



Planning & Building Department Planning Commission

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

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

ACTION MINUTES

MEETING NO. 1650
Wednesday June 13, 2018

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

Vice -Chair Gupta called the meeting to order at 9:00 a.m.

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

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

Legal Notice published in the San Mateo County Times on June 2, 2018.

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

None

Consideration of the Minutes of the Planning Commission meeting of May 23, 2018.
Commissioner Ramirez moved for approval of the minutes and Commissioner Hansson seconded the motion. **Motion carried 4-0-0-1(Commissioner Kersteen-Tucker)**

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

CONSENT AGENDA

9:00 a.m.

- Owner:** Alondra Butler
Applicant: Una Kinsella
File No.: PLN2017-00365
Location: 434 Summit Dr., Emerald Lake Hills
Assessor's Parcel No: 057-143-100

Consideration of a Design Review Permit and a Non-Conforming Use Permit, pursuant to Sections 6565.3 and 6137 of the San Mateo County Zoning Regulations, respectively, to allow construction of a 1,788 sq. ft. addition, to an existing 985 sq. ft., residence, on a 6,205 sq. ft. non-conforming parcel, at 434 Summit Drive, in the County unincorporated Emerald Lake Hills area. The addition includes a 402 sq. ft. attached garage, 257 sq. ft. addition to the first floor, and a 1,128 sq. ft. new second story. The application requires a Use Permit to allow lot coverage of 32% where 25% is the maximum, floor area of 2,772 sq. ft. where 2,400 sq. ft. is the maximum, and a front setback of 18'-2" where 20

feet is the minimum in the Residential Hillside (RH) Zoning District. The existing detached garage would be demolished. Two (2) significant trees are proposed to be removed.

SPEAKERS

1. Thomas Butler, Owner
2. Una Kinsella, Applicant

COMMISSION ACTION

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

Commissioner Ramirez moved to approve the project and 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 Design Review Permit and the Non-Conforming Use Permit, for County File Number PLN 2017-00365, 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 additions to structures of less than 10,000 sq. ft. in 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 public water and sewer districts, and the project site has been previously disturbed and is located in an established residential community.

For the Design Review, Found:

2. This project, as designed and conditioned, has been reviewed under and found to be in compliance with the Design Review Standards as stipulated in Chapter 28, Section 6565.15, of the San Mateo County Zoning Regulations. The proposal was reviewed and recommended for approval by the Emerald Lake Hills Design Review Officer (DRO) on February 6, 2018.
3. After consideration of project plans and public testimony, the DRO found that the proposed house design, as proposed and conditioned, is in compliance with the Design Review Standards because the project: (a) incorporates materials which comply with the Design Review Standards, (b) has a building shape minimizes bulk by varying building height and use of a variety of geometric shape planes (c) facades are proportioned and patterned, and (d) respects privacy of neighboring houses.

For the Use Permit, Found:

4. That the project complies with the required findings for a Non-Conforming Use Permit per Section 6137 in that:
 - a. The development is proportioned in size since the subject parcel is 50% the size of a conforming parcel, the encroachment into the front yard setback is only one foot, four

inches on one side of the parcel, the proposed total lot coverage is 7% more than the maximum allowed, and the floor area is only 372 sq. ft. more than the 2,400 sq. ft. maximum floor area allowed.

- b. Both adjacent parcels are developed and there are no opportunities to acquire contiguous land.
- c. The proposed development is as nearly in conformance with the zoning regulations currently in effect as is reasonably possible, as the project requires relatively minor relief from the zoning regulations for the front yard, lot coverage and floor area.
- d. The proposal will not be detrimental to the public welfare or injurious to property or improvements, as the new construction will conform with side setbacks, the project has been reviewed and recommended for approval by the Emerald Lake Hills Design Review Officer, and no concerns were raised by reviewing agencies such as the Building Section, Department of Public Works or Cal Fire.
- e. The exceptions requested are not granting any special privilege as the yard encroachments and additional square footage of lot coverage and floor area are allowed under this proposal are compatible to exceptions commonly granted to homeowners through a Home Improvement Exception (HIE) and would result in a residence consistent with other houses in the neighborhood.

CONDITIONS OF APPROVAL

Current Planning Section

1. The project shall be constructed in compliance with the plans once approved by the County. Any changes or revisions to the approved plans shall be submitted for review by the Community Development Director to determine if they are compatible with the Design Review Standards and in substantial compliance with the approved plans prior to being incorporated into the building plans. 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. Adjustments to the design during the building plan stage may result in the assessment of additional plan resubmittal or revision fees. Alternatively, the Community Development Director may refer consideration of the adjustments, if they are deemed to be major, to a new Emerald Lake Hills Design Review Officer public hearing which requires payment of an additional fee of \$1,500, and surcharges.
2. The design review and use permit approval shall be valid for five (5) years from the date of final approval, in which time a building permit shall be issued and a completed inspection (to the satisfaction of the building inspector) shall have occurred within 180 days of its issuance. The design review approval may be extended by one 1-year increment with submittal of an application for permit extension and payment of applicable extension fees sixty (60) days prior to the expiration date.
3. Two significant trees are approved for removal. Any additional tree removal is subject to the San Mateo County Tree Ordinance and will require a separate permit for removal.
4. Owner shall plant two (2) 15-gallon replacement trees on-site, prior to final approval of the building permit. One tree, replacing the native redwood tree, shall be native and drought resistant. Proof of tree replanting shall be submitted to the Current Planning Section via photos for verification.

5. Prior to any construction activity on the project site, the property owner shall implement the following tree protection plan for trees that have not been approved for removal:
 - a. The property owner shall establish and maintain tree protection zones throughout the entire length of the project.
 - b. Tree protection zones shall be delineated using 4-foot tall orange plastic fencing supported by poles pounded into the ground, located as close to the driplines as possible while still allowing room for construction/grading to safely continue.
 - c. The property owner shall maintain tree protection zones free of equipment and materials storage and shall not clean any equipment within these areas.
 - d. Should any large roots or large masses of roots need to be cut, the roots shall be inspected by a certified arborist or registered forester prior to cutting.
 - e. Any root cutting shall be monitored by an arborist or forester and documented.
 - f. Roots to be cut should be severed cleanly with a saw or toppers.
 - g. Normal irrigation shall be maintained, but oaks should not need summer irrigation.
6. The project is subject to compliance to the Water Efficient Landscape Ordinance (WELo): <http://planning.smcgov.org/documents/water-efficient-landscape-ordinance-welo>. The landscape plan shall comply with the Water Efficient Landscape Ordinance. Building plans shall demonstrate compliance with the Water Efficient Landscape Ordinance. The following changes shall be made on building plans.
7. 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.
8. The applicant shall include an erosion and sediment control plan to comply with the County's Erosion Control Guidelines on the plans submitted for the building permit. This plan shall identify the type and location of erosion control measures to be installed upon the commencement of construction in order to maintain the stability of the site and prevent erosion and sedimentation off-site.
9. All new utilities shall be install underground.
10. An Erosion Control and Tree Protection Inspection is required prior to the issuance of a building permit for grading, construction, and demolition purposes, as the project requires tree protection of significant trees and a grading permit. Once all review agencies have approved your building permit, you will be notified that an approved job copy of the Erosion Control and/or Tree Protection Plan is ready for pick-up at the Planning counter of the Planning and Building Department. Once the Erosion Control and/or Tree Protection measures have been installed per the approved plans, please contact Jeremiah Pons, Building/Erosion Control Inspector, at 650/599-1592 or jpons@smcgov.org, to schedule a pre-site inspection. A \$144 inspection fee will be assessed to the building permit for the inspection. If the initial pre-site inspection is not approved, an additional inspection fee will be assessed for each required

re-inspection until the job site passes the Pre-Site Inspection, or as determined by the Building Inspection Section.

11. Prior to the Current Planning Section 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. 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).
12. 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.
13. 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.
14. The applicant shall adhere to all requirements of the Building Inspection Section, the Department of Public Works, and Cal-Fire.
15. No site disturbance shall occur, including any grading or tree/vegetation removal, until a building permit has been issued.
16. To reduce the impact of construction activities on neighboring properties:
 - 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 Summit Drive. All construction vehicles shall be parked on-site outside the public right-of-way or in locations which do not impede safe access on Summit Drive. There shall be no storage of construction vehicles in the public right-of-way.
17. 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).

18. The property owner shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines" including, but not limited to, the following:
 - a. Delineation with field markers of clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses within the vicinity of areas to be disturbed by construction and/or grading.
 - b. Protection of adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
 - c. Performing clearing and earth-moving activities only during dry weather.
 - d. Stabilization of all denuded areas and maintenance of erosion control measures continuously between October 1 and April 30.
 - e. Storage, handling, and disposal of construction materials and wastes properly, so as to prevent their contact with stormwater.
 - f. Control and prevention of 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.
 - g. Use of sediment controls or filtration to remove sediment when dewatering site and obtain all necessary permits.
 - h. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
 - i. Limiting and timing application of pesticides and fertilizers to prevent polluted runoff.
 - j. Limiting construction access routes and stabilization of designated access points.
 - k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
 - l. Training and providing instruction to all employees and subcontractors regarding the Watershed Protection Maintenance Standards and construction Best Management Practices.
 - m. Additional Best Management Practices in addition to those shown on the plans may be required by the Building Inspector to maintain effective stormwater management during construction activities. Any water leaving the site shall be clear and running slowly at all times.
 - n. Failure to install or maintain these measures will result in stoppage of construction until the corrections have been made and fees paid for staff enforcement time.
19. It shall be the responsibility of the engineer of record to regularly inspect the erosion control measures for the duration of all grading remediation 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.

Building Inspection Section

20. A building permit is required.
21. Fire sprinklers shall be installed throughout the entire residence.
22. The project shall be designed and constructed according to the latest adopted and locally amended California Building Standards Code, which at the time of this review is the 2016 version.

Cal-Fire

23. All buildings that have a street address shall have the number of that address on the building, mailbox, or other type of sign at the driveway entrance in such a manner that the number is easily and clearly visible from either direction of travel from the street. Residential address numbers shall be at least 6 feet above the finished surface of the driveway. An address sign shall be placed at each break of the road where deemed applicable by the Cal-Fire. Numerals shall be contrasting in color to their back-ground and shall be no less than 4 inches in height, and have a minimum 1/2-inch stroke.
24. Contact the Fire Marshal's Office to schedule a Final Inspection prior to occupancy and Final Inspection by a Building Inspector. Allow for a minimum of 72 hours-notice to the Fire Department at 650/573-3846.
25. A fire flow of 1000 gpm for 2 hours with a 20-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.
26. Any chimney or woodstove outlet shall have installed onto the opening thereof an approved (galvanized) spark arrestor of a mesh with an opening no larger than 1/2 inch in size or an approved spark arresting device. Maintain around and adjacent to such buildings or structures a fuelbreak/firebreak made by removing and cleaning away flammable vegetation for a distance of not less than 30 feet and up to 100 feet around the perimeter of all structures or to the property line, if the property line is less than 30 feet from any structure. This is not a requirement nor an authorization for the removal of live trees. Remove that flammable portion of any tree which extends within 10 feet of the outlet of any chimney or stovepipe, or within 5 feet of any portion of any building or structures. Remove that dead or dying portion of any tree which extends over the roof line of any structure.
27. A 13D fire sprinkler system may be required, Building Inspection Section's safety score must be done to determine if fire sprinklers are required.
28. All roof assemblies in Very high Fire Hazard Severity Zones shall have a minimum CLASS-A fire resistive rating and be installed in accordance with the manufacturer's specifications and current California Building and Residential Codes.

- 29. Smoke alarms and carbon monoxide detectors shall be installed in accordance with the California Building and Residential Codes. This includes the requirement for hardwired, interconnected detectors equipped with battery backup and placement in each sleeping room in addition to the corridors and on each level of the residence.
- 30. 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.
- 31. 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.
- 32. A statement that the building will be equipped and protected by automatic fire sprinklers must appear on the title page of the building plans.

Drainage

- 33. 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. 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 for review and approval.
- 34. 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.

REGULAR AGENDA

9:00 a.m.

- 2. **STUDY SESSION: Housing Law: Housing Accountability Act, SB 35, No Net Loss**
Presented by Planner Will Gibson, and County Counsel
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3. **Correspondence and Other Matters**

None

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

No meeting scheduled for June 27, 2018 due to lack of agenda items.

5. **Director's Report**

The next meeting is on July 11, 2018 will have two items on the agenda.

6. **Adjournment**

Meeting adjourned at 10:59 a.m.
