



Planning & Building Department Planning Commission

Vacant, 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

DRAFT

MEETING NO. 1631
Wednesday, May 24, 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 9:02 a.m.

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

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

Legal notice published in the San Mateo County Times on May 13, 2017 and the Half Moon Bay Review on May 17, 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 of April 26, 2017.

Commissioner Hansson moved, and Commissioner Santacruz seconded, that the minutes be approved as submitted. **Motion carried 3-0-0-1 (Commissioner Kersteen-Tucker absent)**

Consideration of the Minutes of the Planning Commission meeting of May 10, 2017.

Commissioner Hansson moved, and Commissioner Santacruz seconded, that the minutes be approved as submitted. **Motion carried 3-0-0-1 (Commissioner Kersteen-Tucker absent)**

REGULAR AGENDA

9:00 a.m.

- Owner:** John Franklin and Raymond Angwin
Applicant: Wilkinson Enterprises, Inc.
File No.: PLN2016-00445
Location: South Cabrillo Highway, unincorporated San Gregorio
APN: 066-330-130 and 066-330-150

Consideration of Certification of an Initial Study and Mitigated Negative Declaration subject to the California Environmental Quality Act, and consideration of an Architectural Review Exemption pursuant to Sections 154, 227-229.1, 260, and 261 of the California Streets and Highways Code, and Coastal Development Permit and Planned Agricultural District Permit pursuant to Section 6328.4 and 6363 of the San Mateo County Zoning Regulations, to drill a domestic water well to serve a future single-family dwelling on a vacant parcel. The project is located within the Cabrillo Highway State Scenic Corridor.

SPEAKERS:

None

COMMISSION ACTION:

Commissioner Ramirez moved and Commissioner Hansson seconded to close the public hearing.
Motion carried 3-0-0-1 (Commissioner Kersteen-Tucker absent)

Commissioner Hansson moved and Commissioner Santacruz seconded the motion.
Motion carried 3-0-0-1 (Commissioner Kersteen-Tucker absent)

Based on information provided by staff and evidence presented at the hearing, the Planning Commission certified the Mitigated Negative Declaration and approved the Coastal Development Permit, Architectural Review Exemption, and the Planned Agricultural District Permit amendment for County File Number PLN 2016-00445, by making the required findings and adopting the conditions of approval as follows:

FINDINGS:

Regarding the Mitigated Negative Declaration, Found:

1. That the Planning Commission does hereby find that this Mitigated Negative Declaration reflects the independent judgment 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, if subject to the mitigation measures contained in the Mitigated Negative Declaration, will have a significant effect on the environment. The Initial Study and Mitigated Negative Declaration identify potential significant impacts to biological resources, cultural resources, geology and soils, climate change, hydrology and water quality, and noise. The mitigation measures contained in the Mitigated Negative Declaration have been included as conditions of approval in this attachment. As proposed and mitigated, the project would not result in any significant environmental impacts.
4. That the mitigation measures in the Mitigated Negative Declaration and agreed to by the owner and placed as conditions on the project have been incorporated into the Mitigation Monitoring and Reporting Plan in conformance with the California Public Resources Code Section 21081.6.

Regarding the Architectural Review Exemption, Found:

5. That the site evaluation, including a field visit of the property by Planning staff and photos submitted with the application, verifies that the proposed project will not be visible from Highway 1 (Cabrillo Highway). Although the project parcel is located within the Cabrillo Highway State 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 Cabrillo Highway or any other public viewpoints.

Regarding the Coastal Development Permit, Found:

6. 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 as described in the staff report to the Planning Commission dated May 24, 2017.
7. That the project conforms to the findings required by policies of the San Mateo County Local Coastal Program. Specifically, in regard to the Agriculture and Visual Resources Components, that the domestic well is conditionally permitted with the issuance of a Planned Agricultural District permit, that the project has been proposed to be located in an area that has been defined as "Lands Suitable for Agriculture," and that the proposed project converts only a small portion of the parcel leaving the remaining undisturbed area available for agricultural uses. In addition, the project will not be visible from scenic roadways or corridors, does not result in a significant change to natural landforms, and is mitigated to prevent potential impacts to coastal resources and sensitive habitats.

Regarding the Planned Agricultural Permit, Found:

General Criteria

8. That the encroachment of all development upon land, which is suitable for agricultural use, is minimized. The proposed well results in only minimal site disturbance and converts only a small portion of the project parcel. The remaining portion of the parcel will be available for future agricultural activities.
9. 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 and is conditioned to mitigate any significant adverse environmental impacts upon primary wildlife or marine resources. The project also complies with Section 6325.1, which addresses primary scenic resources areas. While the project is located within the scenic corridor, the impact to scenic public views is minimal as the project is minor in nature and the existing topography and vegetation screen the project from public viewpoints.

Water Supply Criteria

10. That the existing availability of potable and adequate on-site well water source for all non-agricultural uses is demonstrated. The project parcel currently does not have an on-site well water source for either agricultural or domestic purposes. The well is being proposed to determine if any on-site domestic water source exists on the parcel.
11. That adequate and sufficient water supplies needed for agricultural production and sensitive habitat protection in the watershed are not diminished. Per the submitted hydrologist report, the proposed well is located an adequate distance from the nearest existing well as to not impact its production. Further, there is no expectation that the proposed well will result in significant groundwater depletion or interfere with groundwater recharge.

Criteria for the Conversion of Lands Suitable for Agriculture and Other Lands

12. That all agriculturally unsuitable lands on the parcel have been developed or determined to be undeveloped. The proposed well locations have been identified as the most likely area to find water on the parcel after the first well drilled in 2015 did not yield sufficient water to support a single family residence. The proposed well has a minimal footprint and the overall area of disturbance is limited which allows the large remainder of the parcel to remain available for future agricultural activities.
13. 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 proposed well will convert only a small portion of the parcel leaving the majority of the parcel available for agriculture uses.
14. That the productivity of any adjacent agricultural lands is not diminished, including the ability of the land to sustain dry farming or animal grazing. Given the distance between the proposed well locations and the nearest agricultural uses, no impact is expected on the productivity of adjacent agricultural lands.
15. 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 well does not require public service or facility expansions. The proposed well is completely located on the subject parcel and does not limit the agricultural viability of the parcel, considering the small portion of the parcel to be converted. The Environmental Health Division has preliminarily reviewed the proposed plans and found it to be in compliance with current health standards, thereby assuring there is no threat to water quality.

CONDITIONS OF APPROVAL:Current Planning Section

1. The approval applies only to the proposal as described in this report and materials submitted for review and approval by the Planning Commission on May 24, 2017. 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 sixty (60) days prior to the expiration date.
3. The Department of Fish and Game (DFG) has determined that this project is not exempt from the DFG California Environmental Quality Act filing fees per Fish and Game Section 711.4. The applicant shall pay to the San Mateo County Recorder's Office the most current DFG filing fee plus the applicable recording fee at the time of filing of the Notice of Determination by the San Mateo County Planning and Building Department staff within ten (10) business days of the approval.
4. **Mitigation Measure 1:** Construction shall only be within the dry season (approximately May 1 to September 30) and only when the ground is dry enough to support equipment at the work area. The applicant shall reference the Impact Area Map prepared by the project biologist to implement and maintain the following measures during construction to prevent spoils from entering the nearby pond and creek that are downslope from the drilling impact areas and to protect the California red-legged frog, the San Francisco garter snake, and the saltmarsh common yellowthroat which have a high potential to occur within the project area:

- a. Install straw wattles or other natural biodegradable erosion control measures that do not contain plastic monofilament netting along the perimeter of the project area (i.e., along the existing dirt road and on the perimeters of the 50-foot radius of temporary impact around the drill sites).
 - b. Construction vehicles may only park and travel on the existing dirt road and within the 50-foot radius of temporary impact around the drill sites.
 - c. No construction work is allowed if there is a greater than 20% chance of precipitation.
 - d. Spoil piles must be covered each day and prior to rain events.
 - e. A frog and snake fence will be installed and maintained around the construction work site and along the road to the entrance of the property. The fence will be 3 feet high and 10 feet away from the proposed well locations.
5. **Mitigation Measure 2:** To protect the Coastal marsh milk-vetch, Choris' popcornflower, and any other special status and protected species which have a potential to occur within the project area, a blooming season plant survey shall be conducted by a qualified biologist in late May or early July to encompass the variability of bloom time triggered by weather variability. If the Coastal marsh milk-vetch, Choris' popcornflower, or any other special status or protected species are determined to be present, the applicant shall consult a qualified biologist to recommend avoidance measures such as fencing, alteration of the planned impact area, and restricted access. The applicant shall also reference the Impact Area Map prepared by the project biologist for implementation and management of mitigation measures used.
6. **Mitigation Measure 3:** 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, handstones) are encountered, all excavations should 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.
7. **Mitigation Measure 4:** 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.
8. **Mitigation Measure 5:** Use existing roads to the maximum extent feasible to avoid additional surface disturbance.
9. **Mitigation Measure 6:** During all phases of the project, keep equipment and vehicles within the limits of the previously disturbed areas of the project site.
10. **Mitigation Measure 7:** 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.

11. **Mitigation Measure 8:** 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. The intent shall be to mitigate excessive dust generation resulting from any and all excavation and earth-moving operations.
12. **Mitigation Measure 9:** Implement best management practices (BMPs) for erosion and sediment control during all phases of building to include pre- and post-construction activities.
13. **Mitigation Measure 10:** Prior to the beginning of any construction or grading activities, the applicant shall implement the approved erosion and sediment control plan if applicable. 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, 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. 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.

- 19. There shall be no removal of any significant vegetation that screens the view of the structure from Cabrillo Highway. Removal of any such vegetation shall be permitted only by the Planning Commission as part of an application for Architectural Review.
- 20. If any portion of a new structure is visible from Cabrillo Highway 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.
- 21. The approval of this project does not include the energization of the well. No extension of electric service is allowed as part of this permit.
- 22. If construction activity will be during avian nesting season, a pre-construction survey shall be conducted by a qualified biologist within 48-hours from the start of construction to capture data regarding nesting birds within the temporary impact area and the surrounding vicinity. If nesting birds are discovered, the following mitigation measures are required to determine whether the construction activities will disturb the nest(s) and to minimize impact of construction:
 - a. Determine and mark a suitable buffer within which no construction activity or access may occur.
 - b. During construction, a qualified biologist must monitor the nest and observe if there is any disturbance due to construction activity.
 - c. If it is determined that construction activity is disrupting nesting activities, construction shall be suspended until nestlings have fledged.
- 23. 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 Division permits.

Environmental Health Division

- 24. 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 Environmental Health (EH) Division for the construction of the well. The subject well shall be tested to meet quantity and quality health standards.
- 25. In the event that either the first or second 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 EH Division. This shall have occurred prior to or concurrent with the EH Division’s final certification of the well that does meet their standards, or if determined that one or both do not.
- 26. Upon obtaining approval of the planning permits required for this project to drill a domestic water well, the applicant shall obtain a well abandonment permit from the EH Division for the well approved under Planning Permit Case Number PLN 2014-00421 that was drilled in November 2015.

2. **Owner:** Scott Cook Trust
Applicant: Kerry Burke
File No.: PLN2016-00425
Location: 1906 Pomponio Creek Rd., unincorporated San Gregorio
Assessor’s Parcel No.: 087-180-170

Consideration of a Coastal Development Permit, pursuant to Section 6328 of the County Zoning Regulations, for the expansion of an existing railcar bridge, crossing Pomponio Creek. The project is appealable to the California Coastal Commission.

SPEAKERS:

1. Kerry Burke

COMMISSION ACTION:

Commissioner Hansson moved and Commissioner Santa Cruz seconded to close the public hearing. **Motion carried 3-0-0-1 (Commissioner Kersteen-Tucker absent)**

Commissioner Santacruz moved and Commissioner Hansson seconded the motion. **Motion carried 3-0-0-1 (Commissioner Kersteen-Tucker absent)**

Based on information provided by staff and evidence presented at the hearing, the Planning Commission certified the Mitigated Negative Declaration and approved the Coastal Development Permit, for County File Number PLN 2016-00425, by making the required findings and adopting the conditions of approval as follows:

FINDINGS:

Regarding the Mitigated Negative Declaration, Found:

1. That the Planning Commission does hereby find that this Mitigated Negative Declaration reflects the independent judgment 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 applicant and placed as conditions on the project have been incorporated into the Mitigation Monitoring and Reporting Plan in conformance with 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 Section 6328.7 and as conditioned in accordance with Section 6328.14, conforms with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program as described in Section A2 of the staff report dated May 24, 2017.
6. That the project conforms to specific findings required by policies of the San Mateo County Local Coastal Program as described in Section A.2 of the staff report dated May 24, 2017.

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 at the May 24, 2017 meeting. 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 permit shall be valid for one (1) year from the date of final approval. Any extension of the permits shall require submittal of an application for permit extension and payment of applicable extension fees sixty (60) days prior to the expiration date.
3. This permit does not allow for the removal of any trees. Removal of any tree with a circumference of 55 inches or greater, as measured 4.5 feet above the ground, shall require additional review by the Community Development Director prior to removal. Only the minimum vegetation necessary shall be removed.
4. The project is subject to the Department of Fish and Game California Environmental Quality Act (CEQA) filing fees per Fish and Game Section 711.4. The applicant shall pay to the San Mateo County Recorder's Office an amount of \$2,216.25 plus the applicable recording fee of \$50 at the time of filing of the Notice of Determination by the County Planning and Building Department staff within five (5) business days of the approval.
5. The applicant shall reseed or replant, where appropriate, using a native non-invasive exotics in areas of disturbed soils resulting from the project. Any reseeding/replanting shall be shown on a plan; fertilizers or pesticides shall not be used.
6. No riparian vegetation shall be removed as a result of this project. Should any plants be removed, the applicant shall receive direction from the WRA Biologist regarding appropriate replanting.
7. The disturbance or removal of native ground vegetation shall not exceed the minimum necessary to construct the widened bridge approach.
8. **Mitigation Measure 1:** All work shall occur during the dry season (April 15-October 31).
9. **Mitigation Measure 2:** Wildlife exclusion fencing shall be erected and maintained between the proposed bridge expansion construction activities (abutments) and the Pomponio Creek riparian habitat on both sides of Pomponio Creek. The purpose of the exclusion fence is to prevent the SFGS and CRLF from dispersing from Pomponio Creek onto the Project Site. Fencing should extend a minimum of 36 inches above ground level and be buried 4 inches to 6 inches below ground. Upon completion of the Project, all fencing material will be removed from the site and disposed of properly.
10. **Mitigation Measure 3:** Pre-construction surveys shall be performed immediately prior to the start of any ground breaking activities by a qualified biologist. If the CRLF and SFGS are found within the Study Area, all work shall cease until the individual(s) have been allowed to leave the Study Area on their own and the fence has been repaired, if necessary. If the CRLF or SFGS individual(s) cannot passively leave the Study Area, work will cease and the USFWS will be contacted to determine the appropriate course of action.
11. **Mitigation Measure 4:** If ground disturbing activities are to take place below the top of the bank or within the riparian corridor, and an exclusion fence cannot be properly installed because of the steep banks, a qualified biologist shall monitor ground disturbing activities below the top of the bank and/or within the riparian habitat. If the CRLF or SFGS are found within the Study Area, all

work shall cease until the individual(s) have been allowed to leave the Study Area on their own. If the CRLF or SFGS individual(s) cannot passively leave the Study Area, work will cease and the USFWS will be contacted to determine the appropriate course of action.

12. **Mitigation Measure 5:** Tightly woven fiber netting or similar material shall be used for erosion control or other purposes at the Project to ensure that the CRLF and SFGS do not get trapped. This limitation shall be communicated to the contractor. Plastic mono-filament netting (erosion control matting), rolled erosion control products, or similar material shall not be used because the CRLF, SFGS, and other species may become entangled or trapped in it.
13. **Mitigation Measure 6:** Because dusk and dawn are often the times when the CRLF are most active and dispersing, all construction activities shall cease one half hour before sunset and shall not begin prior to one half hour after sunrise.
14. **Mitigation Measure 7:** No work shall occur during rain events (defined as greater than 0.25 inches within a 24-hour period) when either species is most likely to disperse.
15. **Mitigation Measure 8:** If work is to be initiated during the nesting season (March 1 - August 31), a pre-construction nesting bird survey shall be performed no more than 14 days prior to initial ground disturbance to avoid impacting nests, eggs, and/or young.
16. **Mitigation Measure 9:** If the survey identifies any active nests, an exclusion buffer shall be established for protection of the nest and young. Buffer distance will vary based on species and conditions at the site, but typically ranges between 25 feet up to 600 feet. The buffer should be maintained until all young have fledged. Impacts to nesting birds can be avoided if potential activities are initiated outside of the nesting season (September 1 - February 28).
17. **Mitigation Measure 10:** A pre-construction survey within the riparian habitat shall be conducted to identify and mark for avoidance all existing San Francisco dusky-footed woodrat houses in the work area.
18. **Mitigation Measure 11:** Woodrat houses which cannot be avoided shall be dismantled by hand under the supervision of a biologist. If young are encountered during the dismantling process, the material should be placed back on the house and the house will remain undisturbed for two to three weeks in order to give the young enough time to mature and leave the house. After two to three weeks, the nest dismantling process may begin again. Nest material will be moved to suitable adjacent areas (riparian woodland, scrub) that will not be impacted.
19. **Mitigation Measure 12:** In the event that cultural, paleontological, or archaeological resources be 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 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. No further grading or site work within the area of discovery shall be allowed until the preceding has occurred. Disposition of Native American remains shall comply with CEQA Guidelines Section 15064.5(e).
20. **Mitigation Measure 13:** The applicant shall provide an erosion and sediment control plan as part of the building permit submittal for review by the Planning Department. The plan shall identify/note the following: (1) a moratorium on grading during a rain event, (2) erosion control measures to be

installed prior to construction activities, (3) limiting the area of soil disturbance to the amount of acreage that can be protected prior to a forecasted rain event and to the minimum area needed to complete the proposed action, (4) delineation and protection of environmentally sensitive areas to prevent construction impacts, (5) location of fiber rolls and other measures as appropriate to control sediment and erosion, (6) identifying method of control for spills, litter, fuels, and other hazardous materials, and (7) notation on the preservation of existing vegetation whenever feasible.

21. **Mitigation Measure 14:** The applicant shall implement the following basic construction measures at all times:
 - a. 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 Toxic Control Measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
 - b. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
 - c. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person, or his/her designee, 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.
22. **Mitigation Measure 15:** The applicant shall submit a FEMA No-Rise/No Impact Certification to the Building Department as part of the building permit submittal.
23. **Mitigation Measure 16:** If it is determined that a Section 401 or 404 permit is required by the Regional Water Quality Control Board, the applicant shall file for said permit and a copy of the permit shall be submitted to the Planning Department prior to building permit issuance.
24. **Mitigation Measure 17:** The applicant shall notify the California Department of Fish and Wildlife of the project and secure all applicable permits. Copies of these permits shall be submitted to the Planning Department prior to building permit issuance.
25. **Mitigation Measure 18:** 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). Noise levels produced by construction activities within the riparian buffer zone shall not exceed the 45-dBA level at any one moment. Construction noise not occurring within the buffer zone shall not exceed 80 dBA at any one moment.

Building Inspection Section

26. A building permit is required and shall be applied for and obtained prior to the commencement of any construction or staging activities.
27. A "no rise" form from FEMA shall be completed and submitted to the Planning and Building Department upon permit application.

Department of Public Works

- 28. The project shall comply with the San Mateo County Drainage Policy and the San Mateo Countywide National Pollution Discharge Elimination System (NPDES) permit. Prior to the issuance of the Building permit, the applicant shall submit a plan with construction details and a drainage analysis, including a narrative and calculations showing that the bridge structure is above the high water line, for review and approval by the Department of Public Works.

Geotechnical Section

- 29. The building plans and geotechnical report will be reviewed at the building permit stage.

Cal-Fire

- 30. All bridges must be rated and designed to support an imposed load supporting a fire apparatus of 75,000 lbs. The maximum rated bridge weight must be posted at each end of the bridge, and the lettering must be a minimum of 4 inches in height with a minimum stroke of 1/2 inch. Letters should be white in color with a dark background for good contrast at night and addresses must be posted at the bridge entrance.
- 31. Width: All bridges must be a minimum of 20 ft. clear width. The Fire Marshal may allow the width to be reduced for a bridge providing access to R-3, U-1, or U-2 occupancies. One-way bridges require a turnout at both ends of the bridge.
- 32. Certification: Every private bridge providing a fire apparatus access hereinafter, constructed or re-constructed, shall be engineered by a licensed civil or structural engineer and approved by the Fire Marshal. Certification that the bridge complies with the design standards, required in sub-section (a) of this section, must be provided by the design engineer to the Fire Chief. Re-certification: Every private bridge shall be re-certified every ten (10) years or whenever deemed necessary by the Fire Marshal. An approved turnout is required on both sides of the bridge.

- 3. **Owner:** Darck Pearl Investments LLC
Applicant: Ken Brogno
 File No.: PLN2015-00512
 Location: 3295 El Camino Real, North Fair Oaks
 Assessor’s Parcel Nos.: 060-281-210 (undeveloped portion), 060-281-220 (developed portion)

Consideration of (1) a General Plan Map Amendment changing the land use designation of a portion of one parcel from Multi-Family Residential to Commercial Mixed-Use and (2) a Zoning Map Amendment to rezone same from R-2/S-50 to C-2/S-1 to allow construction of a 20-space parking lot. The project is located at 3295 El Camino Real in the unincorporated North Fair Oaks area of San Mateo County.

SPEAKERS:

- 1. Ken Brogno
- 2. Robert Carter

COMMISSION ACTION:

Commissioner Hansson moved and Commissioner Santacruz seconded to close the public hearing.
Motion carried 3-0-0-1 (Commissioner Kersteen-Tucker absent)

Commissioner Hansson moved and Commissioner Santacruz seconded the motion.
Motion carried 0-3-0-1 (Commissioner Kersteen-Tucker absent)

Based on information provided by staff and evidence presented at the hearing the Planning Commission denied the request to recommend to the Board of Supervisors, pursuant to Zoning Regulations Section 6552, regarding a proposed General Plan Amendment and Zoning Map Amendment, File No. PLN 2015-00512.

4. **Correspondence and Other Matters**

None

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

No Study Session for next meeting, went over the agenda for June 14, 2017.

6. **Director's Report**

None

7. **Adjournment**

The meeting adjourned at 10:39 a.m.