- a. Noise and human disturbance levels at the construction site at the time of the survey and the noise and disturbance expected during the construction activity;
- b. Distance and amount of vegetation or other screening between the construction site and the nest; and

- c. Sensitivity of individual nesting species and behaviors of the nesting birds.

Limits of construction to avoid an active nest ~~shall~~ should be established in the field with flagging, fencing, or another appropriate barrier, and construction personnel should be instructed on the sensitivity of nest areas. The biologist ~~shall~~ should serve as a construction monitor during those periods when construction activities would occur near active nest areas of special-status bird species to ensure that no impacts on these nests occur.

18. **Mitigation Measure 6 (2011 MND Mitigation Measure 9)**: An updated rare plant survey shall be conducted by a qualified botanist prior to any construction activities commencing ~~after spring of 2012~~ in the Long-Term Development Area. Should any rare plant species be identified, these populations should be avoided to the extent practical. If removal of special-status plant species is required, transplanting to a suitable location in the Environmental Protection Zone will be considered as the first option. Given that the rare plant species of primary concern are evergreen shrubs or lilies, transplanting should be feasible. Prior to the transplanting of any rare plant species, a plant relocation plan shall be developed by a qualified botanist. At a minimum, the plan shall demonstrate the feasibility of replacing the number of individual plants to be removed at a 1:1 ratio. ~~The~~ This plan shall, at a minimum, specify the following: (1) the location of mitigation sites in the Environmental Protection Zone or other suitable locations; (2) methods for harvesting seeds and salvaging and transplantation of individual bulbs/plants to be impacted; (3) site preparation procedures for the mitigation site; (4) a schedule and action plan to maintain and monitor the mitigation area; (5) a list of criteria and performance standards by which to measure success of the mitigation site(s); and ~~(6) measures to exclude unauthorized entry into the mitigation areas; and (7)~~ contingency measures in the event that mitigation efforts are not successful. The plan shall be subject to the approval of the Planning and Building Department prior to the removal of any special-status plant species.
19. **Mitigation Measure 7 (2011 MND Mitigation Measure 10)**: Prior to any grading or construction activities within or adjacent to the Land and Water Management Zones, a qualified botanist shall conduct a survey of the immediate work areas to determine whether any rare plant species are present. If any such species are identified, the botanist shall consult with the Planning and Building Department staff to determine how to proceed. No grading or construction activities shall occur in the area until the botanist and County staff have agreed on an appropriate course of action that will minimize adverse impacts to special-status plant species in the area.
20. **Mitigation Measure 8 (2011 MND Mitigation Measure 16)**: The outer limits of the stand of native grassland located within the Land and Water Management Zone adjacent ~~to Phase 1 development area~~ the Long-Term Development Area shall be identified by a qualified biologist and marked with wooden stakes or other equivalent markers. Development activities would not occur within this area. Land management activities shall not be allowed within the identified area, unless the timing and nature of the activity is found to not pose a threat to ~~bay~~ the Bay checkerspot butterfly by a qualified biologist.
21. **Mitigation Measure 9 (2011 MND Mitigation Measure 13)**: Prior to the commencement of construction activities within 50 feet of a wetland or riparian woodland, a pre-construction clearance survey of the area shall be conducted by a qualified biologist for the California red-legged frogs and San Francisco garter snake. Should either species be identified,

construction activities should be halted until the animal leaves the construction zone on its own, or is removed by a qualified biologist in possession of an appropriate permit and authorized by the USFWS. If it is determined that no red-legged frogs or garter snakes are present, temporary exclusionary fencing shall then be installed around the perimeter of the wetland/riparian woodland and adjacent construction areas. The fencing shall be maintained throughout the duration of construction activities near the wetland/riparian area. The adequacy of the fencing to prevent frogs and snakes from entering the construction zone shall be approved by a qualified biologist prior to the commencement of construction activities and shall be inspected daily to ensure it continues to operate effectively.

22. **Mitigation Measure 10 (2011 MND Mitigation Measure 14):** In order to prevent the accidental removal of wetland habitat (and potentially damaging the habitat of an endangered wildlife species), a qualified biologist shall determine and mark in the field the extent of all wetland areas in and adjacent to Phase 1 development zones near the Long-Term Development Area (see Figure 5). Any grading or construction activities within 50 feet of any wetland habitat shall be referred to and reviewed by the United States Fish and Wildlife Service (USFWS) prior to commencement of any construction activities. Prior to any disturbance within 50 feet of wetland habitats, proof of consultation with and approval by the USFWS shall be submitted to the Planning and Building Department.
23. **Mitigation Measure 11 (2011 MND Mitigation Measure 15):** The San Francisco garter snake is a California Fully Protected Species, which means that the California Department of Fish and Game (CDFG) cannot authorize the take of the species and needs to ensure the adequacy of the avoidance measures to be implemented. Therefore, the CDFG shall be consulted prior to the implementation of construction activities within 50 feet of a wetland habitats and any further recommended avoidance measures shall be implemented. Prior to any disturbance within 50 feet of wetland habitats, proof of consultation with and approval by the CDFG shall be submitted to the Planning and Building Department.
24. **Mitigation Measure 12 (2011 MND Mitigation Measure 11):** Prior to the commencement of construction activities, a tree survey shall be conducted by a qualified arborist indicating all the trees that could be removed or otherwise harmed during Phase 1 construction. At a minimum, the survey shall identify the size (diameter at breast height), species, and condition of the trees. The survey shall also identify which of these trees are considered protected, significant, or heritage trees. If any such trees are identified by the arborist within Phase 1 Project areas, the project applicant shall implement tree protection measures to ensure said trees are not damaged during construction. These measures may include protective fencing, prohibiting construction/grading activities within the dripline of trees to be preserved, or other appropriate measures approved by the Planning and Building Department.
25. **Mitigation Measure 13 (New Mitigation Measure):** In accordance with the Secretary of the Interior's Standards and Guidelines, the identification of historical resources shall be undertaken for the purpose of locating historic properties on the project site, and shall be composed of a number of activities which include, but are not limited to, archival research, informant interviews, field survey and analysis. Such report shall be provided to the Current Planning Section, prior to any alteration of the two-story building. Any alteration is subject to the review and approval of the Community Development Director and, depending on the scope of alteration, may require a building permit. Combinations of these activities may be selected and appropriate levels of effort assigned to produce a flexible series of options. A

qualified archaeologist shall be retained to conduct the identification of historical resources within the extended Phase 1 project area.

26. **Mitigation Measure 14 (New Mitigation Measure):** Should significant historical resources be identified within the revised project site, the following preservation, rehabilitation, restoration, and reconstruction mitigations would reduce project impacts to a less than significant level.
- a. The project applicant shall preserve and retain any architectural resources eligible for listing on the California Register of Historical Resources (CRHR) in their original setting, or rehabilitate the resources according to the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995). New construction near each resource should be consistent with their historic character.
 - b. The project applicant shall preserve and relocate any architectural resources eligible for listing on the CRHR to a different location in the vicinity of their existing locations, or to a different location within the project site appropriate to their historic character, or rehabilitate the resources according to the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995). New construction near each building should be consistent with their historic character.
 - c. The project applicant shall integrate and reuse architectural resources eligible for listing on the CRHR into the new cemetery development, or rehabilitate the resources according to the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995). New construction near each building should be consistent with its historic character.
27. **Mitigation Measure 15 (2011 MND Mitigation Measure 24):** If archaeological and/or cultural resources are encountered during grading or construction activities, work shall be temporarily halted in the vicinity within 30 feet of the discovered materials and workers shall avoid altering the materials and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations. The project applicant or archaeologist shall immediately notify the Current Planning Section of any discoveries made and shall provide the Current Planning Section with a copy of the archaeologist's report and recommendations prior to any further grading or construction activity in the vicinity.
28. **Mitigation Measure 16 (New Mitigation Measure):** Prior to the issuance of the grading permit "hard card," the applicant shall submit an archaeological study of the project site (with the exception of those areas determined not to have cultural resources). The study shall also show the results of attempts to contact local Native American tribe(s) regarding traditional, cultural, and religious heritage values.
29. **Mitigation Measure 17 (New Mitigation Measure):** A discovery of a paleontological specimen during any phase of the project shall result in a work stoppage in the vicinity of the

find until it can be evaluated by a professional paleontologist. Should loss or damage be detected, additional protective measures or further action (e.g., resource removal), as determined by a professional paleontologist, shall be implemented to mitigate the impact.

30. **Mitigation Measure 18 (New Mitigation Measure):** Use existing roads to the maximum extent feasible to avoid additional surface disturbance.
31. **Mitigation Measure 19 (New Mitigation Measure):** During all phases of the project, keep equipment and vehicles within the limits of the previously disturbed areas of the project site. All areas to remain undisturbed shall be delineated on the Erosion Control Plan and the plan shall include measures, such as a fence or other kind of barrier, to demarcate the "limit of disturbance." The property owner shall demonstrate the implementation of these measures prior to issuance of the grading permit "hard card."
32. **Mitigation Measure 20 (New Mitigation Measure):** 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.
33. **Mitigation Measure 21 (New Mitigation Measure):** Prior to any project grading, a subsurface investigation, including exploratory borings, shall be conducted in the area of the fill in order to determine the thickness of the material, as well as the subsurface conditions beneath the fill. This information will be necessary to guide future corrective grading and guidance for construction, drainage, etc. The report shall be submitted to the San Mateo County Planning and Building Department for review by the County Geologist prior to commencement of any grading or construction activities.
34. **Mitigation Measure 22 (2011 MND Mitigation Measure 1):** A design level geotechnical investigation of the Phase 1 Area shall be performed prior to any project grading. The report shall include a static and seismic slope stability analysis of the Phase 1 Area to be graded and developed. The specific mitigation measures to be utilized in order to stabilize identified landslides and areas of potential seismically induced landslides in the Phase 1 Area shall be presented in the report. The report shall be submitted to the San Mateo County Planning and Building Department for review by the County Geologist prior to commencement of any grading or construction activities.
35. **Mitigation Measure 23 (2011 MND Mitigation Measure 6):** Any fills used at the project site shall be properly placed with keyways and subsurface drainage, and adequately compacted following the recommendations of the final geotechnical report and geotechnical engineer, in order to significantly reduce fill sediment. Underground utilities shall be designed and constructed using flexible connection points to allow for differential settlement.
36. **Mitigation Measure 24 (2011 MND Mitigation Measure 7):** Foundation plans shall be submitted to the Planning and Building Department for review prior to issuance of building permits. All foundation excavations shall be observed during construction by the geotechnical

engineer to ensure that subsurface conditions encountered are as anticipated. As-built documentation shall also be submitted to the Planning and Building Department.

37. **Mitigation Measure 25 (2011 MND Mitigation Measure 2)**: The applicant shall obtain a grading permit hard card from the Planning and Building Department prior to commencement of any grading or construction activities.

38. **Mitigation Measure 26 (2011 MND Mitigation Measure 3)**: Prior to beginning any construction activities, the applicant shall submit an Erosion and Sediment Control Plan to include the proposed measures of the Conceptual Erosion Control Plan and additional measures as follows for review and approval by the San Mateo County Planning and Building Department. The plan must be fully implemented and inspected by County Planning and Building Department staff prior to the commencement of any construction and/or grading activities and shall be maintained throughout the duration of the project. Erosion control measure deficiencies, as they occur, shall be immediately corrected. The goal is to prevent sediment and other pollutants from leaving the project site and to protect all exposed earth surfaces from erosive forces. Said plan shall adhere to the San Mateo Countywide Water Pollution Prevention Program (SMCWPPP) "General Construction and Site Supervision Guidelines," including:
 - a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 451 and April 4530. 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 the 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 instructions to all employees and subcontractors regarding the construction best management practices. 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.
- m. Show storm drain inlets in the project vicinity and proposed protection of inlets.
- n. Stabilized construction entrance shall utilize a minimum 3"-4" fractured aggregate over geo-textile fabric.
- o. Provide a designated area for parking of construction vehicles, using aggregate over geo-textile fabric.
- p. Show areas for stockpiling. Cover temporary stockpiles using anchored-down plastic sheeting. For longer storage, use seeding and mulching, soil blankets or mats.
- q. Show location of garbage and/or debris dumpster(s), and portable toilets.

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. Revisions to the approved erosion and sediment control plan shall be prepared and signed by the engineer and reviewed by the Department of Public Works and the Community Development Director.

39. **Mitigation Measure 27 (2011 MND Mitigation Measure 4):** The applicant shall submit a grading and drainage plan (including calculations) to the Planning and Building Department and the Department of Public Works prior to the issuance of any project-related grading or building permits. The grading and drainage plan shall include all requirements listed in Grading Ordinance Section 8604.1.a.5 (*Application Requirements*). The drainage plan shall also include a narrative describing the type, size, and location of all permanent stormwater controls to be utilized in order to ensure compliance with the County's Drainage Policy, the San Mateo Countywide Water Pollution Prevention Plan (SMCWPPP) "General Construction and Site Supervision Guidelines," and National Pollutant Discharge Elimination System (NPDES) Permit Provision C.3.
40. **Mitigation Measure 28 (2011 MND Mitigation Measure 5):** Unless approved in writing and in advance by the Community Development Director, no grading shall be allowed during the winter season (October 451 to April 4530) to avoid potential soil erosion. The applicant shall submit a letter to the Current Planning Section, ~~prior to the issuance of the grading hard card, which illustrates the approximate grading schedule, including start and end dates at least two~~ (2) weeks prior to commencement of grading, stating the date when erosion controls will be installed, date when grading operations will begin, anticipated end date of grading operations, and date of revegetation. All submitted schedules shall represent the work in detail and shall project the grading operations through to completion. (*Includes minor changes to increase the level of mitigation).

41. **Mitigation Measure 29 (New Mitigation Measure):** It shall be the responsibility of the engineer of record to regularly inspect the erosion control measures for the duration of all grading 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.
42. **Mitigation Measure 30 (New Mitigation Measure):** Idling grading or construction equipment shall to comply with best management practices from Bay Area Air Quality Management District guidance. Specifically, idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
43. **Mitigation Measure 31 (2011 MND Mitigation Measure 21):** The applicant shall comply with and follow all guidelines and regulatory requirements as stipulated by the County Environmental Health Division with regard to their use and disposal of all chemicals and fluids resulting from the embalming processes that occur at the Skylawn mortuary.
44. **Mitigation Measure 32 (2011 MND Mitigation Measure 22):** The project applicant (or authorized contractor) shall submit a safety plan for the development of Phase 1. The safety plan shall include measures to reduce and minimize accidents on-site and measures that address the proper procedures to clean up and contain spills. The safety plan shall be approved by the County Building Inspection Section prior to the start of any construction or grading activity on the site.
45. **Mitigation Measure 33 (2011 MND Mitigation Measure 8):** The project applicant shall file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and shall submit proof of filing said NOI to the Planning and Building Department prior to beginning any grading or construction activities. The applicant and all grading/construction contractors shall adhere to all conditions and regulations associated with the State General Construction Activity NPDES Permit.
46. **Mitigation Measure 34 (2011 MND Mitigation Measure 23):** Noise levels produced by proposed construction activities shall comply with the San Mateo County Noise Ordinance contained in Chapter 7.30 (Noise Regulations) Chapter 4.88 (Noise Control) of the County Ordinance Code at all times (this measures has been updated in alignment with San Mateo County Noise Ordinance). Construction activities shall be limited to the hours from 7:00 a.m. to ~~6:00 p.m.~~ 7:00 p.m., Monday through Friday, and ~~9:00 a.m.~~ 8:00 a.m. to 5:00 p.m. on Saturday, ~~construction operations shall be prohibited on Sunday and any national holiday and 12:00 p.m. to 4:00 p.m. on Sundays and Holidays, or at such other hours as may be~~ authorized or restricted by the permit, if at least one of the following noise limitations are met:
 - a. No individual piece of equipment shall produce a noise level exceeding 90-dB at a distance of 25 feet. If the device is housed within a structure or trailer on the property, the measurement shall be made outside the structure at a distance as close to 25 feet from the equipment as possible.

- b. The noise level at any point outside of the property plane of the project shall not exceed 90-dB.
- c. The operation of leaf blowers shall additionally comply with Chapter 10.80 "Operation of Leaf Blowers" (Ordinance 2004-16 Section 1, 2004).

Retained/Updated Conditions of Approval of the Phase 1 Project Approved by the Planning Commission on August 10, 2011 (changes shown in underline and strike-through format):

- 47. The landscaping installed around the westerly and southerly perimeters of Skylawn's existing mausoleum building shall be maintained so that it achieves its maximum screening ability as required. Other than as recommended by a licensed arborist due to the trees' health (whose report shall be submitted to the Planning Department for review and approval), they shall not be trimmed or topped.
- 48. All existing or any new exterior lighting located anywhere on Skylawn's property shall be corrected, placed, and designed such that no light glare is visible from any public road or viewing location from within any surrounding scenic corridor. Where necessary or applicable, the applicant shall submit an exterior lighting plan to the Planning and Building Department for review and approval to ensure that this standard is met. Such a plan shall include the location of all exterior lighting elements, including the manufacturer's specifications for type, design, height, and candle-power. Any and all new freestanding light fixtures shall not exceed four (4) feet in height and shall be placed and designed such that no light glare is visible from any public road or viewing location from within any surrounding scenic corridor. Any existing or new exterior lighting fixtures mounted to any building or structure shall be limited to those required for minimum security and safety purposes at those respective facilities. The glare from such lighting shall not be visible from any public road or viewing location from within any surrounding scenic corridor and shall be confined to those facilities. No existing or future interment projects shall include lighting for after-dark services or visitation except for any such lighting deemed necessary for previously cited minimum safety/security purposes. No up-lighting or display lighting intended to illuminate any building, structure, or surrounding landscaping shall be allowed.
- 49. The project shall make use of native species that are appropriate to hillside ecology, that blend the surrounding environment, and that reduces the carbon footprint caused by the maintenance of trees, shrubs, and groundcover. Native plants, including drought and fire resistant plants, shall be used to the extent feasible throughout the proposed developed areas. Alternative sources of irrigated water, that may be available to the project applicant (including wastewater reuse), shall be pursued to meet the future irrigation needs to further reduce water demand. The property owner shall demonstrate compliance with this condition prior to the completion of the grading permit and each building permit for the project.
- 50. (For projects that do not require a building permit): Prior to the grading "hard card" issuance, the applicant shall coordinate with a building technician to open a building permit case and pay applicable fees for the completion and tracking of monthly erosion and sediment control inspections during the rainy season, as required by the Regional Water Quality Control Board, ~~and weekly construction inspections during the rainy season for sites within the ASBS watershed, as required by the Special Protections.~~

51. (Required for any project with a newly approved, privately maintained street): Prior to final approval of the building permit by the Department of Public Works, on-site storm drain inlets shall be clearly marked with the words "No Dumping! Flows to Bay," or equivalent using thermoplastic material or a plaque.
52. Skylawn's waste storage and removal plan shall continue to be in compliance with County Environmental Health Division requirements.
53. Skylawn shall continue to work with the San Francisco Public Utilities Commission (SFPUC), Golden Gate National Recreation Area (GGNRA), and the Bay Area Ridge Trail Council to accommodate the Bay Area Ridge Trail currently proposed on Skylawn's property along its eastern boundary per the adopted alternative as discussed in the SFPUC's 1999 Draft Environmental Impact Report (EIR) for its Watershed Management Plan. The site plan of any proposed Skylawn project along or near the trail shall show its actual designated trail boundaries to the degree that they are known at the time of that project's subsequent submittal and review. While Skylawn agrees to cooperate in the trail's development, they shall be under no financial or maintenance obligations associated with the trail acquisition or development as a condition of this permit. The easement and/or agreement for this area must be recorded prior to its inclusion in the Bay Area Ridge Trail.
54. All Phase 1 and Revised Phase 1 projects shall comply with the ~~Model County's Water Efficient Landscape Ordinance according to Assembly Bill 1881 (effective January 1, 2010)~~. Prior to issuance of any Phase 1 grading or building permits, the applicant shall submit all applicable studies, analyses, reports, and proposals to the San Mateo County Planning and Building Department for review and approval.
55. This grading permit approval shall act as the master (umbrella) grading permit throughout the 20-year development of Phase 1. Total earthwork quantities for all Phase 1 development shall not exceed ~~50,000~~ 145,000 cubic yards. Prior to commencement of any such grading or land clearing activities, the applicant must obtain a separate grading permit for each individual Phase 1 and revised Phase 1 project. Each grading permit application will be reviewed by Planning and Building Department staff to ensure compliance with the Grading Ordinance, the Mitigated Negative Declaration prepared for this project, and National Pollutant Discharge Elimination System (NPDES) regulations. No site disturbance may occur until a complete "hard card" has been issued for each project.
56. When submitting grading permit applications for each Phase 1 project, the applicant shall submit a grading and drainage plan (including calculations) to the Planning and Building Department and the Department of Public Works prior to the issuance of any project related grading or building permits. The grading and drainage plan shall include all requirements listed in Grading Ordinance Section 8604.1.a.5 (*Application Requirements*). Grading Plans shall demonstrate that finished contours blend with existing contours in the project vicinity. The drainage plan shall also include a narrative describing the type, size, and location of all permanent stormwater controls to be utilized in order to ensure compliance with the County's Drainage Policy, the San Mateo County Water Pollution Prevention Plan (SMCWPPP), and NPDES Provision C.3. Said plan must contain project-specific erosion and sediment control measures that are best suited to address both construction related impacts and ongoing post construction stormwater management. ~~The plan shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:~~

- a. ~~Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15. 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 the 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 instructions to all employees and subcontractors regarding the construction best management practices.~~
57. For all Phase 1 projects, the approved project-specific Erosion and Sediment Control Plan must be fully implemented and the measures inspected by County Planning and Building Department staff prior to the commencement of any construction and/or grading activities and shall be maintained throughout the duration of the project. Erosion control measures shall be routinely inspected and any deficiencies shall be immediately corrected. All erosion and sediment control measures must be maintained in manner that prevents sediment and other pollutants from leaving the project site and protects all exposed earth surfaces from erosive forces to the maximum extent possible.
58. The applicant shall seed all disturbed areas (beyond the improved portions of any new project site) with a native grassland mix applied in conjunction with mulch and tackifier, as directed

and overseen by the applicant's landscape architect, as soon as grading or clearing activities are completed in order to minimize the potential establishment and expansion of exotic plant species into newly-graded areas. Where a building permit is required, planning staff shall confirm that such revegetation/reseeding has been adequately applied prior to the Building Inspection Section's final inspection of the project's respective building permit.

59. The engineer who prepared the approved Grading and Drainage Plan shall be responsible for the inspection and certification of the grading as required by Section 8606.2 of the Grading Ordinance. The engineer's responsibilities shall include those relating to non-compliance detailed in Section 8606.5 of the Grading Ordinance.
60. At the completion of work, the engineer who prepared the approved Grading and Drainage Plan shall certify, in writing, that all grading, lot drainage, and drainage facilities have been completed in conformance with the approved plans, as conditioned, and the Grading Ordinance. Said engineer shall also submit a signed "as-graded" grading plan conforming to the requirements of Section 8606.6 of the Grading Ordinance.
61. The applicant shall submit, for review by the Department of Public Works and the appropriate Fire District, a plan and profile of: (1) the existing and proposed access from the nearest publicly maintained roadway to the proposed project site, and (2) any new roadways proposed during Phase 1 development. When appropriate, this plan and profile shall be prepared from elevations and alignment shown on the roadway improvement plans. The roadway plan shall also include and show specific provisions and details for both the existing and the proposed drainage patterns and drainage facilities. All new areas shall meet Cal-Fire access requirements including slope, surface, weight, and width requirements at time of building or grading permit application.
62. Pursuant to San Mateo County Ordinance Section 8605.5, all equipment used in grading operations shall meet spark arrester and firefighting tool requirements, as specified in the California Public Resources Code.
63. Where building permits are required, the applicant shall apply for and be issued a building permit prior to beginning any construction activities. Building permits may be required for proposed structures including mausoleum/columbarium facilities, retaining walls, storage tanks, permanent stormwater retention/treatment facilities, etc.
64. The applicant shall comply with the California Green Regulations of the California Building Code~~County Green Building Ordinance, Ordinance No. 04411~~, and any revision thereto in effect at the time of building permit application.
65. Any new electric or telephone utilities serving any new structure or facility throughout Skylawn's property shall be placed entirely underground, leading from the closest existing utility pole to the project site. Such undergrounding shall clearly be indicated on any required building plans.
66. The project applicant (or authorized contractor) shall submit a safety plan for the development of Phase 1. The safety plan shall include measures to reduce and minimize accidents on-site and measures that address the proper procedures to clean up and contain spills. The safety plan shall be approved by the County Building Inspection Section prior to the start of construction activity on the site.

- 67. The Department of Fish and Game has determined that this project is not exempt from Department of Fish and Game California Environmental Quality Act filing fees for the Initial Study and Mitigated Negative Declaration pursuant to Fish and Game Code Section 711.4. The applicant shall pay to the San Mateo County Recorder's Office an amount of ~~\$2,094.00~~ 2,181.25, plus the a ~~\$50.00~~ applicable County Recorder filing fee to the San Mateo County Clerk, with in four (4) days of completion of the appeal period, which period expires on ~~August 25, 2014~~ April 23, 2014, unless these permits are appealed to the San Mateo County Board of Supervisors and a new decision date is determined.
- 68. Prior to the submittal of any grading and/or building permits associated with any development of the subject Master (Phase 1) Use Permit, the applicant shall schedule a meeting with the County Community Development Director, or his/her designee, to ensure the project's compliance with all applicable conditions of approval of this permit. This meeting shall include, where necessary, representatives from the County Planning and Building Department, Department of Public Works and Environmental Health Division and the County Fire Authority. The applicant shall be responsible for ensuring the attendance at this meeting of any current or new/future architects, landscape architects, geotechnical/civil engineers, biologist, ongoing or specific project managers and any other applicable consultants. It shall also be the applicant's responsibility to ensure that such project-related personnel and consultants comply with all applicable conditions of approval. Finally, the applicant shall be aware that any development on the subject property or that proposed within the cited Phase 1 area will be subject to the most current versions of County Building, Public Works, Environmental Health, County Fire Authority and/or any State-mandated regulations.
- 69. Prior to the issuance of any Phase 1 grading or building permits, the property owner shall enter into a Memorandum of Understanding (MOU) with the County to require the property owner to maintain the 201-acre area of the Environmental Management Zone (EMZ), with the area as defined and approximated by a map which is subject to the approval of the County. The MOU shall require the creation and recordation of a conservation easement over the area, as more specifically defined and surveyed over time, which shall be recorded with the County Recorder's Office by August 10, 2031, prior to the issuance of any Phase 1 grading or building permits.

San Mateo County Fire Department

- 70. All new areas to meet San Mateo County Fire Department access requirements, including slope, surface, weight requirements and width at time of building permit application. All new and existing road access to have signage and street naming approved by the San Mateo County Fire Marshal.

- 2. **Owner: Jeffrey B. Straubel**
Applicant: Leopold Vandeneynde
 File No.: PLN2013-00073
 Location: 18000 Skyline Blvd in unincorporated Woodside
 APN: 078-300-070

Consideration of an Initial Study and Mitigated Negative Declaration, an Architectural Review Permit, a Resource Management Permit, and a Grading Permit to allow for the legalization of a

1,053 sq. ft. structure with an attached 928.5 sq. ft. deck and repairs to an existing septic system. The Grading Permit is required in order to allow for 1,452 cubic yards of cut and fill in order to improve the existing access road up to current emergency vehicle access standards. Two redwood trees are proposed for removal in order to accommodate the road improvements. Application filed February 28, 2013. PROJECT PLANNER: Angela Chavez. Telephone: 650/599-7217 or Email: achavez@smcgov.org.

SPEAKERS:

1. Jeffrey Straubel
2. Geoffrey Goldsberry

COMMISSION ACTION:

Commissioner Dworetzky moved and Commissioner Simonson seconded to close the public hearing. **Motion carried 5-0-0-0.**

Commissioner Simonson moved to approve the project with the addition of a condition requiring that two 10-gallon redwood trees be planted at a location of the property owner's discretion. Commissioner Dworetzky seconded the motion. **Motion carried 5-0-0-0.**

Based on information provided by staff and evidence presented at the hearing, the Planning Commission approved the request, making the findings and adopting conditions of approval as follows:

FINDINGS:**Regarding the Mitigated Negative Declaration, Found:**

1. That the Planning Commission does hereby find that this Mitigated Negative Declaration reflects the independent judgment of San Mateo County.
2. That the 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, 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.
4. That the mitigation measures in the Mitigated Negative Declaration and agreed to by the owner and placed as conditions on the project have been incorporated into the Mitigation Monitoring and Reporting Plan in conformance with the California Public Resources Code Section 21081.6.

Regarding the Resource Management District Permit, Found:**General Criteria**

5. That the project conforms to the Development Review Criteria contained in Chapter 20A.2 of the San Mateo County Zoning Regulations. The project complies with Section 6324.1 and Section 6324.4, which respectively address the potential for environmental impacts and water resources, as the project will not introduce noxious odors, chemical agents, or long-term noise levels. The project also complies with Sections 6324.2 through 6325.1, which address site design criteria, utilities, cultural resources, hazards and primary scenic resource areas, as the project is not located near any sensitive habitats or waterways. The project, as designed and conditioned, preserves the majority of mature trees and dominant vegetation. While the project is located within the scenic corridor, its design, existing topography and vegetation ensure that the impact from scenic public viewpoints is minimal.

Regarding the Architectural Review Permit, Found:

6. That the project complies with the criteria of the State of California Streets and Highways Code as it pertains to the Skyline State Scenic Corridor. The proposed project results in on-site improvements only. The proposed development has been carefully located so that distance, topography, existing development, and existing vegetation provide a visual buffer from public viewpoints. The project utilizes colors and materials, which are natural in appearance and earth toned, that helps them to blend with the surrounding environment. The project also respects the natural topography of the site and has clustered the structures together to minimize site disturbance. Overall, the project has been designed and sited as to remain subordinate and complementary to the site.

Regarding the Grading Permit, Found:

7. That this project, as conditioned, will not have a significant adverse effect on the environment. The project has been reviewed by Planning staff and the Department of Public Works, which found that the project can be completed without significant harm to the environment as conditioned.
8. 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 Chapter 8, Division VII, San Mateo County Ordinance Code, including the standards referenced in Section 8605 and the San Mateo County General Plan.

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 April 9, 2014. The Community Development Director may approve minor revisions or modifications to the project if they are found to be consistent with the intent of and in substantial conformance with this approval.

2. This permit shall be valid for two (2) years from the date of approval in which time a building permit shall be issued. Any extension of this permit shall require submittal of an application for permit extension and payment of applicable extension fees sixty (60) days prior to the expiration date.
3. The Department of Fish and Game has determined that this project is not exempt from Department of Fish and Game California Environmental Quality Act filing fees per Fish and Game Section 711.4. The applicant shall pay to the San Mateo County Recorder's Office an amount of \$2,231.25 plus the applicable recording fee at the time of filing of the Notice of Determination by the County Planning and Building Department staff within ten (10) business days of the approval.
4. 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 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 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 weeks of seeding/planting.
 - e. Construction entrances shall be stabilized immediately after grading and frequently maintained to prevent erosion and control dust.
 - f. Control wind-born dust through the installation of wind barriers such as hay bales and/or sprinkling.
 - g. Soil and/or other construction-related material stockpiled on-site shall be placed a minimum of 200 feet from all wetlands and drain courses. Stockpiled soils shall be covered with tarps at all times of the year.
 - h. Intercept runoff above disturbed slopes and convey it to a permanent channel or storm drains by using earth dikes, perimeter dikes or swales, or diversions. Use check dams where appropriate.

- i. Provide protection for runoff conveyance outlets by reducing flow velocity and dissipating flow energy.
 - j. 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. 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.
5. The applicant shall submit a dust control plan to the Planning Department for review and approval prior to the issuance of a building permit for the project. The approved plan shall be implemented for the duration of any grading, demolition, and construction activities that generate dust and other airborne particles. The plan shall include the following control measures:
- a. Water all active construction areas at least twice daily.
 - b. Water or cover stockpiles of debris, soil, sand, or other materials that can be blown by the wind.
 - c. Cover all trucks hauling soil, sand and other loose materials or require all trucks to maintain at least 2 feet of freeboard.
 - d. Apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking and staging areas at construction sites. Also, hydroseed or apply non-toxic soil stabilizers to inactive construction areas.
 - e. Sweep daily (preferably with water sweepers) all paved access roads, parking and staging areas at construction sites.
 - f. Sweep adjacent public streets daily (preferably with water sweepers) if visible soil material is carried onto them.
 - g. Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.).
 - h. Limit traffic speeds on unpaved roads within the project parcel to 15 mph.

- i. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
 - j. Replant vegetation in disturbed areas as quickly as possible.
6. All grading and construction activities associated with the proposed project shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday. Construction activities will be prohibited on Sunday and any nationally observed holiday. Noise levels produced by construction activities shall not exceed the 80-dBA level at any one moment.
7. 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 the 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.
8. The applicant shall submit an on-site drainage plan, as prepared by a civil engineer, showing all permanent, post-construction stormwater controls and drainage mechanisms at the time of each respectively submitted project application. The required drainage plan shall show, in all respective cases, the mechanisms necessary to contain all water runoff generated by on-site impervious surfaces, and to reduce the amount of off-site runoff through the use of on-site percolation facilities. The drainage plan shall also include facilities to minimize the amount of pollutants in stormwater runoff through on-site retention and filtering facilities.

The on-site drainage plan shall be submitted to the Current Planning Section for review and approval by the Community Development Director prior to the issuance of building permits. The plan shall be included as part of the project's final building permit application and construction plans. The County Building Inspection Section shall ensure that the approved plan is implemented prior to the project's final building and/or grading inspection approval.

9. Prior to building permit issuance, the project sponsor shall incorporate via a note on the first page of the construction plans that, should cultural resources be encountered during site grading or other site work, such work shall immediately be halted in the area of discovery and the project sponsor shall immediately notify the Community Development Director of the discovery. The applicant shall be required to retain the services of a qualified archaeologist for the purpose of recording, protecting, or curating the discovery as appropriate. The cost of the qualified archaeologist and of any recording, protecting, or curating shall be borne solely by the project sponsor. The archaeologist shall be required to submit to the Community

Development Director for review and approval a report of the findings and methods of curation or protection of the resources. No further grading or site work within the area of discovery shall be allowed until the preceding has occurred. Disposition of Native American remains shall comply with CEQA Guidelines Section 15064.5(e). The note on the plans shall be subject to review and approval of the Current Planning Section.

10. The applicant is responsible for ensuring that all contractors minimize the transport and discharge of pollutants from the project site into local storm drain systems and water bodies by adhering to the San Mateo Countywide Stormwater Pollution Prevention Program and General Construction and Site Supervision Guidelines, including:
 - 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.

11. Only two trees are approved for removal as part of this permit approval. A separate permit shall be required for the removal of any additional trees. An application and processing, including applicable fees, shall be required prior to any additional tree removal.
12. The applicant shall provide to the Current Planning Section a color sample of the described earth-toned brown color, for the cottage prior to the issuance of the building permit for review and approval. The applicant is required to maintain the approved materials and colors.
13. The applicant shall plant two 10-gallon redwood trees at a location of the owner's discretion. The applicant shall provide photographic documentation to the Planning and Building Department prior to the project's final building permit approval.

Building Inspection Section

14. The applicant shall comply with all requirements of the Building Inspection Section at the building permit stage of the application.

Environmental Health Division

15. At the building application stage, the applicant shall submit an application for a septic system along with three sets of septic design plans to the Environmental Health Division for approval. The existing septic tank was installed backwards and will need to be replaced or reinstalled properly.
16. At the building application stage, the applicant shall submit documentation for the water source to serve the cottage.

Geotechnical Section

17. The applicant shall comply with all requirements of the Geotechnical Section prior to the issuance of the building permit and during the construction phase of the project.
18. The project was reviewed by the Geotechnical Section of San Mateo County and is thereby subject to the \$240.00 review fee. This amount shall be paid to the San Mateo County Planning and Building Department staff within ten (10) business days of the approval.

Department of Public Works

19. 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.
20. The applicant shall submit, for review by the Department of Public Works and the appropriate Fire District, a plan and profile of both the existing and the proposed access from the nearest publicly maintained roadway to the proposed building site.
21. Should the access shown go through neighboring properties, the applicant shall provide documentation that "ingress/egress" easements exist providing for this access.

22. The applicant shall submit a permanent stormwater management plan in compliance with the County's Drainage Policy and NPDES requirements for review and approval by the Department of Public Works.
23. 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 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 plans and submitted to the Department of Public Works for review and approval.

Cal-Fire

24. An Alternate Methods or Materials Request has been approved by the Fire Marshal for this project to mitigate access. A modified 13D system will be required as follows: 3-head calculation for the three most hydraulically demanding heads without regard to partitions; bathrooms, closets and pantries will have fire sprinkler coverage; all attic access shall have on head coverage; a remote inspector's test; an exterior alarm bell and an interior alarm. This condition shall be met at the building permit phase of the project.
25. This project is located in a wildland urban interface area. Roofing, attic ventilation, exterior walls, windows, exterior doors, decking, floors, and underfloor protection shall meet CRC R327 or CBC Chapter 7A requirements. You can visit the Office of the State Marshal's website at: http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland.php and click the new products link to view the "WUI Products Handbook." This condition is to be met at the building permit phase of the project.
26. All buildings that have a street address shall have the number of that address on the building, mailbox, or other type of sign at the driveway entrance in such a manner that the number is easily and clearly visible from either direction of travel from the street. New residential buildings shall have internally illuminated address numbers contrasting with the background so as to be seen from the public way fronting the building. Residential address numbers shall be at least 6 feet above the finished surface of the driveway. An address sign shall be placed at each break of the road where deemed applicable by the San Mateo County Fire Department. Numerals shall be contrasting in color to their background and shall be no less than 4 inches in height, and have a minimum 1/2-inch stroke.
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 20 feet wide, all weather surface, 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% 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 compaction and weight it will support.

28.
 - a. 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.
 - b. 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 neither 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.
 - c. Remove that dead or dying portion of any tree which extends over the roofline of any structure.
29. Smoke and Carbon Monoxide detectors are required to 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.
30. An approved Automatic Fire Sprinkler System meeting the requirements of NFPA-13D is required to be installed in your project. Plans shall include attached garages and detached garages or accessory structures at or above 1,000 sq. ft. Plans shall be submitted to the San Mateo County Building Inspection Section for review and approval by the San Mateo County Fire Department.
31. All dead end roadways shall be terminated by a turnaround bulb of not less than 96 feet in diameter. Alternates such as hammerhead turnarounds may be approved by the Fire Marshal.
32. A site plan showing all required components of the water system is required to be submitted with the building plans to the San Mateo County Building Inspection Section for review and approval by the San Mateo County Fire Department. Plans shall show the location, elevation and size of required water storage tanks, the associated piping layout from the tank(s) to the building/structures, the size of and type of pipe, the depth of cover for the pipe, technical data sheets for all pipes, joints, valves, valve indicators, thrust block calculations, joint restraint, the location of the standpipe/hydrant, and the location of any required pumps and their size and specifications.
33. Because of the fire flow and automatic sprinkler requirements for your project, an on-site water storage tank is required. Based upon building plans submitted to the San Mateo County Planning and Building Department, the San Mateo County Fire Department has determined that a minimum of 7,500 gallons of fire protection water will be required, in addition to the required domestic water storage. Plans showing the tank(s) type, size, location and elevation are to be submitted to the San Mateo County Fire Department for review and approval.
34. The water storage tank(s) shall be so located as to provide gravity flow to a standpipe/hydrant. Plans and specifications shall be submitted to the San Mateo County Building Inspection Section for review and approval by the San Mateo County Fire Department.

35. An interior and exterior audible alarm activated by automatic fire sprinkler system water flow is required to be installed in all residential systems as outlined and meeting the requirements of NFPA-13D. All hardware is to be included on the submitted sprinkler plans.
 36. A Wet Draft Hydrant with a 4 1/2" National Hose Thread outlet with a valve shall be mounted not less than 2 feet above-ground level and within 5 feet of the main access road or driveway, and not less than 50 feet from any portion of any building, nor more than 150 feet from the main residence or building.
 37. The standpipe/hydrant shall be capable of a minimum fire flow of 1,000 GPM.
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3. **Correspondence and Other Matters**

Jim Eggemeyer proposed that the Commissioners consider receiving training and or materials from the American Planning Association.

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

Two items are tentatively scheduled for the meeting of April 23, 2014. In both cases, the applicant is the Department of Public Works. A resolution and luncheon recognizing former Commissioner Gail Slocum are planned.

5. **Director's Report**

None

6. **Adjournment**

The meeting adjourned at 10:40 a.m.