



Planning & Building Department Planning Commission

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

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

ACTION MINUTES

Draft

MEETING NO. 1626

Wednesday, February 8, 2017

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

Chair Ramirez called the meeting to order at 9:12 a.m.

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

Roll Call: Commissioners Present: Dworetzky, Hansson, Kersteen-Tucker, Ramirez
Staff Present: Monowitz, Fox, Shu

Legal notice published in the San Mateo County Times on January 28, 2017 and in the Half Moon Bay Review on February 1, 2017.

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 January 11, 2017.

Commissioner Dworetzky moved, and Commissioner Hansson seconded, that the minutes be approved as submitted. Motion carried 4-0-0-0.

Commissioner Dworetzky moved for approval of the Consent Agenda, and Commissioner Hansson seconded the motion. Motion carried 4-0-0-0, approving one item as follows:

CONSENT AGENDA

9:00 a.m.

- Owner:** Foremost-mc Kesson, Inc
Applicant: County Real Property Division
File No.: PLN2017-00021
Location: San Bruno Mountain Conservation Plan

Assessor’s Parcel Nos.: 005-260-370-1, 005-260-180-4, 090-090-250-3, 005-260-380-0, 005-270-100-0, 090-100-250-1 and 005-260-360-2

Consideration of a General Plan Conformity determination for County acquisition of parcels 005-260-370-1, 005-260-180-4, 090-090-250-3, 005-260-380-0, 005-270-100-0, 090-100-250-1 and 005-260-360-2 for inclusion in the San Bruno Mountain Conservation Plan (HCP) area. Application deemed complete January 4, 2017.

FINDING

Found that the proposed acquisition by the County of parcels 005-260-370, 005-260-180, 090-090-250, 005-260-380, 005-270-100, 090-100-250, and 005-260-360, for inclusion in the San Bruno Mountain Habitat Conservation Area, for restoration and conservation in perpetuity, conforms to the General Plan Vegetative, Water, Fish and Wildlife Resources Policies, Soil Resources Policies, Visual Quality Policies, and Park and Recreation Resource Policies, and is consistent with the County’s General Plan.

END OF THE CONSENT AGENDA

REGULAR AGENDA

9:00 a.m.

- 2. **Owner/Applicant:** ExteNet Systems, Inc.
Appellant: David W. Ehrhardt
 File No.: PLN 2016-00216
 Location: Public Right-Of-Way in front of 231 Cuesta Real, La Honda
 Assessor’s Parcel No.: None (Public Right-Of-Way in front of 083-043-420)

Consideration of an appeal of the Zoning Hearing Officer’s approval of a Use Permit, pursuant to Sections 6500 and 6510 of the San Mateo County Zoning Regulations, to replace an existing 38-foot 7-inch tall utility pole with a new 47-foot 6-inch tall joint utility pole and to install a new wireless telecommunication facility on the new pole located in the public right-of-way in front of 231 Cuesta Real in the unincorporated La Honda area of San Mateo County. Appeal filed November 3, 2016.

SPEAKERS:

- 1. David Ehrhardt
- 2. Lennie Roberts, Committee for Green Foothills

COMMISSION ACTION:

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

Commissioner Dworetzky moved and Commissioner Ramirez seconded the motion. **Motion carried 4-0-0-0**

Based on information provided by staff and evidence presented at the hearing, the Planning Commission denied the appeal and upheld the decision of the Zoning Hearing Officer to approve the Use Permit, County File Number PLN 2016-00216, by making the required findings and adopting the conditions of approval listed as follows:

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

1. That this project is categorically exempt from environmental review, per Class 3, Section 15303, of the California Environmental Quality Act (CEQA) Guidelines for construction of a new, small structure and installation of small new equipment and a facility in a small structure.

Regarding the Use Permit, Found:

2. That the establishment, maintenance, and/or conducting of the use will not, under the circumstances of this particular case, be detrimental to the public welfare or injurious to the property or improvements in said neighborhood because the project will meet current Federal Communications Commission (FCC) standards as shown in the radio frequency radiation report and has been conditioned to maintain a valid FCC and California Public Utilities Commission (CPUC) license.
3. That this telecommunications facility is necessary for the public health, safety, convenience, or welfare of the community in that installing a cellular facility at this location will provide increased and improved cellular coverage in the area for residents, commuters, and emergency personnel.

CONDITIONS OF APPROVALCurrent Planning Section

1. This approval applies only to the proposal, documents, and plans described in this report and submitted to and approved by the Zoning Hearing Officer on May 20, 2016. Minor revisions or modifications may be approved by the Community Development Director if they are consistent with the intent of and in substantial conformance with this approval.
2. This use permit shall be for the proposed project only. Any change or change in intensity of use shall require an amendment to the use permit. Amendment to this use permit requires an application for amendment, payment of applicable fees, and consideration at a public hearing.
3. This permit shall be valid for ten (10) years until February 8, 2027. If the applicant seeks to renew this permit, renewal shall be applied for six (6) months prior to expiration with the Planning and Building Department and shall be accompanied by the renewal application and fee applicable at that time. Renewal of this permit shall be considered at a public hearing.
4. The applicant shall paint the proposed antennas brown and the equipment cabinets shall be painted a non-reflective color to match the utility pole. Two copies of color samples shall be submitted to the Current Planning Section at the time of application for a building permit. Color verification will be confirmed by the Current Planning Section prior to a final inspection for the building permit.
5. 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 by:

- a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 1 and April 30. Stabilizing shall include both proactive measures, such as the placement of hay bales or coir netting, and passive measures, such as revegetating disturbed areas with plants propagated from seed collected in the immediate area.
 - b. Storing, handling, and disposing of construction materials and wastes properly, so as to prevent their contact with stormwater.
 - c. Controlling and preventing the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
 - d. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
 - e. Delineating with field markers clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses.
 - f. Protecting adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
 - g. Performing clearing and earth-moving activities only during dry weather.
 - h. Limiting and timing application of pesticides and fertilizers to prevent polluted runoff.
 - i. Limiting construction access routes and stabilizing designated access points.
 - j. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
 - k. The contractor shall train and provide instruction to all employees and subcontractors regarding the construction best management practices.
6. This permit does not allow for the removal of any trees. Any tree removal will require a separate permitting process.
 7. The applicant shall not enter into a contract with the landowner or lessee which reserves for one company exclusive use of structures on this site for telecommunications facilities.
 8. The wireless telecommunication facility shall not be lighted or marked unless required by the Federal Communications Commission (FCC) or the Federal Aviation Administration (FAA).
 9. The applicant shall file, receive, and maintain all necessary licenses and registrations from the Federal

Communications Commission (FCC), the California Public Utilities Commission (CPUC), and any other applicable regulatory bodies prior to initiating the operation of the wireless telecommunication facility. The applicant shall supply the Planning and Building Department with evidence of each of these licenses and registrations. If any required license is ever revoked, the applicant shall inform the Planning and Building Department of the revocation within ten (10) days of receiving notice of such revocation.

10. Once a use permit is obtained, the applicant shall obtain a building permit and build in accordance with the approved plans.
11. The project's final inspection approval shall be dependent upon the applicant obtaining a permanent and operable power connection from the applicable energy provider.
12. The wireless telecommunication facility and all equipment associated with it shall be removed in its entirety by the applicant within 90 days if the FCC and/or CPUC license and registration are revoked or the facility is abandoned or no longer needed, and the site shall be restored and revegetated to blend with the surrounding area. The owner and/or operator of the wireless telecommunication facility shall notify the County Planning Department upon abandonment of the facility. Restoration and revegetation shall be completed within two (2) months of the removal of the facility.
13. Wireless telecommunication facilities shall be maintained by the permittee(s) and subsequent owners in a manner that implements visual resource protection requirements of Section 6512.2.E and F above (e.g., landscape maintenance and painting), as well as all other applicable zoning standards and permit conditions.
14. 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).
15. If a diesel generator is proposed at the building permit stage, the applicant shall provide written documentation as to why the installation of options such as electricity, natural gas, solar, wind or other renewable energy sources is not feasible. The use of diesel generators or any other emergency backup energy source shall comply with the San Mateo County Noise Ordinance.
16. If technically practical and without creating any interruption in commercial service caused by electronic magnetic interference (EMI), floor space, tower space and/or rack space for equipment in a wireless telecommunication facility shall be made available to the County for public safety communication use.
17. To reduce the impact of construction activities within the public right-of-way and/or on neighboring properties, the applicant shall ensure that no construction-related vehicles impede through traffic along Cuesta Real, Canada Vista, or other public right-of-ways.
18. To reduce the impact of potential traffic hazards from service visits to the facility, the applicant shall

ensure that no vehicles related to the service and/or maintenance of the cellular facility impede through traffic along Cuesta Real, Canada Vista, or other public right-of-ways.

- 19. To limit human exposure to radio frequency energy, explanatory signs are required to be posted at the antennas and/or on the pole below the antennas, readily visible from any angle of approach to persons who might need to work within the project area.
- 20. Prior to final inspection for the building permit, the applicant must contact the Project Planner to close the two alternative site proposals under PLN 2014-00395 and PLN 2014-00396.

Department of Public Works

- 21. No proposed construction work within the County right-of-way shall begin until County requirements for the issuance of an encroachment permit, including review of the plans, have been met and an encroachment permit issued. The applicant shall contact a Department of Public Works Inspector 48 hours prior to commencing work in the right-of-way.

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| 3. | Owner: | Edward Love and Bobbe Sue Burns |
| | Applicant: | Edward Love |
| | Appellant: | Lennie Roberts, Committee for Green Foothills |
| | File No.: | PLN 2016-00357 |
| | Location: | 150 Weinke Way, Moss Beach |
| | Assessor’s Parcel No.: | 037-094-180 |

Consideration of an appeal of the Community Development Director’s decision to approve a Significant Tree Removal Permit to remove a 48-inch dbh (diameter at breast height), Monterey Cypress tree pursuant to Section 12,028 of San Mateo County Ordinance Code, on property located at 150 Wienke Way in the unincorporated Moss Beach area of San Mateo County. Appeal filed November 18, 2016.

SPEAKERS:

- 1. Lennie Roberts, Committee for Green Foothills
- 2. Edward Love
- 3. Bobbe Sue Burns

COMMISSION ACTION:

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

Based on information provided by staff and evidence presented at the hearing, the Planning Commission found that the appellant is an aggrieved person within the meaning of an ordinance, and decided to continue the project to a date uncertain in order to allow time for an independent arborist report.

- 4. **Correspondence and Other Matters**
No items for next meeting
- 5. **Consideration of Study Session for Next Meeting**

None

6. **Director's Report**

Update on recent Board of Supervisors actions and upcoming public hearings.

7. **Adjournment**

The meeting adjourned at 11:31 a.m.