



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. 1679
Wednesday, October 23, 2019

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

Chair Gupta called the meeting to order at 9:01 a.m.

Pledge of Allegiance: The Pledge of Allegiance was led by Chair Gupta

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

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

None

Consideration of the Minutes

Minutes for the September 25 and October 9th hearings will be considered at the October 23rd Planning Commission meeting.

Commissioner Ramirez moved to approve the minutes from the September 25, 2019 hearing, and Commissioner Ketcham seconded, that the minutes be approved as submitted. Motion carried 5-0-0-0.

Commissioner Ramirez moved to approve the minutes from the October 9, 2019 hearing, and Commissioner Ketcham seconded, that the minutes be approved as submitted. Motion carried 4-0-0-1.

Ayes: Commissioners Gupta, Hansson, Ramirez, Ketcham
Noes: None
Absent: None
Abstained: Commissioner Santacruz

REGULAR AGENDA

9:00 a.m.

- Owner/Applicant:** Mel Casey
File Number: PLN 2017-00010
Location: Canyon Lane, Emerald Lake Hills
Assessor's Parcel No.: Various

INFORMATIONAL ITEM: Introduction of a Draft Environmental Impact Report (EIR), pursuant to the California Environmental Quality Act (CEQA) Guidelines, during the 45-day public review period, for roadway improvements and construction of a single-family residence along Canyon Lane in the unincorporated area of Emerald Lake Hills.

NO DECISION IS BEING REQUESTED FOR THIS ITEM. Application deemed complete January 18, 2018. Please direct any questions to Project Planner Summer Burlison at 650/363-1815 or sburlison@smcgov.org.

SPEAKERS:

- 1. Adam Azarchs
- 2. Steve Vaughan
- 3. Elise Dixon
- 4. Robert Weiss
- 5. Steven Ganz
- 6. Robert Janssen
- 7. Margharite Casey
- 8. Mel Casey
- 9. Debbie Parent

2. **Owner/Applicant:** Zafar Irfan
 File Number: PLN 2018-00397
 Location: Cortez Avenue, Miramar
 Assessor's Parcel No.: 048-032-070

Consideration of a Non-Conforming Use Permit, Coastal Development Permit and Design Review Permit, pursuant to Sections 6133.3b, 6328.4 and 6565.3 of the San Mateo County Zoning Regulations, respectively, to allow construction of a new 1,732 sq. ft., two-story single-family residence, plus a 380 sq. ft. two car attached garage, located on an existing 4,400 sq. ft. legal non-conforming parcel where the S-94 Combining District requires a minimum parcel size of 10,000 sq. ft. The project includes extension of Cortez Avenue by approximately 60 feet for project access and a new firetruck turnaround. The Use Permit is required to allow development on a non-conforming parcel that proposes right and left side setbacks of 7 feet each, where 10 feet is the minimum allowed for each side. No trees are proposed for removal. The project is not appealable to the California Coastal Commission. Application deemed complete May 24, 2019. Please direct any questions to Project Planner Dennis Aguirre at 650/363-1867 or daguirre@smcgov.org.

SPEAKERS:

- 1. Zafar Irfan
- 2. Bina Moin
- 3. V. Winnie Tungpagasit

COMMISSION ACTION:

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

Commissioner Santacruz moved to approve the project with the addition of conditions requiring that the property owner provide the Planning and Building Department with a copy of a revised plan which shows the total side setbacks to 15 ft. **Motion carried 5-0-0-0.**

Based on information provided by staff and evidence presented at the hearing, the Planning Commission approved the Non-Conforming Use Permit, Coastal Development Permit, and Design Review Permit, County File Number PLN 2018-00397, based on and subject to the required findings and conditions of approval as follows:

FINDINGS

Regarding the Environmental Review, Found:

- 1. That the proposed project is categorically exempt pursuant to Section 15303, Class 3 of the California Environmental Quality Act (CEQA) Guidelines, related to new construction of small structures, including

single-family residences in a residential zone, and utility extensions, including street improvements, necessary to serve such construction.

Regarding the Coastal Development Permit, Found:

2. That the project, as described in the application and accompanying materials required by the Zoning Regulations, Section 6328.4, and as conditioned in accordance with Section 6328.14, conforms with the applicable policies and required findings of the San Mateo County Local Coastal Program (LCP). Specifically, the project complies with policies regarding infill development, visual resources and compliance with design review standards and findings.
3. That, with the approval of this project, the number of building permits for the construction of single-family residences issued in the calendar year would not exceed the limitation established by LCP Policy 1.23.

Regarding the Design Review, Found:

4. That, with the conditions of approval recommended by the Coastside Design Review Committee at its meetings of April 11, 2019; May 9, 2019; and June 13, 2019, the project is in compliance with the Design Review Standards for the Coastside. The project, as designed and conditioned, complements the design, style and character of the neighborhood homes. The project's two-story proposal is well articulated, uses colors and materials that appear natural and uses downward-directed exterior lighting fixtures.

Regarding the Use Permit, Found:

5. Pursuant to Section 6133.3.b (3) of the San Mateo County Zoning Regulations:
 - a. That the lot coverage and floor areas remain compliant with the S-94 Zoning District development standards. The lot coverage and floor areas are compliant with the S 94 Zoning District development standards. The total lot coverage of 28% (1,242 sq. ft.) is below the maximum allowed. The total floor area proposed complies with the maximum allowed of 48% (2,112 sq. ft.). The potential mass and bulk of the proposed structure are mitigated by adequate articulation of all exterior facades. The design of the project is proportional and complimentary to other homes in the neighborhood.
 - b. That all opportunities to acquire additional contiguous land in order to achieve conformity with the zoning regulations currently in effect have been investigated and found to be infeasible. An effort was undertaken by the owner to explore the possibility of a merger with adjacent properties but the owner received no responses to the offer letters dated October 5, 2017 (Attachment F). As a result, mitigation of the parcel size non-conformity via a parcel merger strategy has been found to be infeasible.
 - c. That the proposed development is as nearly in conformance with the zoning regulations currently in effect as is reasonably possible. The proposed development conforms with the existing zoning regulations in as many ways as possible for the development of the substandard parcel, as discussed in Section 4 above. Specifically, the project complies with all maximum allowed floor area, lot coverage, height, and parking requirements.
 - d. That the establishment, maintenance, and/or conducting of the proposed 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. The proposed height of 25 feet - 3 inches for the two-story residence, the well-articulated facades, and well-proportioned roof mass bring the structure into scale with the established neighborhood context. The project would not result in significant impacts to visual resources or coastal access. Adequate infrastructure is available to serve the project.

- e. That the use permit approval does not constitute a granting of special privileges. While the applicant is required to obtain a use permit for development of the substantially undersized parcel, the parcel is legal and the project conforms with the existing zoning regulations.

CONDITIONS OF APPROVAL

Current Planning Section

1. The project shall be constructed in compliance with the plans approved by the Planning Commission on October 23, 2019. Any changes or revisions to the approved plans shall be submitted to the Design Review Officer for review prior to implementation. Minor adjustments to the project may be approved by the Community Development Director if they are consistent with the intent of and are in substantial conformance with this approval. Alternatively, the Design Review Officer may refer consideration of the revisions to the Coastside Design Review Committee, with applicable fees to be paid.
2. The Use Permit, Coastal Development Permit, and Design Review final approvals shall be valid for five (5) years from the date of approval, in which time a building permit shall be issued and a completed inspection (to the satisfaction of the Building Inspector) shall have occurred within 180 days of its issuance. The Use Permit, Coastal Development Permit, and Design Review approval may be extended by one 1-year increments with submittal of an application for permit extension and payment of applicable extension fees sixty (60) days prior to the expiration date.
3. The applicant shall include the approval letter on the top pages of the building plans to ensure that the recommended conditions of approval are included with the on-site plans.
4. The applicant shall indicate the following on plans submitted for a building permit, as stipulated by the Coastside Design Review Committee.
 - a. Reduce roof fascia from 18 inches to 12 inches.
 - b. Provide steps down from sliding glass door on east side of house.
 - c. Substitute solid parapet for cable rail at front of roof deck.
 - d. Use lighter shade of stain (lighter than "Early American" Varathane Wood Stain) on all wood surfaces. Please provide a sample of the revised stain color to staff at the building permit stage.
5. The applicant shall provide "finished floor elevation verification" to certify that the structure is actually constructed at the height shown on the submitted plans. The applicant shall have a licensed land surveyor or engineer establish a baseline elevation datum point in the vicinity of the construction site.
 - a. The applicant shall maintain the datum point so that it will not be disturbed by the proposed construction activities until final approval of the building permit.
 - b. This datum point and its elevation shall be shown on the submitted site plan. This datum point shall be used during construction to verify the elevation of the finished floors relative to the existing natural or to the grade of the site (finished grade).
 - c. Prior to Planning approval of the building permit application, the applicant shall also have the licensed land surveyor or engineer indicate on the construction plans: (1) the natural grade elevations at the significant corners (at least four) of the footprint of the proposed structure on the submitted site plan, and (2) the elevations of proposed finished grades.
 - d. In addition, (1) the natural grade elevations at the significant corners of the proposed structure, (2) the finished floor elevations, (3) the topmost elevation of the roof and (4) the garage slab elevation must be shown on the plan, elevations, and cross-section (if one is provided).

- e. Once the building is under construction, prior to the below floor framing inspection or the pouring of the concrete slab (as the case may be) for the lowest floor(s), the applicant shall provide to the Building Inspection Section a letter from the licensed land surveyor or engineer certifying that the lowest floor height, as constructed, is equal to the elevation specified for that floor in the approved plans. Similarly, certifications on the garage slab and the topmost elevation of the roof are required.
 - f. If the actual floor height, garage slab, or roof height, as constructed, is different than the elevation specified in the plans, then the applicant shall cease all construction and no additional inspections shall be approved until a revised set of plans is submitted to and subsequently approved by both the Building Official and Community Development Director.
6. During project construction, the applicant shall, pursuant to Chapter 4.100 of the San Mateo County Ordinance Code, minimize the transport and discharge of stormwater runoff from the construction site into storm drain systems and water bodies by:
- a. Using filtration materials on storm drain covers to remove sediment from dewatering effluent.
 - b. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 1 and April 30.
 - c. Removing spoils promptly, and avoiding stockpiling of fill materials, when rain is forecast. If rain threatens, stockpiled soils and other materials shall be covered with a tarp or other waterproof material.
 - d. Storing, handling, and disposing of construction materials and wastes so as to avoid their entry to the storm drain system or water body.
 - e. Avoiding cleaning, fueling or maintaining vehicles on-site, except in an area designated to contain and treat runoff.
 - f. Limiting and timing application of pesticides and fertilizers to avoid polluting runoff.
7. The applicant shall include an erosion and sediment control plan on the plans submitted for the building permit. This plan shall identify the type and location of erosion control measures, as per County guidelines, to be installed upon the commencement of construction in order to maintain the stability of the site and to prevent erosion and sedimentation off-site.
8. All new power and telephone utility lines from the street or nearest existing utility pole to the main dwelling and/or any other structure on the property shall be placed underground.
9. The applicant shall apply for a building permit and shall adhere to all requirements of the Building Inspection Section, the Department of Public Works and the Coastside Fire Protection District (CFPD).
10. To reduce the impact of construction activities on neighboring properties, comply with the following:
- a. All debris shall be contained on-site; a dumpster or trash bin shall be provided on-site during construction to prevent debris from blowing onto adjacent properties. The applicant shall monitor the site to ensure that trash is picked up and appropriately disposed of daily.
 - b. The applicant shall remove all construction equipment from the site upon completion of the use and/or need of each piece of equipment which shall include but not be limited to tractors, back hoes, cement mixers, etc.
 - c. The applicant shall ensure that no construction-related vehicles shall impede through traffic along the right-of-way on Cortez Avenue. All construction vehicles shall be parked on-site outside the

public right-of-way or in locations which do not impede safe access on Cortez Avenue. There shall be no storage of construction vehicles in the public right-of-way.

11. The exterior color samples submitted to the CDRC are approved. Color verification shall occur in the field after the applicant has applied the approved materials and colors but before a final inspection has been scheduled.
12. 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).
13. At the building permit application stage, the project shall demonstrate compliance with the Water Efficient Landscape Ordinance (WELo) and provide the required forms. WELo applies to new landscape projects equal to or greater than 500 sq. ft. and rehabilitated landscape projects equal to or greater than 2,500 square feet. A prescriptive checklist is available as a compliance option for projects under 2,500 square feet. The Performance approach is applicable to new and/or rehabilitated landscape projects over 2,500 square feet.
14. **The project will require a revised plan which states the total side setbacks of a total of 15 square feet.**

Building Inspection Section

14. The project requires a building permit.
15. The proposed project shall be designed and constructed according to the currently adopted and locally amended California Building Standards Code, which at the time of this review is the 2016 version.
16. Prior to the issuance of the building permit, the applicant shall have prepared, by a registered civil engineer, a drainage analysis of the proposed project and submit it to the Building Inspection Section 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 Building Inspection Section for review and approval.
17. A Drainage Report prepared and stamped by a registered civil engineer demonstrating that the project complies with the County's current drainage policy restricting additional stormwater flows from development projects.
18. The applicant shall submit a final Grading and Drainage Plan prepared and stamped by a registered civil engineer.
19. The applicant shall provide an updated C3 C6 Checklist (if applicable).

Coastside County Water District

20. Prior to the issuance of a building permit, the applicant shall obtain a water service connection to include fire suppression plans for review and approval.
21. The project shall comply with Coastside County Water District's Indoor Water Use Efficiency Ordinance, including the installation of fire sprinklers, if required by the Coastside Fire Protection District.

Granada Community Services District (GCSD)

22. The approved sewer permit variance for this project is subject to the issuance of a sewer permit in order to connect to the GCSD wastewater facilities.

Department of Public Works

23. Prior to the issuance of the building permit, the applicant shall submit a driveway "Plan and Profile," to the Department of Public Works, showing the driveway access to the parcel (garage slab) complying with County Standards for driveway slopes (not to exceed 20%) and to County Standards for driveways (at the property line) being the same elevation as the center of the access roadway. When appropriate, as determined by the Department of Public Works, this plan and profile shall be prepared from elevations and alignment shown on the roadway improvement plans. The driveway plan shall also include and show specific provisions and details for both the existing and the proposed drainage patterns and drainage facilities.
24. 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.

Geotechnical Section

25. A Geotechnical Report shall be required at the Building Permit stage.

Coastside Fire Protection District

26. Smoke Detectors which are hardwired: As per the California Building Code, State Fire Marshal regulations, and Coastside Fire Protection District Ordinance 2016-01, the applicant is required to install State Fire Marshal approved and listed smoke detectors which are hardwired, interconnected, and have battery backup. These detectors are required to be placed in each new and recondition sleeping room and at a point centrally located in the corridor or area giving access to each separate sleeping area. In existing sleeping rooms, areas may have battery powered smoke alarms. A minimum of one detector shall be placed on each floor. Smoke detectors shall be tested and approved prior to the building final.
27. ADD Note to plans: Smoke alarm detectors are to be hardwired, interconnected, or with battery backup. Smoke alarms to be installed per manufacturer's instructions and NFPA 72.
28. ADD Note to plans: Escape or rescue windows shall have a minimum net clear openable area of 5.7 sq. ft., 5.0 sq. ft. allowed at grade. The minimum net clear openable height dimension shall be 24 inches. The net clear openable width dimension shall be 20 inches. Finished sill height shall be not more than 44 inches above the finished floor.
29. ADD Note to plans: As per Coastside Fire Protection District Standard C/-013, building identification shall be conspicuously posted and visible from the street. (TEMPORARY ADDRESS NUMBERS SHALL BE POSTED PRIOR TO COMBUSTIBLES BEING PLACED ON SITE). The letters/numerals for permanent address signs shall be 4 inches in height with a minimum 1/2-inch stroke. Such letter/numerals shall be internally illuminated and facing the direction of access. Residential address numbers shall be at least 6 feet above the finished surface of the driveway. Where buildings are located remotely to the public roadway, additional signage at the driveway/roadway entrance leading to the building and/or on each individual building shall be required by the Coastside Fire Protection District. This remote signage shall consist of a 6-inch by 18-inch green reflective metal sign with 3-inch reflective Numbers/ Letters similar to Hy-Ko 911 or equivalent shall be placed at the nearest from the nearest public roadway.
30. ADD Note to plans – Roof Covering: As per Coastside Fire Protection District Ordinance 2016-01, the roof covering of every new building or structure, and materials applied as part of a roof covering assembly, shall have a minimum fire rating of Class "B" or higher as defined in the current edition of the California Building Code.

31. ADD Note to plans – Fire Hydrant: As per 2016 CFC, Appendix B and C, a fire district approved fire hydrant (Clow 960) must be located within 500 feet of the proposed single-family dwelling unit measured by way of drivable access. As per 2016 CFC, Appendix B the hydrant must produce a minimum fire flow of 1,500 gallons per minute (gpm) at 20 pounds per square inch (psi) residual pressure for 2 hours. Contact the local water purveyor for water flow details.
32. ADD Note to plans – Automatic Fire Sprinkler System: As per San Mateo County Building Standards and Coastside Fire Protection District Ordinance Number 2016-01, the applicant is required to install an automatic fire sprinkler system throughout the proposed or improved dwelling and garage. All attic access locations will be provided with a pilot head on a metal upright. All areas that are accessible for storage purposes shall be equipped with fire sprinklers including closets and bathrooms. The only exception is small linen closets less than 24 sq. ft. with full depth shelving. The plans for this system must be submitted to the San Mateo County Planning and Building Department. A building permit will not be issued until plans are received, reviewed and approved. Upon submission of plans, the County will forward a complete set to the Coastside Fire Protection District for review. Fees shall be paid prior to plan review of the automatic fire sprinkler systems.
33. ADD Note to plans - Fire Access Roads: The applicant must have a maintained asphalt surface road for ingress and egress of fire apparatus. The San Mateo County Department of Public Works, the Coastside Fire Protection District Ordinance 2016-01, and the California Fire Code shall set road standards. As per the 2016 CFC, dead-end roads exceeding 150 feet shall be provided with a turnaround in accordance with Coastside Fire Protection District (CFPD) specifications. As per the 2016 CFC, Section Appendix D, road width shall not be less than 20 feet. Fire access roads shall be installed and made serviceable prior to combustibles being placed on the project site and maintained during construction. Approved signs and painted curbs or lines shall be provided and maintained to identify fire access roads and state the prohibition of their obstruction. If the road width does not allow parking on the street (20-foot road) and on-street parking is desired, an additional improved area shall be developed for that use.
34. Installation of underground sprinkler pipe shall be flushed and visually inspected by CFPD prior to hook-up to riser. Any soldered fittings must be pressure tested with trench open.
35. ADD Note to plans: Identify rescue windows in each bedroom and verify that they meet all requirements.
36. Show location of fire hydrant on a site plan. A fire hydrant is required within 500 feet of the building and flow a minimum 500 gpm at 20 psi. This information is to be verified by the water purveyor in a letter initiated by the applicant and sent to San Mateo County Fire/Cal-Fire or Coastside Fire Protection District. If there is not a hydrant within 500 feet with the required flow, one will have to be installed at the applicant's expense.
37. ADD Note to plans: Fire apparatus roads to be a minimum of 20-foot wide with minimum of 35 feet centerline radius and a vertical clearance of 15 feet. CFC503, D103, T-14 1273.
38. ADD Note to plans: Dead end emergency access exceeding 150 feet shall be provided with width and turnaround provisions meeting California Fire Code Appendix D.
39. "No Parking- Fire Lane" signs shall be provided on both sides of roads 20 feet to 26 feet wide and on one side of roads 26 to 32 feet wide. CFC D103.6
40. A Knox padlock or key switch will be required if there is limited access to property. CFC 506.1. For application and instructions please email jriddell@fire.ca.gov and ramores@fire.ca.gov if you need further assistance please contact Coastside Fire Protection District at 650/726-5213.
41. ADD Note to plans - Vegetation management (LRA): The Coastside Fire Protection District Ordinance No. 2016-01, the 2016 California Fire Code 304.1.2.

- a. A fuel break of defensible space is required around the perimeter of all structures to a distance of not less than 30 feet and may be required to a distance of 100 feet or to the property line. In SRA (State Responsible Area), the fuel break is 100 feet or to the property line.
- b. Trees located within the defensible space shall be pruned to remove dead and dying portions, and limbed up 6 to 10 feet above the ground. New trees planted in the defensible space shall be located no closer than 10 feet to adjacent trees when fully grown or at maturity.
- c. Remove that portion of any existing tree, which extends within 10 feet of the outlet of a chimney or stovepipe or is within 5 feet of any structure.

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Items 3. and 4. Have been postponed to the November 13, 2019 hearing.

- 3. **Owner/Applicant: Purissima Cemetery C/O Edward Bixby**
 File Number: PLN2019-00023
 Location: 1165 Verde Road, unincorporated Half Moon Bay
 Assessor's Parcel Nos.:066-180-060

Consideration of a Planned Agricultural District Permit, Coastal Development Permit, and Use Permit to legalize unpermitted development including, but not limited to: erection of solid materials or structures (e.g., wooden ramps, maintenance shed, gate, bench, and signs), change in the intensity of use of land, removal or harvesting of major vegetation other than for agricultural purposes, and the enlargement of non-conforming use at Historic Purissima Cemetery. Please direct any questions to Project Planner Renée T. Ananda at 650/363-1554 or rananda@smcgov.org.

- 4. **Owner: State of California (Caltrans and State Parks)**
Applicant: Caltrans and San Mateo County
 File Number: PLN 2018-00482
 Location: Highway 1 at Postmile 38.0(adjacent to Gray Whale Cove State Beach)
 Assessor's Parcel No.:Public Right-of-Way and portions of 036-380-180 (State Parks land)

Consideration of a Coastal Development Permit, pursuant to Section 6328.4 of the County Zoning Regulations, to install pedestrian access improvements at Gray Whale Cove State Beach. This project is appealable to the California Coastal Commission. Application deemed complete September 3, 2019. Please direct any questions to Project Planner Michael Schaller 650/363-1849 or mschaller@smcgov.org.

- 5. **Correspondence and Other Matters**
None
- 6. **Consideration of Study Session for Next Meeting**
Meeting agenda for 11/13 will include the two items not heard along with a project in Montara.
- 7. **Director's Report**
Director Monowitz updated the Commissioners on a few projects that had been approved but the Board of Supervisors as well as a brief update on the work that Code Enforcement is doing regarding Signage.
- 8. **Commissioner Updates and Questions**
None
- 9. **Adjournment**
Meeting was adjourned at 12:21 pm