



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

MEETING NO. 1690

Wednesday, May 27, 2020

****BY VIDEO CONFERENCE ONLY****

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

Pledge of Allegiance: The Pledge of Allegiance was led by Janneth Lujan, Planning Commission Secretary.

Roll Call:

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

Legal notice published in the San Mateo County Times on May 16, 2020 and in the Half Moon Bay Review on May 20, 2020.

Oral Communications via written comment only via email: None

Consideration of the Minutes of the Planning Commission meetings for May 13, 2020.

Commissioner Ramirez moved, and Commissioner Ketcham seconded, that the minutes be approved as revised. **Motion carried 5-0-0-0.**

CONSENT AGENDA

Commissioner Gupta moved for approval of the Consent Agenda, and Commissioner Ramirez seconded the motion. Motion carried 5-0-0-0, approving items as follows:

- Owner:** California State Parks
Applicant: Andrew Hall, Resource Conservation District
File Number: PLN2020-00033
Location: Butano State Park, 4.5 miles south of Pescadero
Assessor's Parcel No: 089-090-030

Consideration of an Architectural Review Exemption, pursuant to Sections 154, 227-229.1, 260, and 261 of the California Streets and Highways Code; Coastal Development Permit, and Planned Agricultural District Permit, for a domestic well as an additional water source to serve park users at Butano State Park, especially during drought

years. Site is within the Stage Road/ Pescadero Road/Cloverdale Road Scenic Corridor. Project is not appealable to the California Coastal Commission. Application deemed complete April 1, 2020. Please direct any questions to Project Planner Renee Ananda 650/599-1554 or rananda@smcgov.org.

FINDINGS

Regarding the Architectural Review Exemption, Found:

1. That the project site is located on the western portion of the parcel and is within the Stage Road/Cloverdale Road/Pescadero Road County Scenic Corridor, the proposed project will be minimal in size and will not result in significant vegetation removal. Given the topography, existing vegetation, finished height, and location of the proposed well, it will not be visible from Cloverdale Road.

Regarding the Coastal Development Permit Found:

2. That the project site is within Butano State Park which was created in 1957 prior to certification of the Local Coastal Program (LCP) to protect redwood trees.
3. That although the project parcel is located within the Planned Agriculture District the park is an exception to the agriculture land use designation, as specified in Policy 5.2 of the LCP.
4. That the project, as described in the application and accompanying materials required by Section 6328.7, and as conditioned in accordance with Section 6328.14, conforms to the plans, policies, requirements and standards of the San Mateo County Local Coastal Program. Specifically, regarding the Sensitive Habitats, Agriculture, and Visual Resources policies.

CONDITIONS OF APPROVAL

Current Planning Section

1. This approval applies only to the proposal as described in this report and materials submitted for review and approval by the Planning Commission on May 27, 2020. The Community Development Director may approve minor revisions or modifications to the project if they are found to be consistent with the intent of and in substantial conformance with this approval.
2. This permit shall be valid for one (1) year from the date of approval in which time a well permit shall be issued. Any extension of this permit shall require submittal of an application for permit extension and payment of applicable extension fees at least 60 days prior to the expiration date.
3. Construction shall be within the dry season (approximately May 1 to September 30) and allowed after the rainy season ends when the ground is dry enough to support equipment at the work area, upon written approval from the Community Development Director.
4. Upon the start of excavation activities and through to the completion of the project, the applicant shall be responsible for ensuring that dust control measures are implemented as needed to mitigate excessive dust generation resulting from any and all excavation and earth-moving operations.
5. Prior to the beginning of any well drilling or other associated construction activities, the applicant shall submit an Erosion and Sediment Control Plan for review and approval of the Community Development Director. The applicant shall implement the approved erosion and sediment control plan. 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 Stormwater Pollution Prevention Program "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, to prevent their contact with storm water.
 - 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 application 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 sub-contractors regarding the construction best management practices (BMPs
6. Implement BMPs during all phases of building/drilling to include pre- and post-construction activities. Best management practices shall include but not be limited to the following to prevent spoils from entering the pond and creek located on the southern portion of the parcel, downslope of the drilling impact areas:
- a. During drilling, fluids from the drill hole will flow from the well onto the site and on to the adjacent open area to the west of the site. If mud is used for drilling, it will recirculate into the hole after cuttings are removed.

- b. Upon completion of the well, the mud will be thinned and discharged on site into the adjacent open area to the west.
 - c. Soil and drill cuttings (sand and silt) displaced from the drill hole during drilling will be contained in the drilling area and used to grade the site upon completion of the well.
 - d. Straw wattle and silt fences shall be used by the contractor when necessary to contain solids on site.
 - e. During the well development and pump testing, groundwater will be discharged into the adjacent open area for natural infiltration.
 - f. Additional BMPs shall be installed according to the California Stormwater Quality Association (CASQA) BMP handbook:
 - (1) Temporary soil stabilization BMPs will include temporary cover and rolled erosion control products to cover the bare soil of staging areas.
 - (2) Temporary sediment control BMPs include silt fences and fiber rolls to be placed along the perimeter of temporary stockpiles.
 - (3) Waste Management and materials pollution control BMPs include stockpile management and concrete waste management.
 - (4) Wind erosion control measures such as watering and covering stockpile shall be implemented for dust control.
7. A pre-construction survey (within 48 hours of start of construction) of the trees in the area immediately adjacent to the project site during avian nesting season shall be conducted by a qualified biologist. If nesting birds are discovered, the following steps will be taken to determine whether the construction activities will disturb the nest, and to minimize construction impact:
- a. Determine and mark a suitable buffer within which no construction activity or access may occur.
 - b. A qualified biologist shall monitor the nest during construction for disturbance to the nest.
 - c. If it is determined that construction activities are disrupting nesting activities, suspend construction activities until nestlings have fledged.
8. In the event that prehistoric materials such as flaked stone tools (e.g., projectile points, knives, choppers), obsidian, chert, basalt, or quartzite debris, bone tools, culturally darkened soil (e.g., midden soil often contains heat-affected rock, ash and charcoal, shellfish remains, faunal bones, and cultural materials), and stone milling equipment (e.g., mortars, pestles, hand stones) are encountered, all excavations shall be halted immediately, the San Mateo County Planning Department must be notified, and an archaeologist must be retained to examine the finds and assess the potential significance.
9. 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.

10. Use existing roads to the maximum extent feasible to avoid additional surface disturbance.
11. During all phases of the project, keep equipment and vehicles within the limits of the previously disturbed areas of the project site.
12. 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.
13. 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 County Ordinance Code Section 4.88.360).
14. There shall be no removal of any significant vegetation that screens the view of the structure from Cloverdale Road. Removal of any such vegetation shall be permitted only by the Planning Commission as part of a subsequent application for Architectural Review.
15. If any portion of a new structure is visible from Cloverdale Road after substantiation by the applicant that it will not be visible, the applicant shall be required to submit an application for Architectural Review for the review and approval by the Planning Commission.
16. The applicant shall notify the Current Planning Section when the work approved under this permit is completed and prior to issuance of the appropriate Environmental Health Services permits.

Environmental Health Services

17. Well drilling is to be permitted through Environmental Health Services (EHS). Upon obtaining approval of the planning permits required for this project to drill a domestic water well, the applicant shall obtain a well installation permit from the EHS for the construction of the well. The subject well shall be tested to meet quantity and quality health standards.
18. If the well drilled does not meet the requisite water quality and quantity standards for domestic water use, the applicant shall properly abandon the well to the satisfaction of the EHS. This shall have occurred prior to or concurrent with the EHS' final certification of the well that does meet their standards, or if determined that one or both do not.
19. Final approval of the end use of the well to be permitted through State Regional Water Quality Control Board Division of Drinking Water.

REGULAR AGENDA

- 2. **Owner/Applicant: MROSD/POST**
 File Number: PLN2019-00258
 Location: Various
 Assessor’s Parcel No: Various

Consideration of a Local Coastal Program Amendment amending: (1) Zoning Regulations Chapter 21A Planned Agricultural District and Chapter 36 Resource Management-Coastal Zone, and (2) Chapter 4 of the Subdivision Ordinance for purposes of granting relief from agricultural/conservation open space easements and maximum parcel size requirements when public agencies propose land divisions for purposes of public recreation in the Coastal Zone. Application deemed complete June 10, 2019. Please direct any questions to Project Planner Melissa Ross 650/599-1559 or mross@smcgov.org.

SPEAKERS:

COMMISSION ACTION:

Commissioner Gupta moved and Commissioner Santacruz seconded to close the public comment. **Motion carried 5-0-0-0.**

Commissioner Gupta moved and Commissioner Ketcham seconded the motion. **Motion carried 5-0-0-0.**

- 3. **Owner/Applicant: Jamie Verdura**
 File Number: PLN 2018-00401
 Location: La Honda Road, San Gregorio
 Assessor’s Parcel No: 082-160-130

Consideration of a Coastal Development Permit, Planned Agricultural Permit, and Grading Permit, , and adoption of a Mitigated Negative Declaration for the construction of a new single-family residence, attached 3-car garage, and 4,334 cubic yards of grading on a 7.85-acre legal parcel. No trees are proposed for removal. The project is not appealable to the California Coastal Commission. Application deemed complete December 3, 2019. Please direct any questions to Project Planner Laura Richstone 650/363-1829 or lrichstone@smcgov.org.

SPEAKERS:

None

COMMISSION ACTION:

Commissioner Ketcham moved and Commissioner Ramirez seconded to close the public comment. **Motion carried 5-0-0-0.**

Commissioner Ketcham moved and Commissioner Santacruz seconded the motion. **Motion carried 5-0-0-0.**

Based on information provided by staff and evidence presented at the hearing the Planning Commission adopted the Mitigated Negative Declaration and approved the Coastal Development Permit, Planned Agricultural District Permit, and Grading Permit, County File Number PLN 2018-00401, by adopting the required findings and conditions of approval listed as follows:

FINDINGS**Regarding the Environmental Review, Found:**

1. That this Mitigated Negative Declaration reflects the independent judgement 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 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 of approval have been incorporated into the Mitigation Monitoring and Reporting Plan in conformance with the California Public Resources Code Section 21081.6

Regarding the Coastal Development Permit, Found:

5. That the project, as described in the application and accompanying materials required by Zoning Regulations Section 6328.7, and as conditioned in accordance with Section 6328.14 of the Zoning Regulations, conforms to the plans, policies, requirements and standards of the San Mateo County Local Coastal Program as described in the staff report.
6. That the project conforms to the specific findings required by the policies of the San Mateo County Local Coastal Program for the reasons detailed in the staff report, specifically in regard to the Agriculture, Scenic Corridors and Visual Resources Components. That single-family residences are conditionally permitted with the issuance of a Planned Agricultural District Permit when it is determined that the conversion of agricultural lands is minimal. The project is proposed in an area that has been defined as "Lands Suitable" for agriculture and that there are no other suitable locations on the site given that the soil type is consistent throughout the parcel and the

constraints poised by the presence of sensitive habitats. That the project is in scale with adjacent development and will be screened from scenic roadways or corridors.

Regarding the Planned Agricultural District Permit, Found:

7. That the project, as described in the application and accompanying materials, complies with all applicable General Criteria for the issuance of a Planned Agricultural District Permit contained in Section 6355.A of the County Zoning Regulations, as the project will maintain development near the rear of the property to ensure the flattest acreage is available for agriculture. Furthermore, the project is located more than 200-feet from the nearest waterway and will be screened from public views along La Honda Road by the existing topography and planned screening vegetation.
8. That the project conforms to the Development Review Criteria contained in Chapter 20A.2 of the San Mateo County Ordinance Code. 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 and 6325.1, which address site design criteria and primary scenic resources areas, as the project is located to avoid sensitive habitats, waterways, mature trees, or dominant vegetation and designed to be least visually impactful when seen from the La Honda Road County Scenic Corridor.
9. That the project will not diminish water supplies for agricultural activities or sensitive habitat protection on or adjacent to the subject property as the project will have adequate water supply to serve the potable water demands of the new residence. Conversion of the agricultural well for domestic use will not impact intended agricultural activities on the property or degrade air or water quality. Furthermore, the project will be located over 200-feet from the nearest waterway, 90 feet from the edge of an oak woodland, and will not result in any impacts to sensitive habitats with the mitigation measures contained in the Mitigated Negative Declaration incorporated.
10. That all agriculturally unsuitable lands on the parcel have been developed or determined to be undeveloped. The parcel been identified as having soils suitable for agriculture. Given the fact that the parcel is vacant, any development would result in the conversion of soils to a non-agricultural use. There are no agriculturally unsuitable lands on which to locate the proposed house. The parcel does, however, support a number of sensitive habitats, which prevents residential structures from being located in those areas. Therefore, the applicant has chosen to locate the proposed development in a steeper portion of the parcel to preserve the flattest front portion of the parcel for future agricultural activities.
11. That the continued or renewed agricultural use of the soils is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors. The parcel has been identified as suitable for grazing. However, given the size of the parcel and presence of sensitive habitats, the likelihood of any large-scale agricultural activities is limited. The applicant has reserved the front of the parcel for a future dry hay farming operation.

12. That clearly defined buffer areas are developed between agricultural and non-agricultural uses. The proposed developed area (i.e. house and driveway) will be surrounded by retaining walls ranging in 1 to 9.5 feet in height. These retaining walls provide a clear distinction between agricultural and non-agricultural areas on the parcel. At its closes point the future agricultural fields will be located 25 feet from the driveway and 70 feet from the single-family residence.
13. That the productivity of any adjacent agricultural lands is not diminished, including the ability of the land to sustain dry farming or animal grazing. The proposed development is limited to the project site. There will be no impact on the productivity of the adjacent agricultural lands.
14. That the public service, facility expansions, and permitted uses do not impair agricultural viability, either through increased assessment costs or degraded air and water quality. The proposed house will be served by a private well and septic system that are located on-site and will only serve the proposed development. These items have been reviewed by the County's Environmental Health Services and have been found to be in compliance with current health standards and thus pose no threat to air or water quality.

Regarding the Grading Permit, Found:

15. That the project, as conditioned, will not have a significant adverse effect on the environment. The project has been reviewed by the Current Planning Section, Geotechnical Section, and Drainage Section, which found that the project can be completed without significant harm to the environment, as conditioned.
16. That the project, as conditioned, conforms to the criteria of the San Mateo Grading Ordinance and is consistent with the General Plan. The Current Planning Section and the Geotechnical Section have reviewed the project and have determined it conforms to the criteria of Chapter 8, Division VII, of the San Mateo County Ordinance Code, including the standards referenced in Section 9285 and the San Mateo County General Plan.

CONDITIONS OF APPROVAL

Current Planning Section

1. This approval applies only to the proposed project as described in this report and materials submitted for review and approval by the Planning Commission on May 27, 2020. 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. These permits shall be valid for one year form the date of approval in which time a building permit shall be issued. If after one year from the date of approval, the applicant has not obtained all other necessary permits and made substantial progress towards completing the proposed development, the Grading, PAD, and CD permits shall expire. These permits maybe extended with a one-year extension if the applicant requests an extension in writing and pays the applicable extension fees at least sixty calendar days before the expiration date.

3. The Department of Fish and Wildlife has determined that this project is not exempt from the Department of Fish and Wildlife California Environmental Quality Act filing fees per Fish and Wildlife Code Section 711.4. The applicant shall pay to the San Mateo County Recorder's Office an amount of \$2,406.75 plus a \$50.00 recording fee at the time of filing the Notice of Determination by the County Planning and Building Department staff within five (5) business days of this approval (by June 3, 2020). Please be aware that the Department of Fish and Wildlife environmental filing fee increases starting the 1st day of each new calendar year (i.e., January 1, 2020).
4. No grading shall be allowed during the winter grading season (October 1 to April 30) to avoid potential erosion. No grading activities, site preparation (excluding installation of erosion control measures and wildlife exclusionary fencing), or storage of materials shall commence until a building permit has been issued.
5. No grading activities shall commence until the property owner has been issued a grading permit (issued as the "Hard Card" with all necessary information filled out and signatures obtained) by the Current Planning Section and the building permit shall be issued at the same time. No grading activities shall commence until all permits have been issued.
6. The San Mateo County Grading Ordinance shall govern all grading associated with this project. Per Grading Ordinance Section 9296.5, all equipment used in grading operations shall meet spark arrester and firefighting tool requirements, as specified in the California Public Resources Code.
7. The engineer who prepared the approved grading plan shall be responsible for the inspection and certification of the grading as required by Section 9297 of the Grading Ordinance. The engineer's responsibilities shall include those relating to non-compliance detailed in Section 9297.4 of the Grading Ordinance.
8. Erosion and sediment control during the course of grading work shall be installed and maintained according to a plan prepared and signed by the engineer of record and approved by the Department of Public Works and the Current Planning Section. Revisions to the approved erosion and sediment control plan shall be prepared and signed by the engineer and must be reviewed and approved by the Drainage Section and Current Planning Section.
9. 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.
10. 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, and the Grading Regulations, to the Drainage Section's and 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.
11. No trees are approved for removal as part of this permit approval. A separate permit shall be required for the removal of any trees. An application and processing, including applicable fees, shall be required prior to any tree removal.
 12. Staging of construction material shall be prohibited within 30 feet of the oak woodlands located at the rear of the parcel.
 13. All utilities shall be installed underground.

Mitigation Measures from the Initial Study/Mitigated Negative Declaration:

14. **Mitigation Measure 1:** All proposed development shall utilize earth tone colors to further blend in with the surrounding grassland vegetation and topography.

15. **Mitigation Measure 2:** All proposed exterior lighting shall be designed and located so as to confine direct rays to the subject property and prevent glare to the surrounding area. Manufacture cut sheets for any exterior light fixtures shall be submitted for review and approval to the Planning Department prior to the issuance of a building permit. All fixtures shall be rated dark-sky compliant and designed to minimize light pollution beyond the confines of the subject premises.
16. **Mitigation Measure 3:** The finishes of all exterior materials and/or colors shall be non-reflective.
17. **Mitigation Measure 4:** The applicant shall require construction contractors to implement all the Bay Area Air Quality Management District's Basic Construction Mitigation Measures, listed below:
 - a. Water all active construction areas at least twice daily.
 - b. Apply water two times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking, and staging areas at construction sites. Also, hydroseed or apply non-toxic soil stabilizers to inactive construction areas.
 - c. Sweep daily all paved adjacent public streets daily (preferably with water sweepers) if visible soil material is carried onto them.
 - d. Limit traffic speeds on unpaved roads within the project parcel to 15 miles per hour.
 - e. All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
 - f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485, of the California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
 - g. Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand etc.) that can be blown by the wind.
 - h. Replant vegetation in disturbed areas as quickly as possible.
 - i. Install erosion control measures to prevent silt runoff to public roadway and/or into the unnamed intermittent creek at the rear of the property.
 - j. All haul trucks transporting soil, sand, or other loose material on and off site shall be covered.
 - k. Roadways and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

- I. A publicly visible sign with the telephone number and person to contact at the project site regarding dust complaints shall be posted. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
18. **Mitigation Measure 5:** 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).
19. **Mitigation Measure 6:** Habitat Restoration-- To mitigate for the loss of 0.03 acres of Baccharis scrub habitat, the applicant shall implement a restoration plan approved by the San Mateo County Department. The restoration plan shall provide for the restoration of 0.09 acres (3,920 sq. ft.) of Baccharis scrub habitat on the project parcel. The restoration plan shall include defined success criteria and a minimum 5-year mitigation monitoring program with yearly reports submitted to the County of San Mateo Planning and Building Department.
20. **Mitigation Measure 7:** Birds—If grading is scheduled during the active nesting season (March through August), a qualified wildlife biologist shall conduct a pre-construction nesting survey of the property, including large trees within 250 feet of the property for nesting raptors, and any vegetation within 50 feet of the proposed development for other nesting birds. This survey shall occur no more than 30 days prior to initiation of grading activities to provide an accurate measure of the presence or absence of active nests within the project vicinity.
21. **Mitigation Measure 8:** Birds—If active nests are encountered, grading activities shall not commence until species-specific protection measures are prepared by a qualified biologist and submitted to the Planning and Building Department for approval to prevent nest abandonment.
22. **Mitigation Measure 9:** Birds—If nests are encountered during project construction grading within a 100-foot radius of the nest shall be halted and no construction related activities shall occur within this 100-foot buffer zone. The perimeter of said buffer zone shall be fenced or adequately demarcated and construction personnel shall be restricted from such areas until all young have fledged.
23. **Mitigation Measure 10:** Birds—if avoidance of nests are not feasible, disturbance within the 100 foot nest buffer zone shall be prohibited until a qualified biologist can verify that the birds have either (a) not begun egg laying and incubation, or (b) that the juveniles from the nest are foraging independently and capable of independent survival. A report prepared by a qualified biologist verifying that the young have fledged or that egg laying activities have no occurred shall be submitted to the Planning and Building Department for review and approval prior to initiation of grading or construction activities within a 100- foot nest buffer zone.
24. **Mitigation Measure 11:** California Red-Legged Frog – A qualified biologist capable of monitoring projects shall be present on site prior to any disturbance activities as follows:

- a. An exclusion fence shall be installed along the edges of the proposed driveway and along the locations of the side and rear retaining walls (within 20 feet of proposed grading activities). Installation of the exclusionary fencing shall be overseen by a qualified biologist. The fence shall be at least 3 feet in height and trenched 6 inches deep. Furthermore, the fence shall be installed so that there are no openings or gaps through which a frog or small mammals could move into the project area. The exclusionary fencing shall have escape funnels in the fence every 100 feet or less for trapped small mammals and/or frogs to exit the project area. A cut sheet of the proposed exclusionary fencing shall be provided to the Planning and Department for approval prior to the issuance of any building permits.
- b. A pre-construction survey for CRLFs and SF DFWs shall be conducted no less than 72 hours prior to the start of project activities (including the installation of the exclusionary fencing and equipment and materials staging) by a California Department of Fish and Wildlife (CDFW) certified biologist.
- c. Should any burrows be observed within the project area during the pre-construction survey by the CDFW certified biologist, the burrows shall be inspected to determine if they are being used by the CRLF. If CRLFs are present, the area shall be vacated and re-inspected in one week. If no animal use is noted, the burrows shall be carefully excavated using a small trowel or shovel and carefully prodded using a blunt object to determine the course of the tunnel such that the tunnel is excavated from the sides rather than the top, reducing the potential for any injury to an animal if present. Excavated burrows with no CRLFs shall be left open so they cannot be reoccupied. If non-listed species are located within the burrows, they shall be translocated outside of the construction zone by the biologist.
- d. If any life stage of the CRLF is found during the pre-construction survey and/or burrow excavation, the biologist shall immediately contact the CDFW and USFW and cease work until appropriate actions (approved by CDFW, USFW, and the Planning and Building Department) are agreed upon.
- e. Immediately following the installation of the exclusionary fencing, the biological monitor shall survey the enclosed construction area for the presence of CRLF.
- f. All crewmembers shall attend an Environmental Awareness Training presented by a qualified biologist. The training shall include a description of the special-status species that may occur in the region, the project Avoidance and Minimization Measures, Mitigation Measures, the limits of the project work areas, applicable laws and regulations, and penalties for non-compliance. Colored photocards of CRLFs and SF DFWs shall remain on the project site during construction. Upon completion of training, crewmembers shall sign a training form indicating they attended the program and understood the measures. Completed training form(s) shall be provided to the Project Planner before the start of project activities.

- g. Following the start of construction activities, a qualified biologist or trained biological monitor shall inspect the site weekly to monitor the integrity of the exclusionary fencing, confirm the limit of work and equipment is within the project boundaries, and assess the overall project adherence to the mitigation measures. A daily monitoring report shall be completed for each day the biologist is on site and shall include the date and time of work, weather conditions, biologist's name, construction activities performed that day, any listed species observed, and any measures taken to repair and/or maintain the exclusionary fencing. These logs shall be available to the County upon request and a logbook of complied reports shall be submitted to the Planning and Building Department prior to building permit final approval.
 - h. The biological monitor has the authority to halt all or some of the grading or construction activities to protect habitat and/or individual sensitive species.
 - i. The biological monitor shall complete daily monitoring reports for each day present on site, to be maintained in a monitoring logbook. Reports shall contain
25. **Mitigation Measure 12:** Wildlife Encounters – If any wildlife is encountered during Project activities, said encounter shall be reported to a qualified biologist and wildlife shall be allowed to leave the work area unharmed. Animals shall be allowed to leave the work area of their own accord and without harassment. Animals shall not be picked up or moved in any way
26. **Mitigation Measure 13:** San Francisco Dusky-Footed Woodrat – The construction contractor shall install woodrat exclusion fencing along the southern and easterly property lines in accordance with Drawing No. A112 on the site plan.
- a. Woodrat exclusion fencing shall be installed prior to the start of construction including equipment and materials staging.
 - b. Woodrat exclusion fencing shall be the same exclusion fencing that will be installed for the California red-legged frog. The escape funnel provided for the snakes and frogs shall have a small enough escape funnel (i.e., less than 3" x 3" exit) to prevent woodrats from passing through.
 - c. If woodrat nests are observed within the project area outside of the breeding season (February to July) the project biologist may dismantle the nest (outside of the breeding season), allowing individuals to relocate to suitable habitat within the adjacent open space areas.
 - d. If woodrat nests with young are observed within the project site, an exclusion fence shall be erected around the nest site. The fencing shall provide adequate enough area to provide foraging habitat for the woodrats at the discretion of the project biologist. Site preparation (i.e., grubbing and grading) within the fenced area shall be postponed or halted until young have left the nest. A biological monitor shall be onsite during periods when disturbance

activities occur near the active nest to ensure no inadvertent impacts will occur to the nests.

27. **Mitigation Measure 14:** The restoration plan shall be overseen by a qualified restoration ecologist as recommended by the project applicant and approved by the County of San Mateo Planning and Building Department.
28. **Mitigation Measure 15:** Propagules -- All plant propagules except erosion control seed shall be collected from a local genetic source using Best Management Practices that control or eliminate for the sudden oak death pathogen (*Phytophthora ramorum*). Ideally, propagules shall be collected from the project site. In the event that this is not feasible, materials shall be collected from San Mateo County within a 2-mile radius from the coast and below 1,000 feet in elevation.
29. **Mitigation Measure 16:** Site Preparation -- As necessary, soils at planting locations shall be de-compacted as to allow for root growth.
30. **Mitigation Measure 17:** Planting Layout -- Planting layout shall avoid a grid pattern in order to mimic a more random, natural distribution of plants. Plants shall be laid out in the field by the project Restoration Ecologist.
31. **Mitigation Measure 18:** Irrigation – Each plant shall be watered with two gallons per week during the dry season (June – October) with adjustments as deemed necessary by the project Restoration Ecologist to ensure plant survival.
32. **Mitigation Measure 19:** Irrigation System – A temporary irrigation system shall be designed and installed by a qualified landscape contractor. The irrigation system and all associated parts shall be removed upon plant establishment (typically two years).
33. **Mitigation Measure 20:** Performance Criteria – The restoration plan shall adhere to the performance criteria below. Failure to meet these criterial during the 5-year monitoring period may require additional restoration activities.
 - a. Year 1: Minimum 80% plant survival.
 - b. Year 2- 4: Minimum 60% plant survival.
 - c. Year 5: Minimum 50% plant survival.
 - d. Year 1-5: Less than 5% invasive exotic plant cover permitted within the restoration area.
34. **Mitigation Measure 21:** Reporting -- A Biological as Built Report shall be submitted to the County of San Mateo within 30 days of completion of the restoration plan implementation. This report shall include final maps indicating the restoration and plating areas, along with the final numbers of plants installed.

35. **Mitigation Measure 22:** Reporting – By December 31 of each year of the restoration plan a Mitigation Monitoring Report shall be submitted to the San Mateo County Planning and Building Department and shall include the following information:
- a. Dates monitoring occurred.
 - b. Adherence to the performance criteria to include results of quantitative monitoring including copies of field data sheets.
 - c. Photos.
 - d. Summary of restoration actions taken during the reporting period.
 - e. Any changes proposed or implemented to the project as a result of monitoring including but not limited to: invasive exotic control techniques, plant replacement, and watering schedules.
36. **Mitigation Measure 23:** Initiation of the habitat restoration plan shall occur prior to final building approval for the proposed residence.
37. **Mitigation Measure 24:** In the event that cultural, paleontological, or archaeological resources are 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 who meets the Secretary of the Interiors’ Professional Qualification Standards 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. In addition, an archaeological report meeting the Secretary of the Interior’s Standards detailing the findings of the monitoring will be submitted to the Northwest Information Center after monitoring has ceased. No further grading or site work within the area of discovery shall be allowed until the preceding has occurred.
38. **Mitigation Measure 25:** If a newly discovered resource is, or is suspected to be, Native American in origin, the resource shall be treated as a significant Tribal Cultural Resource, pursuant to Public Resources Code 21074, until the County has determined otherwise with the consultation of a qualified archaeologist and local tribal representative.
39. **Mitigation Measure 26:** In the event of discovery or recognition of any human remains during project construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains and State of California Health and Safety Code Section 7050.5 shall be followed. The applicant shall then immediately notify the County Coroner’s Office, the County Planning and Building Department, and possibly the State Native American Heritage Commission to seek recommendations from a Most Likely Descendant (Tribal

Contact) before any further action at the location of the find can proceed. All contractors and sub-contractors shall be made aware of these requirements and shall adhere to all applicable laws including State Cultural Preservation laws. Disposition.

40. **Mitigation Measure 27:** The project shall comply with all State and Local building energy efficiency standards, appliance efficiency regulations, and green building standards.
41. **Mitigation Measure 28:** The design of the proposed development (upon submittal of the Building Permit) on the subject parcel shall generally follow the recommendations cited in the geotechnical report prepared by Murray Engineers Inc regarding seismic criteria, grading, drilled piers, slab-on grade construction, and surface drainage. Any such changes to the recommendations by the project geotechnical engineer cited in this report and subsequent updates shall be submitted for review and approval by the County's Geotechnical Engineer.
42. **Mitigation Measure 29:** The applicant shall submit an erosion control plan in compliance with the County's General Erosion and Sediment Control Plan Guidelines Checklist for review and approval as part of the building permit plans submittal.
43. **Mitigation Measure 30:** No grading shall be allowed during the wet weather season (October 1 through April 30) to avoid increased potential soil erosion, unless the applicant applies for an Exception to the Winter Grading Moratorium and the Community Development Director grants the exception. Exceptions will only be granted if dry weather is forecasted during scheduled grading operations, and the erosion control plan includes adequate winterization measures (amongst other determining factors).
44. **Mitigation Measure 31:** An Erosion Control and Tree Protection Pre-Site Inspection shall be conducted prior to the issuance of a grading permit "hard card" and building permit to ensure the approved erosion control measures are installed per the plans.
45. **Mitigation Measure 32:** To reduce erosion, the applicant shall reseed disturbed areas not planned for landscaping with native grasses at the end of construction. These grasses will cover the exposed dirt areas and reduce erosion and loss of topsoil during rain events.
46. **Mitigation Measure 33:** The applicant shall implement dust control measures, as listed below. Measures shall be included on plans submitted for the building permit and encroachment permit applications. The measures shall be implemented for the duration of any grading, demolition, and construction activities that generate dust and other airborne particles. The measures shall include the following:
 - 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 the 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 the 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 miles per hour (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.
47. **Mitigation Measure 34:** Should any traditionally or culturally affiliated Native American Tribe respond to the County's issued notification for consultation, such process shall be completed and any resulting agreed upon measures for avoidance and preservation of identified resources be taken prior to project implementation.
48. **Mitigation Measure 35:** In the event that tribal cultural resources are inadvertently discovered during project implementation, all work shall cease within a 50-meter radius of the find, the Planning Department shall be notified, and a qualified archaeologist retained to examine the find and provide appropriate recommendations. These measures shall be approved by the County Planning Department prior to implementation and prior to the continuation of any work in the subject area.
49. **Mitigation Measure 36:** Any inadvertently discovered tribal cultural resources shall be treated with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resource, including, but not limited to, protecting the confidentiality of the resource.

Cal-Fire

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

side of the hydrant. This access shall be provided from a publicly maintained road to the property. Grades over 15% shall be paved and no grade shall be over 20%. When gravel roads are used, it shall be Class 2 base or equivalent compacted to 95%. Gravel road access shall be certified by an engineer as to the material thickness, compaction, all weather capability, and weight it will support.

51. A fire flow of 500 gallons per minute (gpm) for 2 hours with a 20 pounds per square inch (psi) residual operating pressure must be available as specified by additional project conditions to the project site. The applicant shall provide documentation including hydrant location, main size, and fire flow report at the building permit application stage. Inspection required prior to Fire's final approval of the building permit or before combustibles are brought on site.
52. 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.
53. The standpipe/hydrant shall be capable of a minimum fire flow of 1000 GPM.
54. The required fire flow shall be available from a County Standard 6" Wet Barrel Fire Hydrant. The configuration of the hydrant shall have a minimum of one each 4-1.5-inch outlet and one each 2-1.5-inch outlet located not more than 250 feet from the building measured by way of approved drivable access to the project site.
55. An approved Automatic Fire Sprinkler System meeting the requirements of NFPA-13D shall be required to be installed for your project. Plans shall be submitted to the San Mateo County Building Department for review and approval by the authority having jurisdiction.
56. An interior and exterior audible alarm activated by automatic fire sprinkler system water flow shall be required to be installed in all residential systems. All hardware must be included on the submitted sprinkler plans.
57. A statement that the building will be equipped and protected by automatic fire sprinklers must appear on the title page of the building plans.
58. This project is located in a wildland urban interface area. Roofing, attic ventilation, exterior walls, windows, exterior doors, decking, floors, and underfloor protection to meet CRC R327 or CBC Chapter 7A requirements.

Environmental Health Services

59. The proposed dispersal trenches depicted on sheets C1.1 and SS-1 shall comply with the min/max lengths (25 LF/125 LF) specified in Section 3 (E)(g) of the OSM. Appropriate trench lengths within the area tested must be reconciled at building permit stage.

Building Inspection Section

60. A building permit is required for the proposed project.
61. The property is located in an SRA Moderate Fire Hazard Severity Zone and shall be designed and constructed according to the CRC or CBC provisions, as applicable.

Public Works

62. 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

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3. Correspondence and Other Matters

Director Steve Monowitz referred to the letter regarding the Cypress Point project.

4. Consideration of Study Session for Next Meeting

No Study Session is proposed for the next meeting and went over the 3 items currently on the 5/27 agenda.

5. Director's Report

Director Steve Monowitz informed the Commissioners of the items below:

- **Planning Commission's decision on two projects had been appealed to the Board of Supervisors and will be heard on 5/19/2020.**
- Connect the Coastside virtual community meetings, more information listed on the website
- Connect the Coastside long term improvements were presented regarding the Cypress Point project, this has held up the item since another meeting with Public Works before this was move forward. This item is now scheduled to be heard on the June 10th, Planning Commission meeting.
- Planning and Building office, Health Officer has lifted certain areas for the SIP and this has impacted the workload of the department of folks that can now move forward on their projects. The Planning and Building department has mostly been working remotely with the exceptions to a few Building staff who have to stamp plans and make arrangements for the public to pick up the plans in a safe way.

- Planning and Building can provide the services electronically and those who cannot connect electronically have been able to call an employee who can walk them through the process. The Counter will remain closed but the plan as of now is to have rotating shifts in the near future.

6. Commissioner Updates and Questions

Commissioner Ramirez: Are virtual inspections still happening or will that change?

Steve Monowitz: Yes, for inspections that cannot be done virtually (example some tree inspections), then the arborist will go out to the site and follow very stringent safety guidelines.

Commissioner Gupta: Cypress Point clarification, wants to know how we are moving forward?

Steve Monowitz: At the last hearing the Commissioner decided to continue the item and has not been scheduled for June 10th. What has held the project back and the reason we have continued to push the item back is because we are working on project specific mitigations/transportation mitigations regarding the LCP amendment stage. Staff has really been trying to pin down the project specific mitigation measure and wanted to make sure both Public Works and the Applicant is on board with all the details.

Commissioner Ramirez: Do you foresee that we will be having the Cypress Point via videoconference? He stated that we wanted people to feel like they can participate and not feel like they were not included.

Steve Monowitz: Yes, he agrees and everyone will be notified and we will have an extensive mailings so all are included.

7. Adjournment

Meeting was adjourned at 10:36 a.m.
