



Planning & Building Department Planning Commission

Kumkum Gupta, 1st District
Frederick Hansson, 2nd District
Lisa Ketcham, 3rd District
Manuel Ramirez, Jr., 4th District
Mario Santacruz, 5th District

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

ACTION MINUTES- DRAFT

DRAFT (revised)

MEETING NO. 1712

Wednesday, November 10, 2021

BY VIDEOCONFERENCE ONLY

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

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

Roll Call: Commissioners Present: Ketcham, Hansson, Gupta, Santacruz
Commissioners Absent: Ramirez
Staff Present: Monowitz, Fox, Montes

Legal notice published in the San Mateo County Times on **October 30, 2021** and the Half Moon Bay Review on **November 3, 2021**.

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

None

CONSENT AGENDA

1. Consideration of the Minutes of the Planning Commission meeting of **October 13, 2021**.

2. Remote Meetings Under Brown Act

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

Commissioner Hansson motioned to approve the minutes as revised. Commissioner Gupta seconded the motion. **Motion carried 3-0-1-1.** (Commissioner Santacruz abstained)

**REGULAR AGENDA
9:00 a.m.**

- 3. **Owner:** Abraham Fong
Applicant: Dan Barker
 File Number: PLN2020-00228
 Location: 747 Lakeview Wy, Emerald Lake Hills (District 3)
 Assessor’s Parcel No’s: 068-061-030

Consideration of a Bayside Design Review Permit and Non-Conforming Use Permit to legalize 365 sq. ft. of existing construction and permit a 290 sq. ft. addition to an existing 2-story residence to create an attached 2 car garage on a 6,288 sq. ft. non-conforming parcel. A Non-Conforming Use Permit is required to allow lot coverage of 33% where 25% is the maximum and 3243 sq. ft. of floor area where 2,400 sq. ft. is the maximum. Minimal grading is proposed and no tree removal.

SPEAKERS:

- 1. Daniel Barker
- 2. Abraham Fong

COMMISSION ACTION

Public hearing was closed by unanimous consent.

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

Motion carried 4-0-0-1 (Commissioner Ramirez absent)

Based on information provided by staff and evidence presented at the hearing, the Planning Commission approved the Design Review Permit and Non-Conforming Use Permit for County File Number PLN 2020-00228, based on and subject to the required findings and conditions of approval as follows:

FINDINGS

For the Environmental Review, Found:

- 1. This project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15301, Class 1, relating to addition of 50 percent of the floor area of the structures before the addition, or 2,500 sq. ft., whichever is less an urbanized area where all public services and facilities are available, and the project area is not environmentally sensitive. The existing residence is served by water and sewer districts, and the project is located on a site that has been previously disturbed and is not environmentally sensitive.

For the Design Review, Found:

- 2. That the proposed house addition, as proposed and conditioned, is in compliance with the Design Review Standards due to the use of materials and colors is compatible with the natural setting and the immediate area.

For the Use Permit, Found:

3. That the project complies with the required findings for a Non-Conforming Use Permit per Section 6133.3 in that:
 - a. The project was reviewed by the Emerald Lake Hills Design Review Officer who found that the project complies with the design review standards and the recommended approval of the design. The proposed development complies with the RH Zoning District with the exception of the request for additional lot coverage and floor area;
 - b. The proposed development is reasonably proportioned to the size of the parcel on which it is being built, as all the exceptions are modest in nature and the proposal is as nearly in conformance with the zoning regulations currently in effect as is reasonably possible;
 - c. There are no feasible opportunities to acquire land to make the subject parcel conforming, as adjacent parcels are substandard in size and currently developed;
 - d. The establishment, maintenance, and/or conducting of the proposed use will not be detrimental to property or the neighborhood.
 - e. The Use permit approval does not constitute a granting of special privileges as the exceptions would allow a reasonably sized 3,242 sq. ft. residence and would not cause the residence to appear to be out of scale with the property, specifically as viewed from Lakeview Way; and,
 - f. The project is similar to the development allowed on other parcels in the neighborhood.

CONDITIONS OF APPROVAL

Current Planning Section

1. The project shall be constructed in compliance with the plans approved by the Planning Commission. Any changes or revisions to the approved plans shall be submitted for review by the Community Development Director to determine if they are in substantial compliance with the approved plans, prior to being incorporated into the building plans. Adjustments to the design of the project may be approved by the Design Review Officer if they are consistent with the intent of and are in substantial conformance with this approval. Adjustments to the design during the building permit stage may result in the assessment of additional plan resubmittal or revision fees. Alternatively, the Design Review Officer may refer consideration of the adjustments, if they are deemed to be major, to a new Emerald Lake Hills Design Review public hearing which requires payment of an additional fee of \$1,500.
2. The garage door shall be modified to include windows to increase compliance with design standards on this elevation. Revised plans showing the proposed color and material application shall be submitted for review by the Design Review Officer prior to the Planning Commission hearing.
3. No significant trees are proposed for removal. All trees shall be protected from damage during construction. Any removal of trees greater than 6 inches in diameter at breast height is subject to the San Mateo County Tree Ordinance and will require a separate permit for removal.
4. The approved exterior colors and materials shall be verified prior to final approval of the building permit. The applicant shall provide photographs to the Design Review Officer to verify adherence to this condition prior to a final building permit sign-off by the Current Planning Section.

5. Once the building is under construction, prior to the below floor framing inspection or the pouring of the concrete slab (as the case may be) for the lowest floor(s), the applicant shall provide to the Building Inspection Section a letter from the licensed land surveyor or engineer certifying that the lowest floor height, as constructed, is equal to the elevation specified for that floor in the approved plans. Similarly, certifications on the garage slab and the topmost elevation of the roof are required.

If the actual floor height, garage slab, or roof height, as constructed, is different than the elevation specified in the plans, then the applicant shall cease all construction and no additional inspections shall be approved until a revised set of plans is submitted to and subsequently approved by both the Building Official and the Community Development Director.
6. The applicant shall adhere to all requirements of the Building Inspection Section, the Department of Public Works, and the County Fire Department.
7. No site disturbance shall occur, including any grading or tree/vegetation removal, until a building permit has been issued.
8. To reduce the impact of construction activities on neighboring properties, comply with the following:
 - a. All debris shall be contained on-site; a dumpster or trash bin shall be provided on-site during construction to prevent debris from blowing onto adjacent properties. The applicant shall monitor the site to ensure that trash is picked up and appropriately disposed of daily.
 - b. The applicant shall remove all construction equipment from the site upon completion of the use and/or need of each piece of equipment which shall include but not be limited to tractors, back hoes, cement mixers, etc.
 - c. The applicant shall ensure that no construction-related vehicles impede through traffic along the right-of-way on Lakeview Way or Vernal Way. All construction vehicles shall be parked on-site outside the public right-of-way or in locations which do not impede safe access on Lakeview Way or Vernal Way. There shall be no storage of construction vehicles in the public right-of-way.
9. Noise sources associated with demolition, construction, repair, remodeling, or grading of any real property shall be limited to the hours from 7:00 a.m. to 6:00 p.m., weekdays, and 9:00 a.m. to 5:00 p.m., Saturdays. Said activities are prohibited on Sundays, Thanksgiving, and Christmas (San Mateo Ordinance Code Section 4.88.360).

Building Inspection Section

10. A building permit is required.

Drainage

11. At the time of the building permit submittal, the project shall be required to comply with the County's "prescriptive" drainage review requirements.
12. The roof storm drain lines shall be kept separate from any required perforated foundations subdrains.

13. The storm drain line shall daylight to a bubbler grate adjacent to the permeable paver area, at which point it shall overflow to the pavers (rather than a direct connection to the permeable paver underlayer as currently shown).

Woodside Fire Protection District

14. The applicant shall secure adequate water service from the City of Redwood City Municipal Water Department.

Department of Public Works

15. The project shall comply with the County drainage policy to prevent stormwater from development from flowing across property lines. For projects that trigger size and/or slope thresholds, prior to the issuance of the building permit or planning permit (for Provision C3 Regulated Projects), 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 and Planning and Building Department for review and approval. The drainage analysis shall consist of a written narrative and a plan. The flow of the stormwater onto, over, and off of the property shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the pattern of flow. The analysis shall detail the measures necessary to certify adequate drainage. Post-development flows and velocities shall not exceed those that existed in the pre-developed state. Recommended measures shall be designed and included in the improvement plans and submitted to the Department of Public Works and Planning and Building Department for review and approval.
16. Prior to the issuance of the building permit, the applicant shall submit a driveway "Plan and Profile," to the Department of Public Works, showing the driveway access to the parcel (garage slab) complying with County Standards for driveway slopes (not to exceed 20 percent) and to County Standards for driveways (at the property line) being the same elevation as the center of the access roadway. When appropriate, as determined by the Department of Public Works, this plan and profile shall be prepared from elevations and alignment shown on the roadway improvement plans. The driveway plan shall also include and show specific provisions and details for both the existing and the proposed drainage patterns and drainage facilities.
17. No proposed construction work within the County right-of-way shall begin until County requirements for the issuance of an encroachment permit, including review of the plans, have been met and an encroachment permit issued. The applicant shall contact a Department of Public Works Inspector 48 hours prior to commencing work in the right-of-way. All existing improvements in the right-of-way shall be removed or legalized, including the recording of a maintenance agreement.
18. Prior to the issuance of the Building Permit, the applicant shall be required to provide payment of "roadway mitigation fees" based on the square footage (assessable space) of the proposed building per Ordinance #3277.

Emerald Lake Sewer District

19. The applicant shall submit building plans to the sewer district for review when the building permit application is submitted. The plans shall indicate the location of the existing sewer district main. For questions, please contact staff at (650) 363-4100.

4. **Owner:** **Coastways Ranch Inc.**
Applicant: **Charles N. Hudson**
 File Number: PLN2020-00166
 Location: 640 Cabrillo Highway, Pescadero, CA 94060 (District 3)
 Assessor's Parcel No's: 089-230-420

Consideration of an Agricultural Preserve and California Land Conservation (Williamson) Act Contract, pursuant to the San Mateo County Land Conservation Act Uniform Rules and Procedures, on a 426.66-acre parcel.

SPEAKERS

1. Charles Hudson
2. Rebecca Bower
3. Jeannie Gambino

COMMISSION ACTION

Public hearing was closed by unanimous consent.

Commissioner Santacruz moved to approve the project; Commissioner Hansson seconded the motion.

Motion carried 4-0-0-1.

Based on information provided by staff and evidence presented at the hearing, the Planning Commission approved the recommendation for the Board of Supervisors to the following:

Find the request to establish an Agricultural Preserve to be consistent with the County General Plan, Planned Agricultural District/Coastal Development District, the California Land Conservation Act, and the San Mateo County Land Conservation Act Uniform Rules and Procedures.

Adopt a resolution to establish the subject property as an agricultural preserve and execute a California Land Conservation contract for the subject property.

5. **Owner/Applicant: Bel Aire Heights LLC**
 File Number: PLN 2002-00517
 Location: San Mateo Highlands, (District 1)
 Assessor's Parcel No's: 041-111-130, 041-111-160, 041-111-270, 041-111-280, 041-111- 320 and 041-111 360

Consideration of a revised schedule of grading operations for the Ascension Heights Subdivision. The project is in the unincorporated San Mateo Highlands area of San Mateo County.

SPEAKERS

1. Jim Toby
2. **Joe Michelucci**
3. Donald Nagle
4. Tom Luong

5. Laurel Nagle
6. Kim Rickett
7. Craig Nashizaki

COMMISSION ACTION

Public hearing was closed by unanimous consent.

Commissioner **Hansson** moved to approve the project; Commissioner **Gupta** seconded the motion.

Motion carried 3-1-0-1:

- 3= AYES (Commissioners Hansson, Ketcham and Gupta)
1= NOES (Commissioner Santacruz)
0= ABSTAINS
1= ABSENT (Commissioner Ramirez)

Based on information provided by staff and evidence presented at the hearing, the Planning Commission approved the schedule of grading operations and request for wet season slope repair and backfill of two (2) retaining walls for County File Number PLN 2002-00517, based on and subject to the required findings and conditions of approval as follows:

FINDINGS

The proposed schedule of grading operations and haul routes conform with the adopted conditions of the subdivision approval.

CONDITIONS OF APPROVAL

1. A Building Permit, including payment of inspection fees, is required to track weekly wet season Erosion Control inspections.
2. Applicant must comply with all conditions of the 2016 project approval.
3. If grading period must be extended, the applicant must provide an updated schedule to the Community Development Director (Director) for review by the Planning Commission, unless the Director determines that the proposed schedule modification is minor in nature.
4. Grading may occur only on dry days. No grading shall occur within 24-hours after a rain event.
5. Applicant shall send photos of final stabilization to the project planner within one week of completion of grading.
6. Any empty hauling trucks arriving in the neighborhood without a tarpaulin cover will not be permitted to enter the site for 12 hours and shall only be allowed onsite if covered when arriving or leaving the site.
7. The Applicant shall comply with the Grading Operation Details in Table 1:

Table 1 Grading Operation Details Proposed	
Comments	Responses
Minimize Wet Season Grading	The applicant has revised the proposed schedule to minimize wet-weather grading to the extent feasible. Only slope repair work will proceed in October/November.
Limited Use of Rainbow Drive to minimize damage and traffic hazard due to narrow width of road.	Only empty trucks will use Rainbow Drive, and only until the new driveway is available for access to the site.
Construction Hours	Approved hours for grading: 8 am – 5 pm Approved hours for hauling: 9 am – 3 pm
Traffic Control Plan	A site traffic control plan will be implemented to manage traffic when trucks enter and exit site throughout Phase 1 and Phase 2. Two flagmen will be utilized for traffic control in front of the site entrance off Bel Aire Road for trucks entering and existing the site with signage.
Haul Routes	Haul trucks will travel from Polhemus Road, taking a left onto Ascension Drive, a left on Rainbow Drive, a right turn onto Lakeshore Drive, and a right turn onto Bel Aire Road to the site, which reduces construction vehicle interaction with neighborhood residential traffic. All haul trucks exiting the site for both Phases 1 and 2 will utilize an uphill route via Bel Aire Road, Laurie Lane, right on Parrot Drive, left on CSM Drive, and left on Perimeter Road to utilize Hillsdale Boulevard to reach Highway 92. Trucks will be timed 10 to 15 minutes apart running periodically through the work day. Gravel import is only for retaining wall back-fill. Trucks will be confined to 10-Wheeler only. Estimated total of less than five truck loads.
Dust and Erosion Control Measures	All loads leaving site tarped. Site dust control will utilize a 4,000-gallon water truck running throughout the workday. Street leaving site will be swept off daily or as many times as needed to keep the streets clean from dust or dirt.

Geotechnical Conditions

8. The Geotechnical Engineer shall conduct weekly monitoring, as well as perform additional monitoring after every storm event that results in 1/2-inch or more of rainfall within a 12-hour period as measured at the nearest gauge, until grading is complete.
 - a. The monitoring should include evaluating whether the exposed bedrock slopes have open fractures/dilations, the presence of tension cracks, slope bulges, erosion, siltation of streets, etc.

- b. The results of the monitoring should be summarized in a letter provided to the County within 24 hours.
- 9. The Geotechnical Engineer shall provide a letter with emergency stabilization recommendations in the event that incipient land sliding is observed.
- 10. The Contractor shall have on-site all materials necessary on-site to implement the Geotechnical Engineer's emergency stabilization recommendations.
- 11. The Contractor shall cover and protect all stockpile areas from rainfall and erosion.
- 12. The Contractor shall remove debris accumulated at the base of the slope.
- 13. The Contractor shall increase the protection of the roadways from potential deposition/siltation (e.g., additional silt fencing, K-Rails or similar barriers to facilitate debris accumulation and catchment).
- 14. The Contractor shall provide daily street cleaning.

Additional Erosion Control Conditions

- 15. Erosion control measures in areas outside of the slope repair areas and retaining wall area shall remain in place and be maintained continuously until April 30.
- 16. Areas of active slope repair and retaining wall backfill shall be covered at the end of the workday and for periods of no work, such as weekends and holidays.
- 17. All grading work shall stop 48-hours prior to a predicted major rain event and the site shall be stabilized.
- 18. After a major rain event, prior to re-start of grading work, the County shall inspect the site and identify necessary corrections. Corrections shall be completed prior to re-start of grading.

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6. CORRESPONDENCE AND OTHER MATTERS

None

7. CONSIDERATION OF STUDY SESSION FOR NEXT MEETING

There is no Study Session for the next meeting and we just have one item on currently on the next agenda. The item will be the continuation of the project on Ocean Blvd in Moss Beach.

8. DIRECTOR'S REPORT

Board of Supervisors update on various projects approved at the most recent Board of Supervisors Meeting. The include the approval of the pilot for off-leash dogs. Parks that are in the Coastal Zone will require a Coastal Development Permit so this item will be coming to the Planning Commission in the near future.

The Board of Supervisors has also granted the County Planning Department to apply for a Transportation Authority grant. This grant, if awarded will be used towards implementations on some of the areas in Moss Beach and will work with Caltrans for improvements.

9. COMMISSION QUESTIONS

Janneth asked the Commissioners about their attendance for the November 24th meeting since there is only one item on the agenda and wants to make sure we will have a quorum with the meeting so close to the Thanksgiving Holiday.

Commissioner Ketcham asked Steve about the Tree Ordinance timeline and when we can expect the updates for this. Steve explained that Melissa Ross will be taking on this task and she took over for this project when Joe LaClair left. Commissioner Ketcham had a resident reach out to her regarding tree fees/fines and would like more information.

10. ADJOURNMENT

Meeting was adjourned at 11:49 a.m.