

**La Casia-Barrios –
PLN2004-00398**

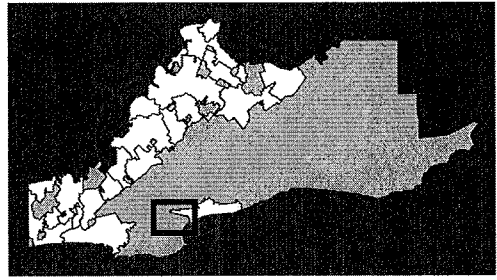
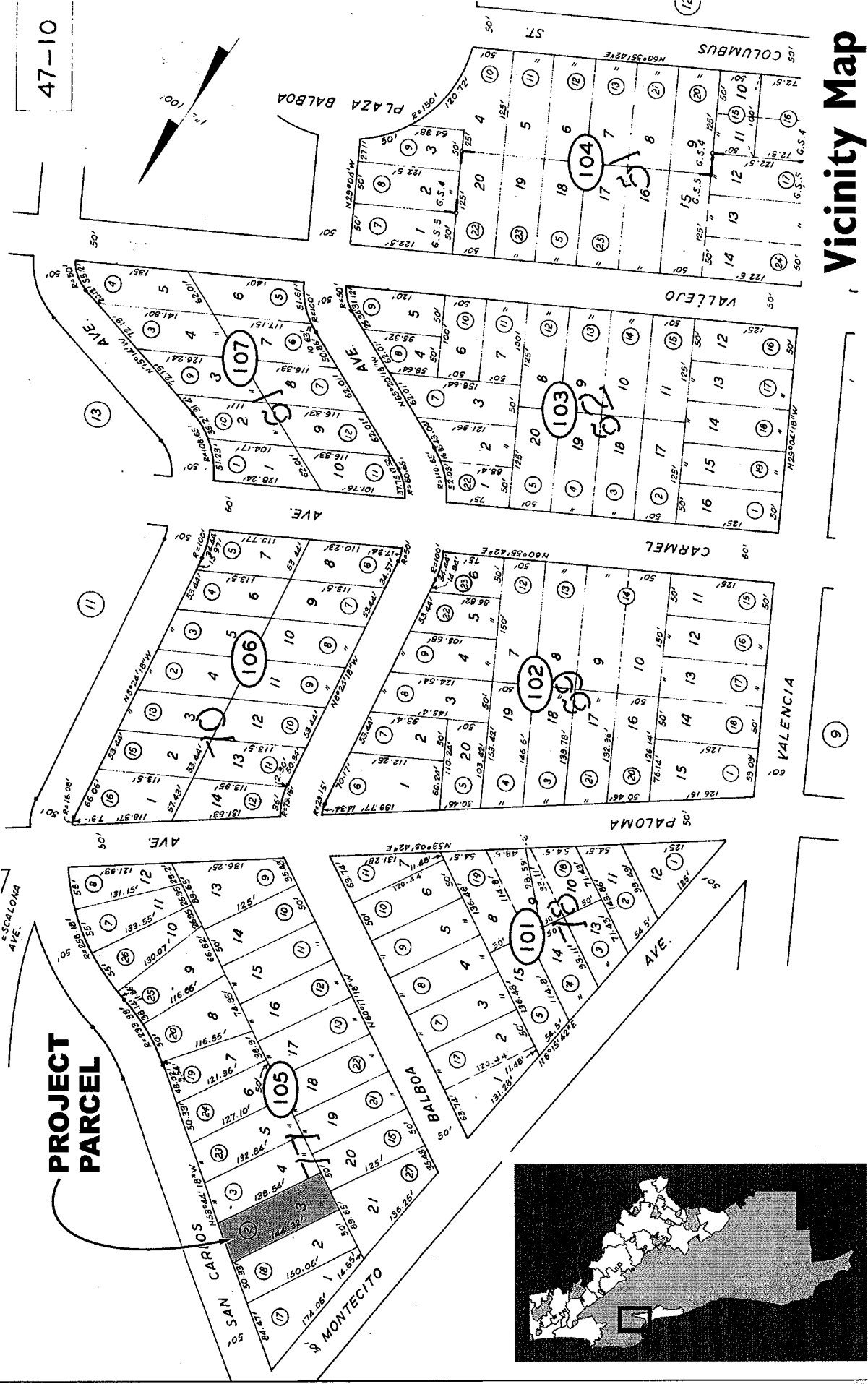
For September 9, 2008

**Please note, Attachment B
was incorrectly stamped
and, as a result, starts with
Page 17, instead of Page 15.**

**PROJECT
PARCEL**

47-10

Vicinity Map



San Mateo County Board of Supervisor's Meeting

Attachment: **B**

Owner/Applicant: **ROD LACASIA**

File Numbers: **PLN 2004-00398**

Application for Appeal**Planning and Building Division**

County Government Center • 455 County Center, 2nd Floor
 Redwood City • CA • 94063 • Mail Drop PLN 122
 Phone: 650 • 363 • 4161 Fax: 650 • 363 • 4849

☐ To the Planning Commission

☒ To the Board of Supervisors

1. Appellant Information

Name: ROD LACASIA

Address: 2022 MADISON AVE
REDWOOD CITY

Phone, W: 650 766-2463 H: 650 364-3379

Zip: CA 94061

2. Appeal Information

Permit Numbers involved:

PLN 2004-00398

I hereby appeal the decision of the:

- ☐ Staff or Planning Director
☐ Zoning Hearing Officer
☐ Design Review Committee
☒ Planning Commission

made on MARCH 26TH 2008 to approve deny
 the above-listed permit applications.

I have read and understood the attached information
 regarding appeal process and alternatives.

☒ yes

☐ no

Appellant's Signature:

Rod Lacasia

Date: 4/8/08

3. Basis for Appeal

Planning staff will prepare a report based on your appeal. In order to facilitate this, your precise objections are needed. For example: Do you wish the decision reversed? If so, why? Do you object to certain conditions of approval? If so, then which conditions and why?

PLEASE REFERENCE THE ENCLOSED PACKET.

San Mateo County Environmental Services Agency Planning and Building Division
County Government Center
455 County Center, 2nd Floor
Redwood City, CA 94063

RECEIVED

APR 08 2008

San Mateo County
Planning Division

Re: Application for Appeal PLN2005-00248, PLN2004-00398

I am filing this appeal to reverse the decisions of the Planning Commission issued on March 26th, 2008 for PLN 2004-00398. I am not appealing the decision of the Planning Commission issued on March 26, 2008, regarding PLN 2005-00248. We will no longer pursue this house design and will instead create a new design for a home on this site.

The legalization of the June 2004 removal of riparian vegetation from the subject parcel bordering the Montecito Riparian Corridor, in-and-of itself does not make this a buildable lot. The lot has always been identified, and represented as a buildable lot by the San Mateo County Government Agencies. The fact that the lot borders a riparian corridor and contains a portion of said corridor as a boundary does not make the lot unbuildable.

This case before you, PLN2004-398, is simply to issue a retroactive coastal development permit to account for the clearing actions of the previous owner in 2004 due to a requirement stated by the Half Moon Bay Fire Department.

Supporting Evidence.

A. Half Moon Bay Fire Department Request

- a. A letter from Mr. Chris Mondal of the HMB Fire Prevention District (650) 726-5213 was issued to Mr. Robert Ray in June 2004. Mr. Mondal requested the lot be cleared of all combustible material and vegetation some 60-80 up to the riparian corridor to comply with fire control requirements. Mr. Ray complied with the request.
- b. Mr. Ray was then requested by San Mateo County Planning Department to obtain a coastal development permit subsequent to the clearing action, which was originally required to satisfy the HMB Fire Department Fire Control Officer requirements. This is what started PLN 2004-00398.

B. Albion Environmental Reports

- a. The first site survey by Mr. Tom Mahoney of Albion Environmental was conducted on July 27th, 2004. An additional site visit by Mr. Tom Mahoney was conducted on Sept. 17th, 2004, the same day of a physical survey of the land by Mr. Mike Turnrose, of Turnrose Land Surveying, in order to "flag" the riparian corridor.
- b. The first Albion report was issued on October 15th 2004. It established the riparian boundary based on forensic evidence. The riparian delineation method for "flag" placement, followed definitions outlined in Section 7.7 of the San Mateo County Local Coastal Program (LCP).
- c. Mr. Tom Mahoney, the examining scientist, stated on page three of the report that "Most of the vegetation clearing took place outside the riparian corridor, or only impacted marginal riparian habitat".
- d. The second site evaluation was conducted on November 16th, 2005. This second report was issued on November 29th, 2005 as requested by the neighbors in order to establish where to re-vegetate the affected riparian area. Mr Mahoney also reviewed the photographs provided by Mr. Ender taken during the clearing activity. The results of his second evaluation of the forensic and picture evidence supported the original October 15th report. Specifically, Mr.

Mahoney stated on page 2 of his report that "However, by examining the photos provided by Mr. Ender and available at www.sanmateo.org taken in the general area during clearing operations, this vegetation appears to be composed primarily of typical coastal scrub species – such as pampas grass..., coyote brush..., and poison oak – and therefore does not meet the County's riparian definition."

- e. The resulting "flag" boundary which was created after this forensic review is in agreement with the Montecito Riparian Corridor Map on file in the San Mateo County Planning Office. Reference the Montecito Riparian Corridor Map provided by San Mateo Counting Building and Planning Department dated Jan 1994.

C. TRA Environmental Sciences Report

- a. This third report was issued on January 11th, 2006. The report was created by biologist Mr. Patrick Cobernus, of TRA Environmental Consultants. This report was requested by the San Mateo County Planning Department.
- b. The report supports the findings of the first two Albion reports and Mr. Cobernus stated on page 2 that "I believe the boundary between upland and riparian as mapped by Mr. Mahony in the October 15, 2004 report is consistent with the general vegetation boundaries present on the site in 2000."

- D. It is alleged by Mr. Ender (letter dated Nov 22, 2005) and by Mr. Aschauer (letter dated Dec 28, 2005) that the parcel was at on time 40% covered by the riparian corridor in 2000. Assuming for the moment that this is true, though I do not accept this as fact, the current "flagged" boundary as defined in the Albion Biologist reports and the survey performed by Turnrose Land Surveying in 2004 results in a riparian boundary establishing 2,467 square feet of riparian area, approximately 35% of the 7,070 square foot lot. Even acknowledging this, it still does not render the lot unbuildable. It simply means that the 20 foot buffer zone defined in the LCP must be used when establishing the location of the structure on the 4,603 square feet of non riparian area on the site.

E. Water Permit Entitlement

- a. A letter from Bridget Burns, Coast-side Water District dated October 13th, 2004 confirming APN 047-105-020 has a ¾" Crystal Springs uninstalled water service connection. The parcel is entitled to establish water services for a residence.

F. Sewer Connection Entitlement

- a. The site is approved for a 4" residential sewer connection. The site has been assessed \$268.82 yearly since 1998 for a Bond, Series G-04, for the specific benefit of infrastructure sewer treatment facilities. The site meets the minimum size of 5,000 sqft for conforming residential use and sewer connection requirements.

G. Street Paving By Neighborhood Parcel Owners.

- a. On May 18th, 2004, Mr. Mark Aschauer solicited me for a contribution of \$1,302.00, which I paid, for the repaving of the street. In his letter he stated that the 16 property owners, I among them, would benefit from the improvement (clearly expecting construction on the site) and we therefore should contribute to the project. We did so happily.

H. Mid-Coast Community Council Planning & Zoning Committee

- a. Letter to Frahad Mortazavi San Mateo Planning and Building, dated August 15, 2005. In the letter, Sara Bassler states the following.
 - i. Page (1). Regarding the site...
 - 1. ... "We believe that this riparian corridor should be re-vegetated"...

- a. My wife and I agree and the site will be replanted up to the defined riparian boundary in the 3 Environmental reports.
 - ii. Page (2) Regarding a building structure...
 - 1. "If the applicant is not granted the variance they can easily build an 1800 sqft home...."
 - a. This statement by the Mid-Coast Community Council Planning & Zoning Committee supports the fact that the parcel can be developed with a residential structure.
- I. Riparian Corridor Requirements
 - a. San Mateo County Local Coastal Program (LCP) Riparian Corridor Policies
 - i. Section 7.7 Definition of Riparian Corridor
 - 1. Define riparian corridors by the "limit of riparian vegetation" (i.e.the existence of Arroyo Willow,...)
 - 2. "...Such corridor must contain at least 50% cover of some combination of these plants listed."
 - ii. Section 7.11, Establishment of Buffer zones
 - 1. 30 feet for intermittent streams, from the limit of riparian vegetation.
 - 2. 20 feet is allowed if no feasible alternative exists and only if no other building site on the parcel exists.
 - iii. Section 7.12, Permitted Uses in Buffer Zones
 - 1. (2) Residential uses in existing legal building sites, setback 20 feet from the limit of riparian vegetation, only if no feasible alternative exists".
 - iv. Section 7.13 Performance Standards in Buffer Zones.
 - 1. (4) Replant where appropriate.
 - a. We have proposed replanting with the existing plant species and in the quantities defined in the two Albion Biologists reports, as well as the TRA Environmental Sciences report.
- J. Findings by the Zoning Hearing Officer
 - a. There is a thorough report outlining all the findings, negative declarations, and mitigations measures we are required to perform before proceeding with construction of a home on the site.
 - b. This recommendation to approve the coastal development permit related to PLN2004-00398 should be approved.

The final resolution to this matter should be to uphold the Zoning Hearing Officer's decision issued on April 11th, 2007 based on an exhaustive analysis of well substantiated science and accepted public records. Your decision should reverse the Planning Commission decision on March 26th, 2008, and you should support this appeal to allow for future construction on this buildable parcel.

Thank you for your rigorous consideration of this appeal.

Rod Lacasia
Elizabeth Lacasia



Print - Close Window

Date: Tue, 08 Apr 2008 10:10:22 -0800

Subject: Re: Lot clearance letter for APN 047-105-020

To: "rod lacasia" <rodlacasia@yahoo.com>

From: "Michele Ortiz" <mortiz@hmbfire.org>

Hi Rod,

Please find attached weed abatement standards from 2005. I have confirmed that these standards were applied to the weed abatement program in 2004.

-Michele

rod lacasia <rodlacasia@yahoo.com> writes:

>Hi Michele,

>I'm so glad you heard from Chris. Do you think I could speak to him?
My

>case would greatly be helped if I could get a statement from him

>confirming the memo and discussion with previous owner for the record.

>Of course, a copy of the memo/letter would be the best.

>

>

>Thanks again for your assistance.

>Rod

>

>

>

>

>Michele Ortiz <mortiz@hmbfire.org> wrote:

>

>

>You're welcome. I just heard back from Chris Mondahl. He recalls working

>with people in that area.

>

>I will reply again or call you when I find this memo or have an update for you.

>

>Sincerely,

>

>-Michele

>

>rod lacasia writes:

>>got it. Thank you.

>>

>>Rod

>>

>>Michele Ortiz wrote:

>>

>>

022

CALL (1)

ENCI (1)

**HALF MOON BAY FIRE DISTRICT
FIRE PREVENTION DIVISION**

I. WEED ABATEMENT STANDARDS

Items A through F are the basic standards employed by the Half Moon Bay Fire Protection District when abating hazardous conditions. Owners or private contractors shall comply with these standards when cleaning their properties.

A. Grass, weeds, trash, rubbish, and other combustible materials which create a fire hazard shall be removed from vacant lots, yards, courtyards, parkways, and other locations as specified by the District.

B. Weed abatement shall be accomplished by mowing weeds and grasses to a height of no taller than six inches. **THE CITY OF HALF MOON BAY AND THE COUNTY OF SAN MATEO NO LONGER ALLOW DISKING AS A METHOD OF VEGETATION REMOVAL, THEREFORE THE HALF MOON BAY FIRE PROTECTION DISTRICT WILL ONLY BE CONDUCTING WEED ABATEMENT BY MOWING.**

C. Unimproved properties of one acre or less shall be cleared in their entirety. EXCEPTION: PROPERTIES THAT CONTAIN SEASONAL OR YEAR-ROUND WETLANDS OR THAT CONTAIN RIPARIAN VEGETATION ALONG STREAMS ARE SUBJECT TO THE SPECIAL RULES IN SECTION II BELOW.

D. Unimproved properties of more than one acre shall be abated by the clearing of a fire break not less than 30 feet in width around the perimeter of the property. With approval of the Fire Marshal, firebreaks may be provided on just those sides of the property at risk to neighbors.

E. Open burning is prohibited except by special permit from the Fire Department and the Bay Area Air Quality Management District.

F. Do not let weed contractors stray from your property onto State, federal, or other private lands.

II. WETLANDS AND PROTECTED AREAS

A. IF YOU HAVE RECEIVED A NOTICE TO ABATE WEEDS FOR A PARCEL YOU KNOW OR SUSPECT TO CONTAIN WETLAND OR RIPARIAN [STREAMSIDE] VEGETATION AREAS, YOU MUST NOTIFY THE HALF MOON BAY FIRE PROTECTION DISTRICT IMMEDIATELY FOR FURTHER INSTRUCTIONS.

Clearance of weeds and grasses in wetland, riparian, or resource sensitive areas may require a Coastal Development Permit from the City of Half Moon Bay or the County of San Mateo and/or a permit from the U.S Fish and Wildlife or California State Department of Fish and Game.

III. SPECIAL WEED ABATEMENT STANDARDS

The following standards are required by the City of Half Moon Bay for wetland and riparian areas within the city limits.

A. No mowing shall be performed within any wetland area or within a 100-foot buffer zone surrounding a wetland or within any area with riparian [streamside] vegetation, including a 50-foot buffer zone surrounding the riparian vegetation.

B. Fire breaks shall not be closer than 100 feet to any wetland area or closer than 50 feet to any riparian [streamside] vegetation.

IV. CLEARANCE OF BRUSH OR VEGETATION GROWTH FROM ROADWAYS

The Fire Marshal is authorized to cause areas within 10 feet on each side of portions of highways and private streets which are improved, designed, or ordinarily used for vehicular traffic to be cleared of flammable vegetation and other combustible growth. The Fire Marshal is authorized to enter upon private property to do so.

EXCEPTION: Single specimens of trees, ornamental shrubbery, or cultivated ground cover such as green grass, ivy, succulents, or similar plants used as ground covers, provided that they do not form a means of readily transmitting fire.



COASTSIDE FIRE PROTECTION DISTRICT

1191 MAIN ST. HALF MOON BAY, CA 94019

TELEPHONE (650) 726-5213
FAX (650) 726-0132

In Reference
Assessor's Parcel No.

(Paste label here)

Dear Property Owner:

The Fire District has begun its annual weed and rubbish abatement program in order to reduce the fire hazard on vacant lots. Your property identified above has been included in the program due to the potential for fire hazard to exist upon it during the drier months of the fire season. As owner, the condition of the subject property is your responsibility. If you no longer own the property, please notify this office immediately.

In conformity with the provisions of Sections 39560, et. seq., of the California Government Code and Section 1103.2.4 of the 2001 California Fire Code, you are hereby notified to remove such vegetation and refuse from the above-mentioned property by May 15, 2008.

Posted notices will not be placed on the property. The attached information sets forth the Weed Abatement Standards which you or anyone you hire should use. Property cleared and maintained free of flammable vegetation and refuse consistent with these standards is not subject to further action by this district.

Please note that weed abatement should not be done in any land area that contains wetlands or riparian [streamside] vegetation, or in buffer zones around these protected resource areas.

After May 15, 2008, property that is not cleared and maintained by the owner is subject to abatement by District contract crews as personnel and equipment are available. THE COST OF ABATEMENT BY THE DISTRICT WILL BE ADDED TO THE OWNER'S PROPERTY TAX STATEMENT. The condition of property remains the responsibility of the owner and legal action may be initiated to enforce applicable regulations.

PROPERTY OWNERS ARE URGED TO CLEAN, OR ARRANGE FOR THE CLEANING OF THEIR PROPERTIES. The District will not arrange for the cleaning of any property except through the procedures outlined above.

PROPERTY OWNER SHOULD BE ADVISED THAT DUE TO REQUIREMENTS PLACED UPON THE FIRE DISTRICT BY THE CITY OF HALF MOON BAY AND THE COUNTY OF SAN MATEO THERE COULD BE A SIGNIFICANT INCREASE IN THE COST OF WEED REMOVAL IF CONDUCTED BY THE FIRE DISTRICT. PROPERTY OWNER SHOULD CONSIDER EITHER REMOVING THE WEEDS THEMSELVES OR DIRECTLY CONTACTING A WEED REMOVAL CONTRACTOR.

For further information or assistance, you may phone (650) 726-5213 between the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday.

Paul Cole
Fire Chief
SEE NOTICE ENCLOSED
Enclosure

025

ENCL (1)



PRDS® SUPPLEMENTAL SELLER'S CHECKLIST

Supplement to Transfer Disclosure Statement

(Page 1 of 7)



Property: APN 047-105-020: 779 S. M. GARCOS

Date: EL GRANADA, CA

THE INFORMATION ENTERED ON THIS FORM IS PROVIDED BY SELLER ONLY. (AGENTS' DISCLOSURES ARE PROVIDED ELSEWHERE.) THIS DOCUMENT IS SOLELY A SUPPLEMENTAL DISCLOSURE; IT IS NOT, AND SHALL NOT BE DEEMED TO CONSTITUTE, ANY PART OF THE RELATED PURCHASE CONTRACT.

CAUTION TO SELLER: California law requires that you disclose to a Buyer all material facts, of which you are aware or reasonably should be aware, bearing on the value or desirability of the Property. This supplemental form serves as an additional checklist intended to aid you in identifying, recalling and disclosing such material facts (including negative conditions that arose during prior ownerships). If you are in doubt as to whether a condition constitutes a "defect," it is always prudent to disclose and explain rather than remain silent. Full disclosure of material facts reduces the risk of subsequent disputes, claims and litigation regarding the Property. Please be aware of your obligation as Seller to be alert to, and to disclose problems and defects known by you to exist, even where they are not included in this checklist.

CAUTION TO BUYER: California law requires that you exercise reasonable care in investigating the Property, and that you take account of facts that are disclosed or otherwise known to you, or which are within your diligent attention and observation. You are strongly urged to thoroughly inspect the Property and surrounding neighborhood, carefully read and assess all disclosures and inspection reports (carefully considering inspectors recommendations of additional, specialized inspections) and to ask questions and make additional inquiries of others, including inspection professionals, that you, as Buyer, feel important. Factors relating to the Property and/or the neighborhood may affect you quite differently (positively or negatively) than they do the Sellers, whose perceptions are inevitably subjective. A property or neighborhood condition that is entirely satisfactory to a Seller might be regarded by a Buyer as an annoyance or a nuisance. Understand that this and other Seller disclosures typically reflect a Seller's non-expert, subjective perceptions of a Property, and that items noted on this form reflect only those conditions of which Seller is aware. This list almost certainly does not account for each and every possible defect and Seller's lack of awareness of a problem does not mean that none exists.

Respond To Each and Every of The Following Items

Answer "Yes" where you are aware of any material fact, condition or circumstance, past or present, relating to that item (including items that have been previously repaired), and provide details in the "Explanations" space provided for each category. If necessary, use additional pages.

1. HOUSE/LOT SIZE

- a) Approximate lot size: 7050 ☐ UNKNOWN Source: DATA QUICK CO. ASSES
 b) Approximate house square footage: N/A ☐ UNKNOWN Source: N/A
 c) Approximate age of the house: N/A ☐ UNKNOWN Source: N/A
 d) How many years have you owned the Property? 23 Lived in the Property?: N/A

2. ALTERATIONS: Account for all remodeling work, repairs and alterations done by you (and those done, to your knowledge, by prior owners or any other person.)

Nature of Work	Approximate Completion Date	Seller has Permit Documentation* (Complete or Otherwise)	Seller has Other Documentation
a) <u>LOT CLEARED FOR</u>	<u>6/2004</u>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b) <u>FIRE PREVENTION PER CALL</u>		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No*
c) <u>DUE TO MEMO RECEIVED F. DEPT.</u>		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
d) <u>STATED 60-80 FT-FROM R.P. COR.</u>		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
e) <u>(CHRIS MONDAL 650.726.5213)</u>		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
f) _____		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

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*For example: copies of permits (including "final" permit sign-offs), inspection reports and worksheets, bids and plans

Seller's Initials (Signature)
Copyright © 2002 Advanced Real Estate Solutions, Inc.

Page 1 of 7

Buyer's Initials _____
Form RSSCL Revised 9/02

ENCL (2)

EL GRANADA, CA 9.6

Answer each of the following questions.
Answer YES to any of the items if you are aware of any condition or circumstance, whether past or present, and whether or not previously repaired, relating to that item. Whenever an item is checked "YES" explain in detail on the lines at the end of the relevant category. (If necessary, use additional pages.)

ENVIRONMENTAL ISSUES (continued)

- h) Are you aware of any environmental inspections or tests undertaken relative to any exterior part of the Property? ☐ NA
- i) Are you aware of any odors at the Property whether persistent, recurrent, occasional or seasonal? ☐ NA
- j) Are you aware of any present or prior use of the Property as a site or facility (e.g., "lab") used for the manufacture, storage, disposal, release, use or sale of illegal controlled substances, and/or any chemicals or substances used in the manufacture or preparation thereof? ☐ NA

Explanations (If "yes" is checked on any of the above, please explain below):

20. GOVERNMENTAL ISSUES/HOMEOWNER ASSOCIATION ISSUES

- | | YES | NO |
|---|-------------------------------------|--------------------------|
| a) Are you aware of the existence of any special (e.g., seismic, flood, coastal) zone that covers the Property? | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Are you aware of the existence or pendency of any applicable rent control ordinance? | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Are you aware of any current bonds, fees or assessments that do not appear on the Property's tax bill? | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Are you aware of any proposed or contemplated bonds, fees or assessments that would, if enacted, apply to the Property? | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Are you aware of any restrictions on use of the Property other than those imposed by zoning laws or CC&Rs? | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Are you aware of any existing or contemplated building (or other) moratoria that would apply to the Property? | <input type="checkbox"/> | <input type="checkbox"/> |
| g) To your knowledge, is any Property-related application, certification, inspection or investigation by any governmental authority currently pending or contemplated? | <input type="checkbox"/> | <input type="checkbox"/> |
| h) Are you aware of the existence or pendency of any stop work order, or notice of code or other violation or dangerous condition? | <input type="checkbox"/> | <input type="checkbox"/> |
| i) Are you aware of any government-imposed requirement or order that brush, trees, grass or other vegetation at the Property be cleared, or that flammable materials be removed? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| j) Are you aware of any government-mandated tree (or other landscaping) planting, tree removal or cutting restrictions, removal or replacement program that would affect the Property? | <input type="checkbox"/> | <input type="checkbox"/> |
| k) Are you aware of whether any part of the Property falls under provisions of the Williamson Act (tax-benefited covenant to hold and maintain certain properties as agricultural lands)? | <input type="checkbox"/> | <input type="checkbox"/> |
| l) Are you aware of any ongoing or contemplated eminent domain, condemnation or annexation process or proceedings relating to the Property? | <input type="checkbox"/> | <input type="checkbox"/> |
| m) Are you aware as to whether or not the Property's school district mandates the busing of students? | <input type="checkbox"/> | <input type="checkbox"/> |
| n) Are you aware of any current or contemplated construction, reconfiguration, conversion or closure of any nearby schools? | <input type="checkbox"/> | <input type="checkbox"/> |
| o) Are you aware of any ongoing or contemplated construction, reconfiguration or closure relating to nearby roadways? | <input type="checkbox"/> | <input type="checkbox"/> |
| p) Are you aware of any ongoing or contemplated removal or emplacement of any nearby traffic signals or signs? | <input type="checkbox"/> | <input type="checkbox"/> |
| q) Are you aware of any ongoing or contemplated construction, reconfiguration or closure of nearby parks/recreational facilities? | <input type="checkbox"/> | <input type="checkbox"/> |
| r) Is the Property situated in an unincorporated area of the County? | <input type="checkbox"/> | <input type="checkbox"/> |

Explanations (If "yes" is checked on any of the above, please explain below):

i) Complied with FIRE CONTROL ORDER - lot cleared of weeds & debris 2004.

21. TITLE/OWNERSHIP/LITIGATION

- | | YES | NO |
|---|--------------------------|--------------------------|
| a) Are you aware of any person who, though not currently an owner of record, nevertheless claims an ownership interest in, or right to possess, the Property? | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Are you aware of any ongoing or contemplated legal proceedings (e.g., probate, trust, guardianship, quiet title, specific performance) relating to the Property? | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Do you have or intend to utilize a power of attorney in conjunction with the sale of the Property? | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Is the access road to the Property a private road? If yes, indicate whether there is a written road maintenance agreement recorded for the Property, and explain how the road is maintained. | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Are you aware of any use (e.g., as a pathway, driveway, landscaping, etc.), continuous or otherwise, made at or of the Property by any other person? | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Are you aware of any claims made by others of any license, easement (including prescriptive easement) or other right or entitlement relating to the Property? | <input type="checkbox"/> | <input type="checkbox"/> |
| g) Are you aware of the existence of any unrecorded deed, road maintenance agreement, water usage agreement or other agreement or instrument relating to the Property? | <input type="checkbox"/> | <input type="checkbox"/> |
| h) Are you aware of any lease or rental agreement that is, or is claimed to be, currently in effect? | <input type="checkbox"/> | <input type="checkbox"/> |

Explanations (If "yes" is checked on any of the above, please explain below):

22. HOME OWNER'S INSURANCE COVERAGE AND CLAIMS HISTORY

- | | YES | NO |
|---|--------------------------|-------------------------------------|
| a) Within the past five years have you or, to your knowledge, has any prior owner, made any claim relating to a plumbing leak or other water release, water intrusion, property damage, personal injury, or any other matter, against a Home Owner's Insurance policy (i.e., fire and/or other property and personal casualty policy) covering the Property? If "Yes," please identify the following as to each claim (use additional pages, if necessary): | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 1) name of claimant | | |
| 2) insurance company and policy number | | <u>027</u> |
| 3) approximate date of the claim | | |
| 4) nature of the claim, and how resolved, if known | | |
| b) Has, to your knowledge, any insurance company, within the past five years, refused to issue to you or renew for you a Home Owner's Insurance policy covering the Property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Seller's Initials (Signature)

Buyer's Initials (Signature) (2)

Property Address: HPN 01-105-020: 779 SAN MARCOS Date: 6-13-04
EL GRANADA, CA
B. Are you (Seller) aware of any significant defects/malfunctions in any of the following? ☐ Yes ☐ No. If yes, check appropriate space(s) below.

☐ Interior Walls ☐ Ceilings ☐ Floors ☐ Exterior Walls ☐ Insulation ☐ Roof(s) ☐ Windows ☐ Doors ☐ Foundation ☐ Stair(s)
☐ Driveways ☐ Sidewalks ☐ Walls/Fences ☐ Electrical Systems ☐ Plumbing/Sewers/Septics ☐ Other Structural Components
(Describe: NA)

If any of the above is checked, explain. (Attach additional sheets if necessary): _____

*This garage door opener or child resistant pool barrier may not be in compliance with the safety standards relating to automatic reversing devices as set forth in Chapter 12.5 (commencing with Section 19890) of Part 3 of Division 13 of, or with the pool safety standards of Article 2.5 (commencing with Section 115920) of Chapter 5 of Part 10 of Division 104 of, the Health and Safety Code. The water heater may not be anchored, braced, or strapped in accordance with Section 19211 of the Health and Safety Code. Window security bars may not have quick release mechanisms in compliance with the 1995 Edition of the California Building Standards Code.

C. Are you (Seller) aware of any of the following:

1. Substances, materials, or products which may be an environmental hazard such as, but not limited to, asbestos, formaldehyde, radon gas, lead-based paint, mold, fuel or chemical storage tanks, and contaminated soil or water on the subject property ... ☐ Yes ☒ No
2. Features of the property shared in common with adjoining landowners, such as walls, fences, and driveways, whose use or responsibility for maintenance may have an effect on the subject property ☒ Yes ☐ No
3. Any encroachments, easements or similar matters that may affect your interest in the subject property ☒ Yes ☐ No
4. Room additions, structural modifications, or other alterations or repairs made without necessary permits ☐ Yes ☒ No
5. Room additions, structural modifications, or other alterations or repairs not in compliance with building codes ☐ Yes ☒ No
6. Fill (compacted or otherwise) on the property or any portion thereof ☐ Yes ☒ No
7. Any settling from any cause, or slippage, sliding, or other soil problems ☐ Yes ☒ No
8. Flooding, drainage or grading problems ☐ Yes ☒ No
9. Major damage to the property or any of the structures from fire, earthquake, floods, or landslides ☐ Yes ☒ No
10. Any zoning violations, nonconforming uses, violations of "setback" requirements ☐ Yes ☒ No
11. Neighborhood noise problems or other nuisances ☐ Yes ☒ No
12. CC&R's or other deed restrictions or obligations ☐ Yes ☒ No
13. Homeowners' Association which has any authority over the subject property ☐ Yes ☒ No
14. Any "common area" (facilities such as pools, tennis courts, walkways, or other areas co-owned in undivided interest with others) ☐ Yes ☒ No
15. Any notices of abatement or citations against the property ☐ Yes ☒ No
16. Any lawsuits by or against the seller threatening to or affecting this real property, including any lawsuits alleging a defect or deficiency in this real property or "common areas" (facilities such as pools, tennis courts, walkways, or other areas, co-owned in undivided interest with others) ☐ Yes ☒ No

If the answer to any of these is yes, explain. (Attach additional sheets if necessary): 2) FENCES 3) UTILITIES

Notified of Need for Coastal Permit prior to Building
- Notified after Lot was cleared on order of Fire Control
OFFICE.

Seller certifies that the information herein is true and correct to the best of the Seller's knowledge as of the date signed by the Seller.

Seller KATIE RUST

Date 6-13-04

Seller Anna + [Signature]

Date 6-13-04

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TDS-11 REVISED 10/01 (PAGE 2 OF 3)

Buyer and Seller acknowledge receipt of a copy of this page.

Buyer's Initials () ()

Seller's Initials () ()

Reviewed by

Broker or Designee _____ Date _____

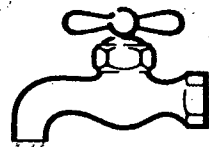


028

ENCL (3)

MASTER COPY

E FAY REQUEST TO
650 726-5245
ATTN Jody.



October 13, 2004

1) confirmed transferable.
2) confirmed for 100PSI static

R.E. & Laura Ray
526 High Grove Drive
Goleta, CA 93117

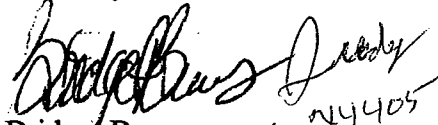
2) feeds up to 5' FUX.
for home only.

Dear To Whom It May Concern,

This letter is confirming that APN: 047-105-020 has a one 3/4" Crystal Springs
uninstalled water service connection. The owner on record with the Coastside County
Water District is R.E. & Laura Ray.

The District will need to evaluate building plans before determining the adequacy of the
water connection capacity.

Sincerely,


Bridget Burns
Office Specialist 726-44405

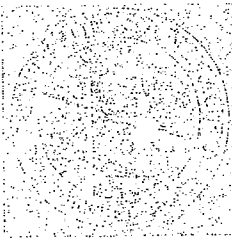
fire suppression is a
separate line

Hydrant
needs 2 EA 2 1/2" &
1 EA 4 1/2" & CLOW 960

Cc: William Cameron, San Mateo County Planning/Building Department

029

ENCL (12)



County of San Mateo

Planning & Building Department

455 County Center, 2nd Floor
Redwood City, California 94063
650/363-4161 Fax: 650/363-4849

Mail Drop PLN122
plngbldg@co.sanmateo.ca.us
www.co.sanmateo.ca.us/planning

Please reply to: **Lisa Aozasa**
(650) 363-4852

March 31, 2008

Rodrigo Lacasia-Barrios
2022 Madison Avenue
Redwood City, CA 94061

PROJECT FILE

Dear Mr. Lacasia-Barrios:

Subject: File Number PLN2005-00248 and PLN2004-00398
Location: San Carlos Avenue, El Granada
APN: 047-105-020

On March 26, 2008, the San Mateo County Planning Commission considered a Coastal Development Permit and Design Review, pursuant to Sections 6328.4 and 6565.3 of the County Zoning Regulations, to legalize the removal of riparian vegetation performed in June 2004 and to allow the construction of a new 2,449 sq. ft. single-family residence with a 405 sq. ft. attached garage, and certification of a mitigated Negative Declaration, on an unimproved 7,070 sq. ft. parcel located on San Carlos Avenue in the unincorporated El Granada area of San Mateo County.

Based on information provided by staff and evidence presented at the hearing the Planning Commission granted the appeal of the Zoning Hearing Officer's decision, thereby denying the Coastal Development Permit and Design Review, and the certification of the mitigated Negative Declaration.

Any interested party aggrieved by the determination of the Planning Commission has the right of appeal to the Board of Supervisors within ten (10) business days from such date of determination. The appeal period for this matter will end at **5:00 p.m. on April 9, 2008.**

Attachment D

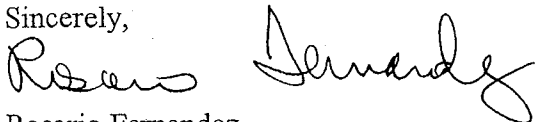
Mr Lacasia-Barrios

Page 2

A County final action to approve the project is appealable to the California Coastal Commission. Any aggrieved person who has exhausted local appeals may appeal such an approval to the California Coastal Commission within 10 working days following the Coastal Commission's receipt of the Board decision. Please contact the Coastal Commission's North Central Coast District Office at (415) 904-5260 for further information concerning the Commission's appeal process. The County and Coastal Commission appeal periods are sequential, not concurrent, and together total approximately one month. A project is considered approved when these appeal periods have expired and no appeals have been filed.

If you have questions regarding this matter, please contact the Project Planner listed on page one.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Rosario Fernandez', written over a horizontal line.

Rosario Fernandez

Planning Commission Secretary

Pcd0326S_rf_Lacasia-Barrios

cc: Department of Public Works
Building Inspection
Environmental Health
CDF
Assessor
Ruel Von Bezcoija
Fritz Ender
Chris Paitchard
Leslie Ender
Lennie Roberts

COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

PROJECT FILE DATE: March 26, 2008

TO: Planning Commission

FROM: Stephanie Bertollo Davis, Contract Planner, Neal Martin and Associates
Stephanie@nealmartinassoc.com, Telephone 650/200-7180

SUBJECT: EXECUTIVE SUMMARY: Consideration of a Coastal Development Permit and Design Review to correct and mitigate the illegal removal of riparian vegetation, and to allow the construction of a new 2,449 sq. ft. single-family residence with a 405 sq. ft. attached garage, and certification of a mitigated Negative Declaration, on an unimproved 7,070 sq. ft. parcel located on San Carlos Avenue in the unincorporated El Granada area of San Mateo County. This project is appealable to the California Coastal Commission. (Appeal of the Zoning Hearing Officer's decision for approval.)

PROPOSAL

An appeal to reverse the Zoning Hearing Officer's decision to approve a project request to legalize prior riparian vegetation removal within the Montecito Riparian Corridor (which runs through the southwestern portion of the parcel) and to construct a new 3-bedroom, 2,449 sq. ft. single-family residence with a 405 sq. ft. attached 2-car garage at the property. The proposed residence would be located outside of the existing limit of riparian vegetation and "edge of potential former riparian corridor" that was present prior to vegetation removal, as determined by the project biologist. Construction of the residence would involve approximately 98 cubic yards of grading and would not result in the removal of significant or heritage trees. The property is located within the California Coastal Commission appeals jurisdiction.

RECOMMENDATION

Deny the appeal and affirm the decision of the Zoning Hearing Officer and approve the Coastal Development Permit and Design Review, and certify the mitigated Negative Declaration, by adopting the required findings and conditions of approval, as approved by the Zoning Hearing Officer.

BACKGROUND/DISCUSSION

The undeveloped parcel is located within an existing urban, residential neighborhood and is bordered to the north and east by single-family residential development. An intermittent drainage channel flows generally southbound, west of the project site. A portion of the

Montecito Riparian Corridor, a riparian corridor associated with the drainage, is located on the southwest portion of the site. The site has an average slope of 18%.

The Coastsides Design Review Committee previously recommended approval of the proposed home design, and the Zoning Hearing Officer certified the Negative Declaration and approved the Coastal Development Permit and Design Review to correct and mitigate the past owner's removal of riparian vegetation and to construct the proposed new home.

The appeal request submitted by a nearby property owner asserts that the proposal violates the Coastsides Design Review Standards since:

- The overall architectural style of the home is not compatible with the neighborhood;
- The grading volume resulting in 33 cubic yards of cut and 65 cubic yards of fill does not minimize fill; and
- The scale of the home, related to height and roof form, is not in character with the neighborhood;

The appellant also contends that legalization of prior riparian vegetation removal sets a precedent for protected areas on the coast and encourages the illegal clearing of riparian vegetation to facilitate the building of homes.

Staff's response to each of these points is detailed in the attached staff report.

NMA/LAA:cdn – NMAS0276_WCU.DOC

**COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT**

DATE: March 26, 2008

TO: Planning Commission

FROM: Stephanie Bertollo Davis, Contract Planner, Neal Martin and Associates
Stephanie@nealmartinassoc.com, Telephone 650/200-7180

SUBJECT: Consideration of a Coastal Development Permit and Design Review, pursuant to Sections 6328.4 and 6565.3 of the County Zoning Regulations, to correct and mitigate the illegal removal of riparian vegetation performed in June 2004, and to allow the construction of a new 2,449 sq. ft. single-family residence with a 405 sq. ft. attached garage, and certification of a mitigated Negative Declaration, on an unimproved 7,070 sq. ft. parcel located on San Carlos Avenue in the unincorporated El Granada area of San Mateo County. This project is appealable to the California Coastal Commission. (Appeal of the Zoning Hearing Officer's decision for approval.)

County File Numbers: PLN 2004-00398 and PLN 2005-00248 (Lacasia-Barrios)

PROPOSAL

An appeal to reverse the Zoning Hearing Officer's April 11, 2007 decision to approve a project request to legalize prior riparian vegetation removal within the Montecito Riparian Corridor (which runs through the southwestern portion of the parcel) and to construct a new 3-bedroom, 2,449 sq. ft. single-family residence with a 405 sq. ft. attached 2-car garage at the property. The proposed residence would be located outside of the existing limit of riparian vegetation and "edge of potential former riparian corridor" that was present prior to vegetation removal, as determined by the project biologist. Construction of the residence would involve approximately 98 cubic yards of grading (including 33 cubic yards of excavation and 65 cubic yards of fill) and would not result in the removal of significant or heritage trees. The property is located within the California Coastal Commission appeals jurisdiction.

The appeal request submitted by a nearby property owner, who claims to represent other residents in the neighborhood, is based on the following reasons. Please see Attachment C, "Appeal Application Letter, dated April 24, 2007" for the detailed submittal.

- The overall architectural style of the home is not compatible with the neighborhood and violates the "Standards for Design for Residential Development in the Midcoast."

- That the grading volumes resulting in 33 cubic yards of cut and 65 cubic yards of fill violate the “Standards for Design for Residential Development in the Midcoast.”
- That the scale of the home, related to height and roof form, is not in character with the neighborhood and violates the “Standards for Design for Residential Development in the Midcoast.”
- That the legalization of prior illegal riparian vegetation removal sets a precedent for protected areas on the coast and encourages the illegal clearing of riparian vegetation to facilitate the building of homes.

RECOMMENDATION

Deny the appeal and affirm the decision of the Zoning Hearing Officer and approve the Coastal Development Permit and Design Review, County File Numbers PLN 2004-00398 and PLN 2005-00248, and certify the mitigated Negative Declaration, by adopting the required findings and conditions of approval in Attachment A, as approved by the Zoning Hearing Officer.

BACKGROUND

Report Prepared By: Stephanie Bertollo Davis, Contract Planner, Neal Martin and Associates
Telephone 650/200-7180, Stephanie@nealmartinassoc.com

Report Reviewed By: Lisa Aozasa, Senior Planner, Telephone 650//363-4852

Appellant: Mark Aschauer

Property Owners (of subject site): Rodrigo and Liz Lacasia-Barrios

Location: San Carlos Avenue, El Granada

APN: 047-105-020

Size: 7,070 sq. ft.

Existing Zoning: R-1/S-17/DR/CD (Single-Family Residential District, S-17 Combining District with 5,000 sq. ft. minimum parcel size, Design Review, Coastal Development)

General Plan Designation: Medium Density Residential (6.1 to 8.7 dwelling units/acre)

Sphere-of-Influence: City of Half Moon Bay

Existing Land Use: Undeveloped parcel

Water Supply: Coastside County Water District states that there is one 3/4" (30 gpm) non-priority water service connection assigned to the parcel. This connection is uninstalled and originates with the Crystal Springs Project.

Sewage Disposal: Granada Sanitary District will serve the parcel from a sewer main located within the San Carlos Avenue right-of-way.

Flood Zone: Zone C (areas of minimal flooding), Community Panel No. 060311 0113 B, effective July 5, 1984.

Environmental Evaluation: An Initial Study and Negative Declaration issued with a public review period from November 16, 2006 to December 6, 2006, per the provisions of the California Environmental Quality Act (CEQA) and approved by the Zoning Hearing Officer on April 5, 2007. However, due to the appeal of the decision of the Zoning Hearing Officer, this document is not certified. As this required environmental document is not certified, the Planning Commission must make a de novo decision on the prepared Initial Study and Negative Declaration as part of this appeal application.

Setting: The undeveloped parcel is located within an existing urban, residential neighborhood and is bordered to the north and east by single-family residential development. An intermittent drainage channel sometimes referred to as San Augustin Creek flows generally southbound, west of the project site. A portion of the Montecito Riparian Corridor, a riparian corridor associated with the drainage, is located on the southwest portion of the site. The site has an average slope of 18%. In addition to various species of riparian vegetation found on-site, nests of the San Francisco dusky-footed woodrat (identified by the California Department of Fish and Game as a California Special Concern species) have been found in the project vicinity.

Chronology:

<u>Date</u>	<u>Action</u>
January 2000	- Previous property owners perform illegal removal of vegetation, including riparian vegetation within the Montecito Riparian Corridor located at the rear of the parcel. The County's Code Compliance Section issues a Notice of Violation (VIO 2000-00011). On November 15, 2000, the case is closed as cutting has ceased. Property is allowed to return to its natural state.
June 2004	- Previous property owners again perform illegal removal of vegetation, including riparian vegetation. On June 4, 2004, the County's Code Compliance Section issues a Notice of Violation (VIO 2004-00085). County instructs owners to obtain a biology report for the site and submit an application for an after-the-fact Coastal Development Permit.

- August 4, 2004 - Previous property owners apply for an after-the-fact Coastal Development Permit (PLN 2004-00398) for illegal removal of vegetation.

- October 15, 2004 - Tom Mahoney (plant ecologist) of Albion Environmental, Inc., prepares a report titled "Riparian Delineation on San Carlos Avenue Parcel," for previous property owners (Attachment G). The existing dripline and estimated extent of riparian vegetation present prior to clearing are flagged and surveyed by Mike Turnrose of Turnrose Land Surveying (see Attachment F). Mahoney recommends all future development to maintain a minimum 20-foot setback from the existing undisturbed riparian dripline and, if feasible, the estimated limit of riparian vegetation that was present prior to vegetation clearing (marked as "Edge of Potential Former Riparian Corridor" in Attachment F). Mahoney estimates that due to evidence of re-sprouting and natural recruitment, the cleared portion of the riparian corridor should re-establish itself naturally. Mahoney recommends that a qualified biologist examine the project site after one growing season has elapsed (e.g., in late spring or early summer 2005) to determine if vegetation recovery is occurring at an acceptable rate.

- June 6, 2005 - Current owner (Rodrigo Lacasia-Barrios) applies for a Coastal Development Permit, Design Review and a Variance to construct a single-family residence that would encroach upon 10 feet of the required minimum 20-foot front setback (PLN 2005-00248). This project and the application for a Coastal Development Permit for illegal vegetation removal (PLN 2004-00398) are grouped together to be processed simultaneously.

- November 10, 2005 - Prior to the Coastside Design Review Committee (CDRC) meeting scheduled for this date, staff receives several letters from neighbors in opposition to this project. The CDRC requires the applicant to obtain a biology report to verify if the site's vegetation recovery is occurring at an acceptable rate. Meeting is continued to a date uncertain.

- November 29, 2005 - Mr. Mahoney prepares a "Riparian Update" for the property and states that riparian vegetation in cleared areas is not reestablishing rapidly, where approximately 50% of the area is bare ground (Attachment H). Mahoney recommends a "conceptual revegetation plan," including monitoring of plantings for three years and annual reporting of the results to the County.

- January 5, 2006 - Due to concerns expressed by interested neighbors that the limit of riparian vegetation prior to the clearing is different from that presented in Mahoney's 2004 report, the San Mateo County Director of Community Development selects Patrick Kobernus (biologist) of TRA Environmental Consultants to review Mahoney's riparian delineation at the site.

- April 11, 2006 - After reviewing reports prepared by Mahoney, aerial photos, and photos provided by Fritz Ender (neighbor at 771 San Carlos Avenue), Kobernus prepares a report titled "Assessment of Riparian Corridor Boundary" (Attachment I). Kobernus concurs with the location of the riparian boundary as marked by Mahoney and recorded by Turnrose. Kobernus states cleared areas should likely return in time to riparian corridor if all invasive species on-site are controlled and replanting is performed according to the November 29, 2005 "conceptual revegetation plan" within the areas of the potential former riparian corridor and 20-foot riparian buffer zone. He recommends that replanting should emphasize arroyo willow, with no more than 20-30 willow trees to be planted due to the small size of the lot.

- August 10, 2006 - The CDRC recommends approval of the project. The project was reviewed previously by the CDRC on January 12, 2006 and April 13, 2006, at which time the applicant was instructed to redesign the project to comply with design standards relating to the building's relationship to existing topography, neighborhood scale, facade articulation, and roof design.

- November 16, 2006 - Planning staff prepares an Initial Study and Negative Declaration. The public review period ends on December 6, 2006.

- December 6, 2006 - Planning staff receives several letters from interested neighbors in opposition to the project. Neighbor concerns include precedent set by legalization of the clearing violation, proposed residence's non-conformance with design review guidelines, and significant impact to views and sensitive habitat, as well as the property's lack of a hardship warranting a variance.

- January 2, 2007 - Planning staff informs applicant of Planning staff determination that project does not comply with the required findings for a variance, including "that without the variance, the landowner would be denied the rights and privileges that are enjoyed by other landowners in the same zoning district or vicinity" (Section 6534.1).

- January 8, 2007 - After consultation with the project architect, the property owner notifies staff that he intends to proceed with a design that eliminates the request for a variance.

- January 25, 2007 - Mr. Lacasia-Barrios submits revised drawings for a new residence to maintain the required setbacks and the biologist recommended minimum 20-foot riparian corridor buffer zone. The revised residence involves a slight decrease in square footage. While the revised residence would be slightly wider near the front, there is no change to the proposed height, colors, or materials. Design Review Officer reviews modified plans and determines that the revised home location result in design changes that are minor in nature and that re-review by the CDRC is not necessary.

- March 15, 2007 - Mr. Lacasia-Barrios informs Planning staff that the story poles at the site have been corrected and now accurately represent the location and height of the current proposal.

- April 5, 2007 - Zoning Hearing Officer public hearing and receipt of testimony from the public regarding the proposed project and subsequently closed the public hearing. No decision on the project was made.

- April 11, 2007 - Zoning Hearing Officer reviewed and approved the Coastal Development Permit and Design Review and certified the Negative Declaration based on applicable findings and subject to conditions of approval.

- April 24, 2007 - Appeal of Zoning Hearing Officer decision filed by neighboring property owner, Mr. Mark Aschauer.

- January 8, 2008 - At the request of Planning staff, property owner indicates that he will move forward with Planning Commission consideration of the plans as approved by the Zoning Hearing Officer on April 11, 2007, and would not be making further plan revisions in response to the appeal.

- March 26, 2008 - Planning Commission consideration of Appeal application submitted by Mr. Aschauer.

DISCUSSION

A. KEY ISSUES

1. Conformance with the County's General Plan, Local Coastal Plan and Zoning Regulations

The project meets all applicable policies, regulations and guidelines of the General Plan, Local Coastal Plan and Zoning Ordinance. Please see Attachment F, "*Zoning Hearing Officer Staff Report, dated April 5, 2007 and Initial Study Environmental Checklist, dated November 16, 2006*" for detailed analysis of compliance with these authorities.

2. Appeal Application

The appeal raises four general issues: (a) that the overall architectural style of the home is not compatible with the neighborhood and violates the "Standards for Design for Residential Development in the Midcoast," (b) that the grading volumes result in a home height that violates the "Standards for Design for Residential Development in the Midcoast," (c) that the architectural style and scale of the home is not in character with the neighborhood and violates the "Standards for Design for Residential Development in the Midcoast," and (d) that the legalization of prior illegal riparian vegetation removal sets a precedent in the neighborhood which may encourage future illegal clearing and which endangers other protected areas on the coast. Please see Attachment C, "*Appeal Letter Submitted from Mr. Mark Aschauer, dated April 24, 2007*" for the appellant's detailed appeal submittal. Each basis of appeal is discussed below:

(a) that the overall architectural style of the home is not compatible with the neighborhood and violates the "Standards for Design for Residential Development in the Midcoast"

The "Standards for Design for Residential Development in the Midcoast" includes guidelines on Architectural Styles and Features as Elements of Design (Section 6565.20 D). See Attachment G "*Architectural Styles and Features Excerpt From Standards for Design for Residential Development in the Midcoast*".

The guidelines state that architectural style should be evaluated by considering what building elements define the architectural style of the house (e.g., building shape, roof design, exterior materials, window size and type, etc.), what defining elements are common to other houses in the neighborhood, and what elements characterize the natural setting (e.g., vegetation, landforms, etc.). There are many different architectural styles present throughout the Midcoast communities. In cases where neighborhoods are comprised of many different styles, the guidelines state that a project designer should strive for a style that

at least is not jarring or disruptive in appearance when compared to adjacent homes, and foster compatibility through other elements of design. No particular architectural style is prohibited, although a style that reflects the Midcoast's coastal, semi-rural, diverse, small town character will more readily be found to be complementary to the neighborhood and consideration given to the natural setting.

The architectural style of the proposed residence is distinctly more contemporary than the existing houses in the neighborhood and could be described as a coastal regionalist style attempting to value responses particular to the coastal context, ie. nautical reference, optimization of sunlight, natural ventilation, and integration of compatible materials. Existing homes in the neighborhood do not follow one distinct architectural style and include a variety of styles and motifs. Please see Attachment K, "*Photos of Existing Homes in Neighborhood.*"

The applicant has chosen colors and materials that soften the design and help it to blend with its riparian and built surroundings, including an exterior building finish of natural cedar plank siding, Cor-Ten rust color steel panels and a slate gray standing seam roofing. See color rendering and photograph of proposed color and material board within Attachment D. The combination of a cedar plank siding and rust colored segmented Cor-Ten steel panels provide a complementary earthen color base in the context of the more natural surrounding setting, which includes sloped lots with moderate to heavy vegetation. This mix of materials also provides architectural interest and façade variety to assist in breaking up the new mass created by the structure. A detailed landscaping plan that includes species that are native and compatible to the site, soften the resulting building façade and respect existing coastal views is included as part of the proposal and required as part of the recommended conditions of approval.

As noted, while varying styles of architecture exist in the neighborhood, the majority of homes do employ horizontal siding on their exterior facades. The use of large picture windows is also apparent within many of the surrounding neighborhood homes. Both elements are incorporated into the proposed design. The mix of vertical and horizontal window shapes provide further façade articulation. Many existing building facades within the surrounding neighborhood at the street view include design elements which break up the vertical mass by stepping back wall lines, segmenting building portions and pitching roof lines from the street view. The proposed design attempts to further soften the mass at the street view and incorporate these design elements by including a curving wall that sweeps back from the street toward the rear of the property and recessing the second floor plane from the level below (see floor area scheme plans on cover sheet which reflect the building outline of each level of the home). This same "staggered design" concept is proposed at the roof line which is not continuously flat and lineal, but proposes a slight pitch and angle to give depth and curvature back away from the street view.

- (b) *that the grading volumes resulting in 33 cubic yards of cut and 65 cubic yards of fill violate the "Standards for Design for Residential Development in the Midcoast"*

The "Standards for Design for Residential Development in the Midcoast" includes guidelines on Grading as Elements of Site Design and Structure Placement (Section 6565.20 C). See Attachment H "*Grading Excerpt From Standards for Design for Residential Development in the Midcoast.*"

In the interest of retaining as much of the natural character of the site as possible, the guidelines state that an effort should be made to place structures so that grading activity and the area disturbed by grading is limited; however, on sloping sites, it is recognized that a certain amount of excavation may be necessary so that the end result is a house that blends into the site.

Grading associated with the project includes 98 cubic yards of grading (including 33 cubic yards of cut and 65 cubic yards of fill). These grading quantities are proposed due to the site topography and limited to accommodation of site access. Given the minimal amount of earthwork proposed, the grading activities are exempt from a Grading Permit per County Ordinance. The site has an average slope of 18% and slopes downward toward the rear of the parcel, or towards the riparian corridor. As proposed, the parking level would not be visible from the street level, but would be visible from 771 San Carlos Avenue (the southeast/left side neighbor). Alternately, the use of a complete below-grade parking level would significantly increase the amount of grading necessary at the site and would not result in a significant improvement to views of the residence from viewing locations across the street and along San Carlos Avenue. In addition, a below-grade parking level could increase the slope of the driveway (increasing the disparity between the street elevation and elevation of the below-grade parking level over the same distance) such that it exceeds the County allowed 20% maximum.

The height of the proposed residence is 29'-6", where 28 feet is typically the height limit in the S-17 combining district. However, the district allows for an increase up to 36 feet, where the average slope of a parcel is greater than 14.3% from the established street grade at the front lot line and where a sewer connection must be made uphill from the building location. The project meets the criteria as the site has an average slope of 18% and sewer service would be accessed from a sewer main located north and uphill of the project site, within the San Carlos Avenue right-of-way.

- (c) *that the scale of the home, related to height and roof form, is not in character with the neighborhood and violates the "Standards for Design for Residential Development in the Midcoast"*

The "Standards for Design for Residential Development in the Midcoast" includes guidelines on Neighborhood Character as Elements of Neighborhood Definition and Character (Section 6565.20 B) as well as guidelines on Neighborhood Scale as Elements of Design (Section 6565.20 D). See Attachment I, *"Neighborhood Character and Neighborhood Scale Excerpts From Standards for Design for Residential Development in the Midcoast"*.

The guidelines define neighborhood character as the combination of qualities or features within a neighborhood that distinguishes it from another neighborhood. The key features of single-family residential neighborhoods include the appearance of the homes (e.g., architectural style and elements), the collective appearance of the homes (e.g., pattern, scale, size), and the appearance of natural features (e.g., natural vegetation, landforms). The architectural elements of a house such as its shape, the arrangement of its doors and windows, its roof style, and its architectural style all contribute to the appearance of the house, which in turn contributes to the collective appearance or character of the neighborhood. Neighborhood scale refers to the appearance of a home in relation to other homes in the neighborhood as it relates to size, height or other characteristics. Whether or not a house appears proportional to adjacent homes is determined by the size and height of the house and whether or not the building shapes and facades are simple or broken into more varied forms.

Please see response to appeal Item (a) noted above regarding architectural style (exterior materials and colors, window type and placement, landscaping and roof form) and appearance of natural features and response to Item (b) noted above regarding building height.

The proposed home is situated on the parcel to maintain all minimum yard setbacks, following the elongated shape of the parcel and is consistent in lot pattern with other homes in the surrounding neighborhood. From street view, the home appears as a two-story home. Many of the homes on the down-sloped side of San Carlos Avenue appear as one-story homes; however, some do appear as two-story (see Attachment J). However, given the minimal grading proposed and home situation on the lot, the proposed home would be approximately 1-foot taller than the adjacent home at 771 San Carlos Avenue demonstrating general neighborhood height compatibility. As noted above, the proposed home height of 29.5 feet is less than the maximum 36 feet allowed by County Zoning Ordinance. All homes tend to tier down the hillside relative to the individual lots' specific topography (some sites are steeper than others), including the subject parcel.

Homes in the neighborhood range in size from approximately 860 sq. ft. to 3,150 sq. ft., with an approximate average of 2,275 sq. ft. (these figures do not include the garage and were obtained from the San Mateo County Assessor's Office). The proposed home square footage of 2,449 sq. ft. (excluding the

garage) is within this established range and compatible with this neighborhood average.

Homes in the neighborhood exude façade articulation through staggered wall lines, window types and placement and varied roof forms. As outlined in Appeal Item (a) above, it is found that the proposed design includes individual design elements (such as the curving wall and varied roof angle) which exude articulation of the resulting façade.

- (d) that the legalization of prior illegal riparian vegetation removal sets a precedent for protected areas on the coast and encourages the illegal clearing of riparian vegetation to facilitate the building of homes***

Both the San Mateo County Zoning Ordinance and Local Coastal Program outline numerous standards and policies pertaining to the protection, maintenance and treatment of riparian corridors. Any action or activity which is determined not to be in compliance with these standards and policies would be considered a violation in which the County would follow through with appropriate code enforcement actions as warranted.

It is acknowledged that the riparian vegetation removal conducted by the prior property owner violated applicable County guidelines and regulations pertaining to the protection of riparian corridors. The current property owner is exploring all remedies to correct this existing condition and mitigate the impacts of these activities under present circumstances following the guidance, direction and recommendations of a licensed biologist to return the site to its pre-altered natural state to the extent feasible. As required by Condition No. 10 in Attachment A, the current property owner would implement a “conceptual revegetation plan” within the area of the potential former riparian corridor as well as the 20-foot riparian buffer zone, including the planting of a minimum of 20 arroyo willow trees. Planning staff has reviewed the landscape plan and found it to be consistent with the conceptual revegetation plan. Condition No. 11 requires monitoring and annual reporting for three years after planting and control of all invasive species on-site. Staff has also added three administrative review dates in March 2009 (or first spring after planting), June 2010 (or second summer after planting), and June 2011 (or third summer after planting), to ensure compliance with this condition.

Further, as outlined in the reports prepared by the licensed biologist and agreed upon by the outside professional peer review as required by Planning staff, the proposed project maintains the required 20-foot buffer zone from the delineated riparian boundary zone established as the actual boundary line prior to the illegal vegetation removal.

In summary, it is the purpose of these Design Standards to encourage new single-family homes that have their own individual character, while ensuring they are complementary to neighboring houses. Further, the Design Standards acknowledge that there are a variety of creative ways in which a dwelling can be designed to comply with the standards, while at the same time retain its own individual identity. For the reasons as outlined, it is found that the project demonstrates compliance with the "*Standards for Design for Residential Development in the Midcoast*" and meets the purpose of such standards as determined by the Zoning Hearing Officer.

B. ENVIRONMENTAL REVIEW

An Initial Study and Negative Declaration issued with a public review period from November 16, 2006 to December 6, 2006, per the provisions of the California Environmental Quality Act (CEQA) and approved by the Zoning Hearing Officer on April 5, 2007. However, due to the filing of an appeal of the decision of the Zoning Hearing Officer, this document could not be certified. As this environmental document is not certified, the Planning Commission must make a de novo decision on the prepared Initial Study and Negative Declaration as part of this appeal application. A copy is attached as part of Attachment F.

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
- B. Location Map
- C. Appeal Letter Submitted from Mr. Mark Aschauer, dated April 24, 2007
- D. Project Site Plan, Landscape Plan, Floor Plans, Elevations and Sections, Color and Material Board Photo Rendering, Color Elevation Rendering, received January 25, 2007 (*actual color and material board available for viewing in San Mateo County Planning Department office and will be presented at the March 26, 2008 Planning Commission meeting*)
- E. Zoning Hearing Officer Approval Letter, dated April 11, 2007
- F. Zoning Hearing Officer Staff Report dated April 5, 2007, and Initial Study Environmental Checklist dated November 16, 2006. (*All listed attachments excluded for brevity; copies available for viewing in San Mateo County Planning Department office*)
- G. Architectural Styles and Features Excerpt From "*Standards for Design for Residential Development in the Midcoast*"
- H. Grading Excerpt From "*Standards for Design for Residential Development in the Midcoast*"
- I. Neighborhood Character and Neighborhood Scale Excerpts From "*Standards for Design for Residential Development in the Midcoast*"
- J. Map of Neighborhood with Addresses
- K. Photos of Existing Homes in Neighborhood

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County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit File Numbers: PLN 2004-00398 & PLN 2005-00248 Hearing Date: March 26, 2008

Prepared By: Stephanie Bertollo Davis, Contract For Adoption By: Planning Commission
Planner, Neal Martin and Associates

RECOMMENDED FINDINGS

Regarding the Environmental Review, Find:

1. That the Negative Declaration is complete, correct and adequate, and prepared in accordance with the California Environmental Quality Act and applicable State and County guidelines. An Initial Study was completed and a Negative Declaration issued in conformance with CEQA guidelines. The public review period for this document was November 16, 2006 to December 6, 2006.
2. That, on the basis of the Initial Study and comments received thereto, no substantial evidence exists that the project, if subject to the mitigation measures contained in the Negative Declaration, will have a significant effect on the environment. The eight (8) mitigation measures contained in the Negative Declaration and the conditions of approval in this document adequately mitigate any potential significant effect on the environment.
3. That the mitigation measures identified in the Negative Declaration, agreed to by the applicant, placed as conditions on the project, and identified as part of this public hearing, have been incorporated into a Mitigation Monitoring and Reporting Plan in conformance with the California Public Resources Code Section 21081.6. The property owners have agreed to comply with the eight (8) mitigation measures contained in the Negative Declaration. In addition, applicable mitigation measures have been incorporated as conditions of approval for this project. Given compliance with the conditions of approval, a separate Mitigation Monitoring and Reporting Plan is not necessary.
4. That the Negative Declaration reflects the independent judgment of the San Mateo County Planning Commission.

Regarding the Coastal Development Permit, Find:

5. That the project, as described in the application and accompanying materials required by Zoning Regulations Section 6328.4 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 (LCP). The project, as proposed and conditioned, complies with the applicable policies of the Sensitive Habitats Component, as the applicant is required to maintain all structures a minimum of 20 feet from the edge of the riparian corridor, implement the biologist recommended conceptual revegetation plan, control invasive species at the site, and perform monitoring and annual reporting of replantings three years after replanting. The project complies with the applicable policies of the Visual Resources Component, including special design guidelines for El Granada.

6. That, where the project is located between the nearest public road and the sea, or the shoreline of Pescadero Marsh, the project is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Section 30200 of the Public Resources Code). The project site is not located between the nearest public road and the sea, or the shoreline of Pescadero Marsh.
7. That the project conforms to specific findings required by policies of the San Mateo County Local Coastal Program. The project complies with applicable policies of the Sensitive Habitats and Visual Resources Components of the LCP, and conforms to the required findings listed above.

Regarding the Design Review, Find:

8. That the project is found to be in compliance with the Design Review Standards for the Coastside (Section 6565.7), specifically:
 - a. Varying architectural styles are made compatible through the use of similar materials and colors which blend with the natural setting and surrounding neighborhoods since the applicant has chosen an exterior building finish of natural cedar plank siding, rust color steel panels and a slate grey standing seam roof.
 - b. Where grading is necessary for the construction of structures and paved areas, it blends with adjacent landforms through the use of contour grading rather than harsh cutting or terracing of the site and does not create problems of drainage or erosion on its site or adjacent property since grading is limited to less than 100 cubic yards of cut and fill, a reasonable amount to allow adequate access given the site's 18% slope.
 - c. Trees and other vegetation land cover are removed only where necessary for the construction of structures or paved areas in order to reduce erosion and impacts on natural drainage channels, and maintain surface runoff at acceptable levels.
 - d. A smooth transition is maintained between development and adjacent open areas through the use of natural landscaping and plant materials which are native or appropriate to the area since conditions of approval require (1) replanting and monitoring within the buffer zone according to the biologists' recommendation to reestablish native riparian vegetation and (2) a deed restriction to further protect the riparian corridor in the future.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

1. This approval applies only to the proposal, documents and plans described in this report and submitted to and approved by the Planning Commission on March 26, 2008. Minor revisions or modifications to these projects may be made subject to the review and approval of the Community Development Director.
2. These permits shall be valid for one year from the date of this approval. If the building permit has not been issued within this time period, these permits will expire. An extension to these permits will be considered upon written request and payment of applicable permit extension fees sixty (60) days prior to expiration.
3. Performance standards for fertilization, pesticide and herbicide use, and irrigation shall be reviewed and approved by the applicant's biological consultant. Prior to the issuance of the Certificate of Occupancy for the residence, this review shall be submitted to the Community Development Director for review and approval and the property owner(s) shall record a deed restriction which: (1) prohibits the removal or alteration of riparian vegetation within the riparian corridor and associated buffer zone, (2) prohibits utilization of any pesticide, herbicide, or fertilizer, except types specifically accepted by the biological consultant within the riparian corridor and associated buffer zone, (3) requires the removal of invasive exotic plant species from within the buffer zone, (4) requires the replanting with native riparian and coastal scrub plant species in the buffer zone, and (5) prohibits the construction of accessory structures within the riparian corridor and associated buffer zone, over the life of the project.
4. The applicant shall revise the submitted landscape plan (received January 25, 2007) to (1) limit landscaping in the front yard to tree varieties that, at maturity, would not exceed 30 feet in height and (2) incorporate landscaping along the southeast elevation to provide additional screening of the building from 771 San Carlos Avenue. The revised landscape plan shall be submitted for review to the Current Planning Section, prior to Planning's approval of the building permit. The applicant shall provide photos to Planning staff to demonstrate implementation of the approved landscape plan prior to Planning's final approval of the building permit.
5. In order to minimize glare impacts to neighbors across the street, the applicant shall choose a roof material that is completely non-reflective, to be submitted for review to Planning staff prior to Planning's approval of the building permit (the proposed dark brown color was not approved). The applicant shall provide photos to Planning staff to demonstrate installation of the approved roofing material prior to Planning's final approval of the building permit.
6. The applicant shall comply with LCP performance standards for areas within a riparian corridor or riparian corridor buffer zone (Policies 7.10 and 7.13), including, but not limited to, the following:

- a. Use only adapted native or non-invasive exotic plant species when replanting,
 - b. Minimize adverse effects of wastewater discharges and entrainment,
 - c. Prevent depletion of groundwater supplies and substantial interference with surface and subsurface water flows,
 - d. Encourage wastewater reclamation,
 - e. Maintain natural vegetation buffer areas that protect riparian habitats,
 - f. Conform to natural topography to minimize erosion potential,
 - g. Make provisions (i.e., catch basins) to keep runoff and sedimentation from exceeding pre-development levels, and
 - h. Prevent discharge of toxic substances, such as fertilizers and pesticides, into the riparian corridor.
7. The applicant shall pay an environmental filing fee of \$1,800.00, as required under Fish and Game Code Section 711.4(d), to the San Mateo County Clerk within four (4) working days of the final approval date of the Coastal Development Permit.

Mitigation Measures from the Negative Declaration Made Available on November 16, 2006:

8. Prior to the beginning of all construction, the applicant shall submit to the Current Planning Section for review and approval an erosion and drainage control plan which shows how the transport and discharge of soil and pollutants from the project site would be minimized. The approved erosion and drainage control plan shall be implemented prior to the beginning of construction. 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. Delineation with field markers of clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses.
 - b. Protection of adjacent properties and undisturbed areas (including the riparian corridor and 20-foot buffer zone) from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
 - c. Stabilization of all denuded areas and maintenance of erosion control measures continuously between October 15 and April 15. Stabilization shall include both proactive measures, such as the placement of hay bales or coir netting, and passive measures, such as revegetation per the "conceptual revegetation plan" (Mahoney 2005).

- d. Proper storage, handling, and disposal of construction materials and wastes, so as to prevent their contact with stormwater.
 - e. 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.
 - f. Use of sediment controls or filtration to remove sediment when dewatering the site and acquisition of all necessary permits.
 - g. Avoidance of cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
 - h. Performance of approved clearing and earth-moving activities only during dry weather.
 - i. Limitation and timed applications of pesticides and fertilizers to prevent polluted runoff.
 - j. Limitation of construction access routes and stabilization of designated access points.
 - k. Avoidance of tracking dirt or other materials off-site; cleaning of off-site paved areas and sidewalks using dry sweeping methods.
 - l. Contractor training and provision of instruction to all employees and subcontractors regarding the construction best management practices.
 - m. Implementation of the approved erosion and sediment control plan prior to the beginning of construction.
9. The San Mateo County Grading Ordinance shall govern all grading on and adjacent to this site. Unless exempted by the Grading Ordinance, the applicant may be required to apply for a grading permit upon completion of Public Works' review of the plans and should access construction be necessary.
10. Prior to Planning's final approval of the building permit, the applicant shall provide evidence of replanting, performed in accordance with the "conceptual revegetation plan" within the area of the potential former riparian corridor and 20-foot riparian buffer zone (Mahoney 2005). Replanting should emphasize arroyo willow, with no more than 20-30 willow trees to be planted due to the small size of the lot (Kobernus 2006).
11. The applicant shall perform monitoring and annual reporting, as delineated in the "conceptual revegetation plan" (Mahoney 2005) for three years after planting, starting with the first spring after planting. Reporting must demonstrate that all invasive species on-site are consistently and thoroughly controlled. To ensure compliance with this condition, administrative reviews of the site and monitoring reports will be required in March 2009

(or first spring after planting), June 2010 (or second summer after planting), and June 2011 (or third summer after planting). The applicant shall pay the inspection fee within thirty (30) days of the administrative review date.

12. Any future construction shall maintain a minimum 20-foot setback from the edges of the existing and potential former riparian corridor, as indicated in the Topographic Map prepared by Turnrose Land Surveying, unless as outlined in the LCP and permitted through an approved Coastal Development Permit. Uses within the riparian corridor and associated buffer zone shall be limited to those listed in LCP Policies 7.9 (*Permitted Uses in Riparian Corridors*) and 7.12 (*Permitted Uses in Buffer Zones*).
13. Prior to construction, the applicant shall arrange for the following:
 - a. The property shall be surveyed by a qualified biologist for woodrat nests prior to construction, within the same season that construction is planned (i.e., if construction is planned for fall, then a survey should be conducted in the fall prior to construction). If any nests are found, the applicant shall contact Dave Johnston at the California Department of Fish and Game, 707/944-5525.
 - b. Prior to construction, the woodrat nests shall be clearly demarcated by a qualified biologist. A 6-foot chain link fence should be installed along the 20-foot setback from riparian corridor to protect the riparian corridor and the woodrat nests from any potential impacts from construction, as required by Condition No. 16.
 - c. Per the California Department of Fish and Game, the applicant shall be made aware that the presence of outdoor cats can threaten woodrat populations.
14. Noise levels produced by proposed construction activities shall not exceed the 80-dBA level at any time. Construction activities shall be limited to the hours from 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturdays. Construction operations shall be prohibited on Sunday and any national holiday.
15. All new power and telephone utility lines from the street or nearest utility pole to the main dwelling shall be placed underground starting at the closest existing utility pole.
16. All vehicles, machinery and construction equipment shall be kept out of the riparian corridor and associated buffer zone. Prior to the issuance of a building permit, the applicant shall install a 6-foot chain link fence along the 20-foot setback from riparian corridor on the site. This barrier shall remain in place until all heavy machinery has been removed from the site and the building permit has been completed.

Building Inspection Section

17. At the time of application for a building permit, the following will be required:

- a. Prior to pouring any concrete for foundations, written verification from a licensed surveyor will be required confirming that the setbacks, as shown on the approved plans, have been maintained.
- b. An automatic fire sprinkler system will be required. The plumbing permit required for the fire sprinkler system must be issued prior to, or in conjunction with the building permit.
- c. If a water main extension, upgrade or hydrant is required, this work must be completed prior to the issuance of the building permit or the applicant must submit a copy of an agreement and contract that will ensure the work will be completed prior to finalizing the permit.
- d. A site drainage plan will be required that will demonstrate how roof drainage and site runoff will be directed to approved locations in accordance with County Drainage Guidelines. Treatment measures, where required by the County's NPDES permit, shall be included in the site drainage plan (refer to Department of Public Works conditions).
- e. Sediment and erosion control measures must be installed prior to beginning any site work and maintained throughout the term of the permit. 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.
- f. No wood burning fireplaces are allowed.
- g. As this structure is a 3-story house, a second means of exit will be required from the third floor.

Department of Public Works

- 18. Prior to the issuance of the building permit, the applicant will be required to pay "roadway mitigation fees" based on the square footage (assessable space) of the proposed building per Ordinance No. 3277.
- 19. No proposed construction work within the County right-of-way shall begin until County requirements for the issuance of an encroachment permit have been met and an encroachment permit issued. Construction within the County right-of-way must conform to County standard details wherever applicable.
- 20. The applicant shall submit a driveway "plan and profile" to the Department of Public Works, showing that the driveway access to the parcel (garage slab) complies with County standards for driveway slopes (not to exceed 20%) and with County standards for driveways (elevation at the property line being the same as the center of the access roadway). When appropriate, 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.

21. Prior to the issuance of a building permit, the applicant shall have prepared by a registered civil engineer a drainage analysis and plan for the proposed development in accordance with the County Drainage Guidelines and NPDES permit, and submit it to the Department of Public Works for review and approval. The drainage analysis shall include a written narrative and a map detailing the drainage basin. The flow of the stormwater onto, over, and off the property being developed shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the pattern of flow. Recommended measures shall be designed and included in the improvement plans and submitted to the Department of Public Works for review and approval.

County Geotechnical Section

22. This project will require a soils and foundation study at the building permit stage, with emphasis on slope stability and erosion hazards. If grading is necessary, then the study must be done before a grading permit is issued.

Coastside Fire Protection District

23. As per 2001 California Fire Code, Appendix III-B, Table A-III-B-1, a Coastside Fire Protection District approved fire hydrant (Clow 960) must be located within 250 feet of the proposed single-family dwelling unit measured by way of drivable access. As per 2001 CFC, Appendix III-A, Section 4.1, the hydrant must produce a minimum fire flow of 1,000 gallons per minute at 20 pounds per square inch residual pressure for 2 hours. Contact the local water purveyor for water flow details. Fire District records indicate that there is an existing Clow 960 hydrant within 250 feet of the property. However, it will need to be flow tested to satisfy this condition.
24. As per San Mateo County Building Standards and Half Moon Bay Fire District Ordinance No. 2002-01, the applicant is required to install an automatic fire sprinkler system throughout the proposed dwelling and garage. All areas that are accessible for storage purposes shall be equipped with fire sprinklers, the only exception being small linen closets of 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. The fee schedule for automatic fire sprinkler systems shall be in accordance with Half Moon Bay Fire District Ordinance No. 13. Fees shall be paid prior to plan review.
25. An exterior bell and interior horn/strobe are required to be wired into the flow switch on the fire sprinkler system. The bell, horn/strobe and flow switch, along with the garage door opener, are to be wired into a separate circuit breaker at the main electrical panel and labeled.

26. As per the California Building Code Section 310.9.1.1, State Fire Marshal Regulations, and Half Moon Bay Fire District Ordinance No. 2002-01, 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 sleeping room and at a point centrally located in the corridor or area giving access to each separate sleeping area. A minimum of one detector shall be placed on each floor. Smoke detectors shall be tested and approved prior to the building final.
27. As per Half Moon Bay Fire District Ordinance No. 2002-01, 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 of adequate size and of a color, which is contrasting with the background. In no case shall letters/numerals be less than 4 inches in height with a minimum 3/4-inch stroke. Such letters/numerals shall be internally illuminated and facing the direction of access.
28. As per County of San Mateo Building Standards and the Half Moon Bay Fire District Ordinance No. 2002-01, 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.
29. The San Mateo County Department of Public Works and the Half Moon Bay Fire District Ordinance No. 2002-01 shall set road standards. The applicant must have a maintained all-weather surface road for ingress and egress of fire apparatus that meets these standards. Dead-end roads exceeding 150 feet shall be provided with a turnaround in accordance with Coastside Fire Protection District standards and specifications. Road width shall not be less than 20 feet. Fire District records indicate that a turnaround will need to be designed and installed to satisfy this condition.
30. As per CFC 2001, Section 1103.2.4 and Half Moon Bay Fire District Ordinance No. 2002-01, a minimum clearance of flammable vegetation within 30 feet of the proposed structures, or to the property line, shall be maintained around all structures by the property owner. This does not include individual species of ornamental shrubs and landscaping.

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Application for Appeal**Planning and Building Division**

County Government Center • 455 County Center, 2nd Floor
Redwood City • CA • 94063 • Mail Drop PLN 122
Phone: 650 • 363 • 4161 Fax: 650 • 363 • 4849

☒ To the Planning Commission☐ To the Board of Supervisors**1. Appellant Information**Name: MARK ASCHAUERAddress: PO BOX 1590, 770 SAN CARLOS ST,
EL GRANADA, CAPhone, W: 650-726-4906 H: 726 4906Zip: 94018**2. Appeal Information**

Permit Numbers involved:

PLN 2005-00248PLN 2004-00398I have read and understood the attached information
regarding appeal process and alternatives.☒ yes☐ no

I hereby appeal the decision of the:

☐ Staff or Planning Director☒ Zoning Hearing Officer☐ Design Review Committee☒ Planning Commission

Appellant's Signature:

Mark AschauerDate: 4/24/07made on APRIL 11 2007 to approve/deny
the above-listed permit applications.**3. Basis for Appeal**

Planning staff will prepare a report based on your appeal. In order to facilitate this, your precise objections are needed. For example: Do you wish the decision reversed? If so, why? Do you object to certain conditions of approval? If so, then which conditions and why?

SEE ATTACHED LETTER

April 24, 2007

San Mateo County Environmental Services Agency
Planning and Building Division
County Government Center
455 County Center, 2nd Floor
Redwood City, CA 94063

Re: Application for Appeal
PLN2005-00248
PLN2004-00398

I am filing this appeal to reverse the decisions of the Zoning Hearing Officer issued on April 11, 2007. Although I am submitting this appeal as an individual I represent a neighborhood united against this project because it violates specific "standards for design for one-family and two-family residential development in the mid-coast." Also, the legalization of the illegal clearing of the Montecito Riparian Corridor to make this a buildable lot sets a precedent which encourages further illegal clearing of protected land for personal financial gain. For these reasons I am appealing these decisions.

1. The San Mateo County "Standards for design for one-family and two-family residential development in the mid-coast" indicates that a "project designer should strive for a style that at least is not jarring or disruptive in appearance when compared to adjacent homes." The standard calls for the "use (of) an architectural style and design elements that complement the predominant style of nearby homes." While all of the homes in the neighborhood currently reflect the "coastal, semi-rural, diverse small town character of the area, (using designs) such as coastal craftsman" the proposed ultra modern avant-garde design does not fit into the architectural style of the neighborhood. It is my opinion that for this reason alone this project should be denied.
2. The height of this project also violates two of the San Mateo County "Standards." Specifically, the grading for this project raises the building pad by excavating 33 cubic yards while filling 65 cubic yards. The "Standards" call for "minimizing fill or placement of earth materials. (The project should) avoid raising the building pad for a new home above the existing grade." It seems that at the very least the project should be redrawn so the fill is less than or equal to the removed earth and that the applicant should submit new drawings of a front view from the street with next-door house shown.

Secondly, regarding height the "Standards" specify that "scale, or the appearance or proportion of a house to others, including the number of stories" should "contribute to the collective appearance or character of the neighborhood." The proposed home is the only home on the down-slope side of the street which would rise two stories above the street (Three stories total). Indeed, the two houses next to the proposed project are one story above the street, and this project is two stories above the street. Because of this, and the unusual bent flat roof form, this project does not fit within the character of the neighborhood and should be denied.

3. Regarding the legalization of the June 2004 removal of riparian vegetation from the subject parcel this action sets a precedent which endangers all protected areas on the coast. The approval of PLN2004-00398 encourages the illegal clearing of riparian vegetation to facilitate the building of homes on protected lands. For this reason I respectfully believe this decision regarding the removal of riparian vegetation on the property at 779 San Carlos Avenue, El Granada should be reversed.

On behalf of our neighborhood I thank you in advance for your consideration of this appeal.

Sincerely,

Mark L. Aschauer
P.O. Box 1590
El Granada, CA 94018



Please reply to: Camille Leung
(650)363-1826

April 11, 2007

Stan Field
455 Lambert Avenue
Palo Alto, CA 94306

PROJECT FILE

ENVIRONMENTAL
SERVICES
AGENCY

Subject: PLN2005-00248
Location: 779 San Carlos Avenue, El Granada
APN: 047-105-020

On April 5, 2007, the Zoning Hearing Officer considered your request for a Coastal Development Permit and Design Review, pursuant to Sections 6328.4 and 6565.3 of the San Mateo County Zoning Regulations, to allow the construction of a new 2,449 sq. ft. single-family residence and 405 sq. ft. attached garage, and certification of a mitigated Negative Declaration, on an unimproved 7,070 sq. ft. parcel located on San Carlos Avenue in the unincorporated El Granada area of San Mateo County.

On April 5, 2007, the Zoning Hearing Officer received testimony from the public regarding this project, and subsequently closed the public hearing.

On April 11, 2007, the Zoning Hearing Officer made the applicable findings and approved this project subject to the conditions of approval as attached.

Any interested party aggrieved by the determination of the Zoning Hearing Officer may appeal this decision to the Planning Commission within ten (10) working days from such date of determination. The appeal period for this project will end on **April 25, 2007, at 5:00 p.m.**

This permit approval is appealable to the California Coastal Commission. Any aggrieved person who has exhausted local appeals may appeal this decision to the California Coastal Commission within 10 working days following the Coastal Commission's receipt of the County's final decision. Please contact the Coastal Commission's North Central Coast District Office at (415) 904-5260 for further information concerning the Commission's appeal process. The County and Coastal Commission appeal periods run consecutively, not concurrently, and together total approximately one month. A project is considered approved when these appeal periods have expired and no appeals have been filed.

PLANNING AND BUILDING

455 County Center, 2nd Floor • Redwood City, CA 94063 • Phone (650) 363-4161 • FAX (650) 363-4849

If you have any questions concerning this item, please contact the Project Planner above.

Very truly yours,



George Bergman
Zoning Hearing Officer

cc: Public Works Department
Building Inspection Section
Assessor's Office
City of Half Moon Bay
California Coastal Commission
Coastside Water Dept.
Granada Sanitary District
Rodrigo & Liz Lacasia-Barrios
Janet Cochran
Joe Sandoval
Half Moon Bay Fire Protection District
Midcoast Community Council
Fritz & Leslie Ender
Barbara J. Cohn & Janice Gaynor
Mark and Sharlene Aschauer
Roel & Susan van Bezooijen
Kirk Moore
Barry McAdoo
W. S. Wilson
Robert Stegner
Allan Lorenz
Kathryn Slater-Carter
Commie Taniguichi & Chris Pritchard
Rex Geitner
Leonard Woren
J. Williams
Collier/Campbell
Jacqueline Williams
Steve Wilson

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County of San Mateo
Planning and Building Department

FINDINGS AND CONDITIONS OF APPROVAL

FINDINGS

Regarding the Environmental Review, Found:

1. That the Negative Declaration is complete, correct and adequate, and prepared in accordance with the California Environmental Quality Act and applicable State and County guidelines. An Initial Study was completed and a Negative Declaration issued in conformance with CEQA guidelines. The public review period for this document was November 16, 2006 to December 6, 2006.
2. That, on the basis of the Initial Study and comments received thereto, no substantial evidence exists that the project, if subject to the mitigation measures contained in the Negative Declaration, will have a significant effect on the environment. The applicable mitigation measures contained in the Negative Declaration and the conditions of approval in this document adequately mitigate any potential significant effect on the environment.
3. That the mitigation measures identified in the Negative Declaration, agreed to by the applicant, placed as conditions on the project, and identified as part of this public hearing, have been incorporated into a Mitigation Monitoring and Reporting Plan in conformance with the California Public Resources Code Section 21081.6. The property owners have agreed to comply with the eight (8) mitigation measures contained in the Negative Declaration. In addition, applicable mitigation measures have been incorporated as conditions of approval for this project. Given compliance with the conditions of approval, a separate Mitigation Monitoring and Reporting Plan is not necessary.
4. That the Negative Declaration reflects the independent judgment of the San Mateo County Current Planning Section.

Regarding the Coastal Development Permit, Found:

5. That the project, as described in the application and accompanying materials required by Zoning Regulations Section 6328.4 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 (LCP). The project, as proposed and conditioned, complies with the applicable policies of the Sensitive Habitats Component, as the applicant is required to maintain all structures a minimum of 20 feet from the edge of the riparian corridor. The project complies with the applicable policies of the Visual Resources Component, including special design guidelines for El Granada.

6. That, where the project is located between the nearest public road and the sea, or the shoreline of Pescadero Marsh, the project is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Section 30200 of the Public Resources Code). The project site is not located between the nearest public road and the sea, or the shoreline of Pescadero Marsh.
7. That the project conforms to specific findings required by policies of the San Mateo County Local Coastal Program. As proposed and conditioned, the project complies with applicable policies of the Sensitive Habitats and Visual Resources Components of the LCP, and conforms to the required findings listed above.

Regarding the Design Review, Found:

8. That the project is found to be in compliance with the Design Review Standards for the Coastside, per the Coastside Design Review Committee recommendation of approval on August 10, 2006.

CONDITIONS OF APPROVAL

Current Planning Section

1. This approval applies only to the proposed residence described in the accompanying report and plans and documents submitted to and approved by the Zoning Hearing Officer. Minor revisions or modifications to this project may be made subject to the review and approval of the Community Development Director.
2. This permit shall be valid for one year from the date of this approval. If the building permit has not been issued within this time period, this permits will expire. An extension to this permit will be considered upon written request and payment of applicable permit extension fees sixty (60) days prior to expiration.
3. In order to minimize glare impacts to neighbors across the street, the applicant shall choose a roof material that is completely non-reflective to the satisfaction of the Community Development Director. Compliance with this condition shall be demonstrated prior to the issuance of a building permit. The applicant shall provide photos to Planning staff to demonstrate installation of the approved roofing material prior to Planning's final approval of the building permit.
4. The submitted landscape plan (received January 25, 2007) shall be revised to (1) limit landscaping in the front yard to tree varieties that, at maturity, would not exceed 30 feet in height and (2) incorporate landscaping along the left side (southeast elevation) to provide additional screening of the building from 771 San Carlos Avenue, to the satisfaction of the Community Development Director. Compliance with this condition shall be demonstrated prior to the issuance of a building permit.

5. The front (northeast) and left side (southeast) building plan elevations shall be revised to show additional facade articulation features, including changes to the building surfaces, which contribute to breaking up the building mass to the satisfaction of the Community Development Director. Compliance with this condition shall be demonstrated prior to the issuance of a building permit.
6. Utilize an earth-toned pigmented concrete for all exterior garage walls to increase the compatibility of the proposed residence with existing houses in the neighborhood to the satisfaction of the Community Development Director. The applicant shall submit a color sample for review by the Community Development Director prior to issuance of a building permit. Implementation of this condition shall be demonstrated prior to Planning's final approval of a building permit.
7. The applicant shall perform re-planting in accordance with the "conceptual revegetation plan" (Mahoney 2005). The "conceptual revegetation plan" includes removal of invasive and non-native plant species and planting of cleared areas identified as former riparian corridor and 20-foot riparian buffer zone with arroyo willow as the primary species and additional understory species (including creek dogwood, red flowering currant, twin berry, California blackberry, and thimbleberry), with no more than 20-30 willow trees to be planted (Kobernus 2006).

The applicant shall provide evidence of replanting, performed in accordance with the "conceptual revegetation plan" within the area identified as former riparian corridor no later than October 15, 2007.

The applicant shall provide evidence of replanting in accordance with the "conceptual revegetation plan" within the 20 foot riparian buffer zone prior to Planning and Building Department approval of a building permit.

8. The property owner(s) shall record a deed restriction which: (1) prohibits the removal or alteration of riparian vegetation within the riparian corridor and associated buffer zone, (2) prohibits utilization of any pesticide, herbicide, or fertilizer, except types specifically accepted by the biological consultant within the riparian corridor and associated buffer zone, (3) requires the removal of invasive exotic plant species from within the buffer zone, (4) requires the replanting with native riparian and coastal scrub plant species in the buffer zone, and (5) prohibits any construction or placement of structures within the riparian corridor and associated 20-foot buffer zone, over the life of the project.
9. The applicant shall comply with LCP performance standards for areas within a riparian corridor or riparian corridor buffer zone (Policies 7.10 and 7.13), including, but not limited to, the following:
 - a. Use only adapted native or non-invasive exotic plant species when replanting,
 - b. Minimize adverse effects of wastewater discharges and entrainment,

- c. Prevent depletion of groundwater supplies and substantial interference with surface and subsurface water flows,
- d. Encourage wastewater reclamation,
- e. Maintain natural vegetation buffer areas that protect riparian habitats,
- f. Conform to natural topography to minimize erosion potential,
- g. Make provisions (i.e., catch basins) to keep runoff and sedimentation from exceeding pre-development levels, and
- h. Prevent discharge of toxic substances, such as fertilizers and pesticides, into the riparian corridor.

Applicable Mitigation Measures from the Negative Declaration Made Available on November 16, 2006:

- 10. Prior to the beginning of all construction, the applicant shall submit to the Current Planning Section for review and approval an erosion and drainage control plan which shows how the transport and discharge of soil and pollutants from the project site would be minimized. The approved erosion and drainage control plan shall be implemented prior to the beginning of construction. 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. Delineation with field markers of clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses.
 - b. Protection of adjacent properties and undisturbed areas (including the riparian corridor and 20-foot buffer zone) from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
 - c. Stabilization of all denuded areas and maintenance of erosion control measures continuously between October 15 and April 15. Stabilization shall include both proactive measures, such as the placement of hay bales or coir netting, and passive measures, such as revegetation per the "conceptual revegetation plan" (Mahoney 2005).
 - d. Proper storage, handling, and disposal of construction materials and wastes, so as to prevent their contact with stormwater.
 - e. 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.

- f. Use of sediment controls or filtration to remove sediment when dewatering the site and acquisition of all necessary permits.
 - g. Avoidance of cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
 - h. Performance of approved clearing and earth-moving activities only during dry weather.
 - i. Limitation and timed applications of pesticides and fertilizers to prevent polluted runoff.
 - j. Limitation of construction access routes and stabilization of designated access points.
 - k. Avoidance of tracking dirt or other materials off-site; cleaning of off-site paved areas and sidewalks using dry sweeping methods.
 - l. Contractor training and provision of instruction to all employees and subcontractors regarding the construction best management practices.
 - m. Implementation of the approved erosion and sediment control plan prior to the beginning of construction.
11. The San Mateo County Grading Ordinance shall govern all grading on and adjacent to this site. Unless exempted by the Grading Ordinance, the applicant may be required to apply for a grading permit upon completion of their review of the plans and should access construction be necessary.
12. Any future construction shall maintain a minimum 20-foot setback from the edges of the existing and potential former riparian corridor, as indicated in the Topographic Map prepared by Turnrose Land Surveying, unless as outlined in the LCP and permitted through an approved Coastal Development Permit. Uses within the riparian corridor and associated buffer zone shall be limited to those listed in LCP Policies 7.9 (*Permitted Uses in Riparian Corridors*) and 7.12 (*Permitted Uses in Buffer Zones*).
13. Prior to construction, the applicant shall arrange for the following:
- a. The property shall be surveyed by a qualified biologist for woodrat nests prior to construction, within the same season that construction is planned (i.e., if construction is planned for fall, then a survey should be conducted in the fall prior to construction). If any nests are found, the applicant shall contact Dave Johnston at the California Department of Fish and Game, 707/944-5525.
 - b. Prior to construction, the woodrat nests shall be clearly demarcated by a qualified biologist. A 6-foot chain link fence should be installed along the 20-foot setback from riparian corridor to protect the riparian corridor and the woodrat nests from any potential impacts from construction, as required by Condition No. 16.

- c. Per the CA Department of Fish and Game, the applicant shall be made aware that the presence of outdoor cats can threaten woodrat populations.
- 14. Noise levels produced by proposed construction activities shall not exceed the 80-dBA level at any one moment. Construction activities shall be limited to the hours from 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturdays. Construction operations shall be prohibited on Sunday and any national holiday.
- 15. All new power and telephone utility lines from the street or nearest utility pole to the main dwelling shall be placed underground starting at the closest existing utility pole.
- 16. All vehicles, machinery and construction equipment shall be kept out of the riparian corridor and associated buffer zone. Prior to the issuance of a building permit, the applicant shall install a 6-foot chain link fence along the 20-foot setback from riparian corridor on the site. This barrier shall remain in place until all heavy machinery has been removed from the site and the building permit has been completed.

Building Inspection Section

- 17. At the time of application for a building permit, the following will be required:
 - a. Prior to pouring any concrete for foundations, written verification from a licensed surveyor will be required confirming that the setbacks, as shown on the approved plans, have been maintained.
 - b. An automatic fire sprinkler system will be required. This permit must be issued prior to, or in conjunction with the building permit.
 - c. If a water main extension, upgrade or hydrant is required, this work must be completed prior to the issuance of the building permit or the applicant must submit a copy of an agreement and contract with the water purveyor that will ensure the work will be completed prior to finalizing the permit.
 - d. A site drainage plan will be required that will demonstrate how roof drainage and site runoff will be directed to approved locations in accordance with County Drainage Guidelines. Treatment measures, where required by the County's NPDES permit, shall be included in the site drainage plan (refer to Department of Public Works conditions).
 - e. Sediment and erosion control measures must be installed prior to beginning any site work and maintained throughout the term of the permit. 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.
 - f. No wood burning fireplaces are allowed.

- g. As this structure is a 3-story house, a second means of exit will be required from the third floor.

Department of Public Works

18. 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.
19. No proposed construction work within the County right-of-way shall begin until County requirements for the issuance of an encroachment permit have been met and an encroachment permit issued. Construction within the County right-of-way must conform to County standard details wherever applicable.
20. The applicant shall submit a driveway "plan and profile" to the Department of Public Works, showing that the driveway access to the parcel (garage slab) complies with County standards for driveway slopes (not to exceed 20%) and with County standards for driveways (elevation at the property line being the same as the center of the access roadway). When appropriate, 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.
21. Prior to the issuance of a building permit, the applicant shall have prepared by a registered civil engineer a drainage analysis and plan for the proposed development in accordance with the County Drainage Guidelines and NPDES permit, and submit it to the Department of Public Works for review and approval. The drainage analysis shall include a written narrative and a map detailing the drainage basin. The flow of the stormwater onto, over, and off the property being developed shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the pattern of flow. Recommended measures shall be designed and included in the improvement plans and submitted to the Department of Public Works for review and approval.

County Geotechnical Section

22. This project will require a soils and foundation study at the building permit stage, with emphasis on slope stability and erosion hazards. If grading is necessary, then the study must be done before a grading permit is issued.

Half Moon Bay Fire Protection District

23. As per 2001 CFC, Appendix III-B, Table A-III-B-1, a Fire District approved fire hydrant (Clow 960) must be located within 250 feet of the proposed single-family dwelling unit measured by way of drivable access. As per 2001 CFC, Appendix III-A, Section 4.1, the hydrant must produce a minimum fire flow of 1,000 gallons per minute at 20 pounds per square inch residual pressure for 2 hours. Contact the local water purveyor for water flow

details. Fire District records indicate that there is an existing Clow 960 hydrant within 250 feet of the property. However, it will need to be flow tested to satisfy this condition.

24. As per San Mateo County Building Standards and Fire District Ordinance No. 2002-01, the applicant is required to install an automatic fire sprinkler system throughout the proposed dwelling and garage. All areas that are accessible for storage purposes shall be equipped with fire sprinklers. The only exception being 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 Half Moon Bay Fire District for review. The fee schedule for automatic fire sprinkler systems shall be in accordance with Half Moon Bay Ordinance No. 13. Fees shall be paid prior to plan review.
25. An exterior bell and interior horn/strobe are required to be wired into the flow switch on your fire sprinkler system. The bell, horn/strobe and flow switch, along with the garage door opener, are to be wired into a separate circuit breaker at the main electrical panel and labeled.
26. As per the California Building Code Section 310.9.1.1, State Fire Marshal Regulations, and Half Moon Bay Fire District Ordinance No. 2002-01, 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 sleeping room and at a point centrally located in the corridor or area giving access to each separate sleeping area. A minimum of one detector shall be placed on each floor. Smoke detectors shall be tested and approved prior to the building final.
27. As per Half Moon Bay Fire District Ordinance No. 2002-01, 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 of adequate size and of a color, which is contrasting with the background. In no case shall letters/numerals be less than 4 inches in height with a minimum 3/4-inch stroke. Such letters/numerals shall be internally illuminated and facing the direction of access.
28. As per County of San Mateo Building Standards and the Half Moon Bay Fire District Ordinance No. 2002-01, 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.
29. The San Mateo County Department of Public Works and the Half Moon Bay Fire District Ordinance No. 2002-01 shall set road standards. The applicant must have a maintained all-weather surface road for ingress and egress of fire apparatus that meets these standards. Dead-end roads exceeding 150 feet shall be provided with a turnaround in accordance with Half Moon Bay Fire District standards and specifications. Road width shall not be less than 20 feet. Fire District records indicate that a turnaround will need to be designed and installed to satisfy this condition.

30. As per CFC 2001, Section 1103.2.4 and Half Moon Bay Fire District Ordinance No. 2002-01, a minimum clearance of flammable vegetation within 30 feet of the proposed structures, or to the property line, shall be maintained around all structures by the property owner. This does not include individual species of ornamental shrubs and landscaping.

COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT PROJECT FILE

DATE: April 5, 2007

TO: Zoning Hearing Officer

FROM: Planning Staff

SUBJECT: Consideration of a Coastal Development Permit and Design Review, pursuant to Sections 6328.4 and 6565.3 of the County Zoning Regulations, to legalize the removal of riparian vegetation performed in June 2004 and to allow the construction of a new 2,449 sq. ft. single-family residence with a 405 sq. ft. attached garage, and certification of a mitigated Negative Declaration, on an unimproved 7,070 sq. ft. parcel located on San Carlos Avenue in the unincorporated El Granada area of San Mateo County. This project is appealable to the California Coastal Commission.

County File Numbers: PLN 2004-00398 and PLN 2005-00248 (Lacasia-Barrios)

PROPOSAL

In June 2004, the previous property owners illegally removed vegetation, including riparian vegetation within the Montecito Riparian Corridor (which runs through the southwestern portion of the parcel), at the subject site. The current property owners request to legalize the vegetation removal and construct a new 3-bedroom, 2,449 sq. ft. single-family residence with a 405 sq. ft. attached 2-car garage at the property. The proposed residence would be located outside of the existing limit of riparian vegetation and "edge of potential former riparian corridor" that was present prior to vegetation removal. Construction of the residence would involve approximately 98 cubic yards of grading (including 33 cubic yards of excavation and 65 cubic yards of fill) and would not result in the removal of significant or heritage trees. The property is located within the California Coastal Commission appeals jurisdiction.

RECOMMENDATION

Approve the Coastal Development Permit and Design Review, County File Numbers PLN 2004-00398 and PLN 2005-00248, and certify the mitigated Negative Declaration, by adopting the required findings and conditions of approval in Attachment A.

BACKGROUND

Report Prepared By: Camille Leung, Project Planner, Telephone 650/363-1826

Applicant: Stan Field (Architect)

Property Owners: Rodrigo and Liz Lacasia-Barrios

Location: San Carlos Avenue, El Granada

APNs: 047-105-020

Size: 7,070 sq. ft.

Existing Zoning: R-1/S-17/DR/CD (Single-Family Residential District, S-17 Combining District with 5,000 sq. ft. minimum parcel size, Design Review, Coastal Development)

General Plan Designation: Medium Density Residential (6.1 to 8.7 dwelling units/acre)

Sphere-of-Influence: City of Half Moon Bay

Existing Land Use: Undeveloped parcel

Sewer Service: Granada Sanitary District will serve the parcel, from a sewer main located within the San Carlos Avenue right-of-way.

Water Service: Coastside County Water District states that there is a one 3/4" (30 gpm) non-priority water service connection assigned to the parcel. This connection is uninstalled and originates with the Crystal Springs Project.

Flood Zone: Zone C (areas of minimal flooding), Community Panel No. 060311 0113 B, effective July 5, 1984.

Environmental Evaluation: Initial Study and Negative Declaration issued with a public review period from November 16, 2006 to December 6, 2006.

Setting: The undeveloped parcel is located within an existing urban, residential neighborhood and is bordered to the north and east by single-family residential development. An unnamed intermittent drainage channel (sometimes referred to as San Agustin Creek) flows generally southbound, west of the project site. A portion of the Montecito Riparian Corridor, a riparian corridor associated with the drainage, is located on the southwest portion of the site. The site has an average slope of 18%. Among various species of riparian vegetation found on-site, nests of the San Francisco dusky-footed woodrat (identified by the California Department of Fish and Game as a California Special Concern species) have been found in the project vicinity.

Chronology:

<u>Date</u>	<u>Action</u>
January 2000	- Previous property owners perform illegal removal of vegetation, including riparian vegetation within the Montecito Riparian Corridor located at the rear of the parcel. The County's Code Compliance

Section issues violation (VIO 2000-00011). On November 15, 2000, the case is closed as cutting has ceased. Property is allowed to return to its natural state.

- June 2004 - Previous property owners again perform illegal removal of vegetation, including riparian vegetation. On June 4, 2004, the County's Code Compliance Section issues violation (VIO 2004-00085). County instructs owners to obtain a biology report for the site and submit an application for an after-the-fact Coastal Development Permit.
- August 4, 2004 - Previous property owners apply for an after-the-fact Coastal Development Permit (PLN 2004-00398) for illegal removal of vegetation.
- October 15, 2004 - Tom Mahoney (plant ecologist) of Albion Environmental, Inc., prepares a report titled "Riparian Delineation on San Carlos Avenue Parcel," for previous property owners (Attachment G). The existing dripline and estimated extent of riparian vegetation present prior to clearing are flagged and surveyed by Mike Turnrose of Turnrose Land Surveying (see Attachment F). Mahoney recommends all future development to maintain a minimum 20-foot setback from the existing undisturbed riparian dripline and, if feasible, the estimated limit of riparian vegetation that was present prior to vegetation clearing (marked as "Edge of Potential Former Riparian Corridor" in Attachment F). Mahoney estimates that due to evidence of re-sprouting and natural recruitment, the cleared portion of the riparian corridor should reestablish itself naturally. Mahoney recommends that a qualified biologist examine the project site after one growing season has elapsed (e.g., in late spring or early summer 2005) to determine if vegetation recovery is occurring at an acceptable rate.
- June 6, 2005 - Current owner (Rodrigo Lacasia-Barrios) applies for a Coastal Development Permit, Design Review and a Variance to construct a single-family residence that would encroach upon 10 feet of the required minimum 20-foot front setback (PLN 2005-00248). This project and the application for a Coastal Development Permit for illegal vegetation removal (PLN 2004-00398) are grouped together to be processed simultaneously.
- November 10, 2005 - Prior to the Coastside Design Review Committee (CDRC) meeting scheduled for this date, staff receives several letters from neighbors in opposition to this project. The CDRC requires the applicant to obtain a biology report to verify if the site's vegetation recovery is occurring at an acceptable rate. Meeting is continued to a date uncertain.

- November 29, 2005 - Mr. Mahoney prepares a "Riparian Update" for the property and states that riparian vegetation in cleared areas is not reestablishing rapidly, where approximately 50% of the area is bare ground (Attachment H). Mahoney recommends a "conceptual revegetation plan," including monitoring of plantings for three years and annual reporting of the results to the County.

- January 5, 2006 - Due to concerns expressed by interested neighbors that the limit of riparian vegetation prior to the clearing is different from that presented in Mahoney's 2004 report, the Director of Community Development selects Patrick Kobernus (biologist) of TRA Environmental Consultants to review Mahoney's riparian delineation at the site.

- April 11, 2006 - After reviewing reports prepared by Mahoney, aerial photos, and photos provided by Fritz Ender (neighbor at 771 San Carlos Avenue), Kobernus prepares a report titled "Assessment of Riparian Corridor Boundary" (Attachment I). Kobernus concurs with the location of the riparian boundary as marked by Mahoney and recorded by Turnrose. Kobernus states cleared areas should likely return in time to riparian corridor if all invasive species on-site are controlled and replanting is performed according to the November 29, 2005 "conceptual revegetation plan" within the areas of the potential former riparian corridor and 20-foot riparian buffer zone. He recommends that replanting should emphasize arroyo willow, with no more than 20-30 willow trees to be planted due to the small size of the lot.

- August 10, 2006 - At their fourth review of the project, the CDRC recommends approval. The project was reviewed previously by the CDRC on January 12, 2006 and April 13, 2006, at which time the applicant was instructed to redesign the project to comply with design standards relating to the building's relationship to existing topography, neighborhood scale, facade articulation, and roof design.

- August 28, 2006 - PLN 2005-00248 and PLN 2004-00398 are reassigned to the current project planner.

- November 16, 2006 - Planning staff prepares an Initial Study and Negative Declaration. The public review period ends on December 6, 2006.

- December 6, 2006 - Planning staff receives several letters from interested neighbors in opposition to the project. Neighbor concerns include precedence set by legalization of the clearing violation, proposed residence's non-conformance with design review guidelines, and significant impact to views and sensitive habitat, as well as the property's lack of a hardship warranting a variance.

- January 2, 2007 - Planning staff informs applicant of Planning staff determination that project does not comply with the required findings for a variance, including “that without the variance, the landowner would be denied the rights and privileges that are enjoyed by other landowners in the same zoning district or vicinity” (Section 6534.1).

- January 8, 2007 - After consultation with the project architect, the property owner notifies staff that he intends to proceed with a design that eliminates the request for a variance.

- January 25, 2007 - Mr. Lacasia-Barrios submits revised drawings for a new residence to maintain the required setbacks and the biologist recommended minimum 20-foot riparian corridor buffer zone. The revised residence involves a slight decrease in square footage. While the revised residence would be slightly wider near the front, there is no change to the proposed height, colors, or materials. Design Review Officer reviews modified plans and determines that the changes are minor in nature and that re-review by the CDRC is not necessary.

- March 15, 2007 - Mr. Lacasia-Barrios informs Planning staff that the story poles at the site have been corrected and now accurately represent the location and height of the current proposal.

- April 5, 2007 - Zoning Hearing Officer public hearing.

DISCUSSION

A. KEY ISSUES

1. Conformance with the County’s General Plan

The proposed single-family residential use conforms to the San Mateo County General Plan’s Medium Density Residential (6.1 to 8.7 dwelling units/acre) land use designation for the property. The project conforms to the policies of the Visual Quality Chapter, including Policy 4.35 (*Urban Design Concept*), which encourages new development to improve upon the appearance and visual character of existing development and contribute to the orderly and harmonious development of the locality. The Coastsides Design Review Committee (CDRC) has reviewed the project and found it to be in compliance with the County’s Design Review Standards for Coastsides Districts. A detailed discussion of project compliance with Design Review District guidelines is included in Section A.2 of this report, below.

The project also complies with Policy 4.16 (*Protection for Coastal Features*), which calls for coastal development that protects and enhances natural landscape features and visual quality. While the illegal vegetation removal performed in June 2004 does not comply with this policy, the siting of the proposed residence a minimum of

20 feet from the “edge of existing riparian corridor” and “edge of potential former riparian corridor” (as shown in Attachment F) prevents disturbance of the section of the Montecito Riparian Corridor that runs through the southwest portion of the site. Furthermore, the proposed landscaping plan incorporates the biologist recommended “conceptual revegetation plan” for areas of the potential former riparian corridor and 20-foot riparian buffer zone and would restore and enhance this section of the Montecito Riparian Corridor. A detailed discussion of project compliance with policies of the Local Coastal Program is included in Section A.4 of this report, below.

In addition, the proposed project complies with the policies of the Urban Land Use Chapter, including Policy 8.29 (*Infilling*), which encourages the infilling of urban areas where infrastructure and services are available. The Granada Sanitary District and the Coastsides County Water District have reviewed the project and will service the project site.

2. Conformance with Design Review District Guidelines

On August 10, 2006, the Coastsides Design Review Committee (CDRC) found the project to be in compliance with design review standards and recommended the project for approval by the Zoning Hearing Officer, upon the condition that a landscape plan appropriate for the site is provided. The Committee’s recommendation letter has been included as Attachment M of this report. On January 25, 2007, the applicant submitted a revised design of the residence to comply with all required setbacks, as well a proposed landscape plan that is based on the “conceptual revegetation plan” (see Attachment C). The revised design involves a slight decrease in square footage of the residence, with no change in height, colors, or materials. The Design Review Officer has reviewed the modified plans and determined that the changes are minor in nature and that re-review by the CDRC is not necessary.

In response to the Initial Study and Negative Declaration that were prepared for the project, Planning staff received several letters from interested neighbors (Attachments O through W). Many of the letters referenced previous comments submitted during the design review process (see Attachment Y), which focused on project non-conformance with “Standards for Design for One-Family and Two-Family Residential Development in the Midcoast” (hereby referred to as “Standards for Design”). Neighbors also stated that the CDRC’s review did not go far enough to ensure compliance with these standards. The following is a summary of concerns expressed by neighbors (followed by staff’s response):

- a. The proposed residence is not integrated with the natural setting, specifically existing trees and vegetation (Standards for Design, pg. 4).

Staff’s Response: Illegal vegetation clearing performed in 2000 and 2004 included the removal of riparian vegetation, including arroyo willow trees. The vegetation removal was performed by the previous owner and is only indirectly associated with the proposed residence. Furthermore, the applicant does not

propose to remove any additional trees or riparian vegetation at the project site. As required by Condition No. 10 in Attachment A, the current property owner would implement a "conceptual revegetation plan" within the area of the potential former riparian corridor and 20-foot riparian buffer zone, including a minimum of 20 arroyo willow trees. Planning staff has reviewed the landscape plan and found it to be consistent with the conceptual revegetation plan. Condition No. 11 requires monitoring and annual reporting for three years after planting and control of all invasive species on-site. Staff has also added three administrative review dates in March 2009 (or first spring after planting), June 2010 (or second summer after planting), and June 2011 (or third summer after planting) to ensure compliance with this condition. If implemented, the project, as proposed and conditioned, would adequately mitigate the impacts of the illegal vegetation removal.

- b. The proposed residence does not blend in with the topography of the site, as the garage is used to elevate the building pad over the grade by one story (Standards for Design, pg. 5).

Staff's Response: The neighbors state that the proposed grading (including 33 cubic yards of excavation and 65 cubic yards of fill), in which the fill amount exceeds the excavated amount, results in an elevated building pad and does not comply with the design review standards for grading which "encourage excavation when needed to blend the house into the site." The site has an average slope of 18% and slopes downward toward the rear of the parcel, or the riparian corridor. As proposed, the parking level would not be visible from the street level, but would be visible from 771 San Carlos Avenue (the southeast/left side neighbor). Alternately, the use of a below-grade parking level would significantly increase the amount of excavation necessary at the site and would not result in a significant improvement to views of the residence from viewing locations across the street and along San Carlos Avenue. In addition, a below-grade parking level could increase the slope of the driveway (increasing the disparity between the street elevation and elevation of the below-grade parking level over the same distance) such that it exceeds the allowed 20% maximum.

- c. The design of the proposed residence does not make an effort to minimize the effect on views from neighboring houses (Standards for Design, pg. 10).

Staff's Response: The neighbors state that the "box-like, cross-section" design of the house and its height exacerbate the obstruction of views from houses across the street. It should be noted that, since the receipt of these comments, the applicant has revised the design of the residence to comply with setback requirements of the zoning district, thereby siting the house 6 feet further back from the street and 2 feet further downslope than was originally proposed. This modification reduces the visual impact of the residence from viewing locations across the street and along San Carlos Avenue.

The applicant has also designed the proposed house to minimize building height (proposing 29'-6" feet where 36 feet is allowed) and building floor area (proposing 2,854 sq. ft., where 3,747 sq. ft. is allowed). However, the proposed residence would result in the development of an undeveloped parcel located within an already developed residential area. Therefore, the proposed 29'-6" high residence would obstruct views from residential areas upslope, or north of the property. Specifically, views of the ocean and riparian corridor from residences at 770 and 754 San Carlos Avenue (homes across the street to the west and directly across the street, respectively) would be significantly obstructed. Views of the ocean from 730 San Carlos Avenue (home across the street to the east) would be minimally obstructed (please see Attachment X for photos taken from these locations). For reference, staff has included a map of the neighborhood with addresses in Attachment Z.

To further minimize the visual impacts of the project on neighboring properties, staff included Mitigation Measure No. 8 within the Negative Declaration (Attachment N), which required the applicant to submit a landscape plan, prior to the Zoning Hearing Officer's review of the project, where vegetation would screen views of the proposed house and minimize tall vegetation that could further obstruct views. The proposed landscape plan submitted on January 25, 2007, includes two 5-gallon cypresses at the front of the property. However, there are many varieties of cypress, with heights at maturity ranging up to 200 feet. Also, the applicant does not propose any additional landscaping along the shared property line with the neighbor to the southeast, 771 San Carlos Avenue. In order to limit the potential for landscaping to further obstruct ocean views and to provide additional screening of the proposed residence from 771 San Carlos Avenue, staff has added Condition No. 4 to require the applicant to revise the submitted landscape plan to (1) limit landscaping in the front yard to tree varieties that, at maturity, would not exceed 30 feet in height and (2) incorporate landscaping along the southeast elevation to provide additional screening of the building from 771 San Carlos Avenue. A revised landscaping plan shall be submitted to the Current Planning Section prior to Planning approval of the building permit for the residence. It should also be noted that while Standards for Design encourage the minimization of effect on views from neighboring homes in the design of a new home, private views are not protected by existing regulations. Therefore, the project, as proposed and conditioned, is in substantial compliance with this design standard.

- d. The design of the proposed residence does not respect the scale of the neighborhood and is not proportional or complimentary to other homes in the neighborhood (Standards for Design, pg. 12).

Staff's Response: The neighbors state that the proposed residence is out-of-scale with the neighborhood, as the 3-story structure rises two stories above street level on the downslope side of the street and its height exceeds the height of the adjacent home at 771 San Carlos Avenue, by a significant amount. The

height of 771 San Carlos Avenue is approximately 28.5 feet high (at the highest point), while the proposed home would be taller by 1 foot. Comparison of the heights of these structures is provided in the table below, which shows that the heights of the existing residence and the proposed residence are generally compatible. In addition, the height of the proposed residence is well under the 36-foot maximum height allowed by the S-17 zoning district, as described in Section A.3 of this report.

	Height of Proposed Residence	Approximate Height of 771 San Carlos Avenue*	Difference from 771 San Carlos Avenue
Front	18.17 ft.	13.0 ft.	+5.17 ft.
Rear	28.75 ft.	27.0 ft.	+1.75 ft.
Side at shared property line	27.5 ft. (east side)	28.5 ft. (west side)	-1.0 ft.
At other side	22.0 ft.	30 ft.	-8.0 ft.
At highest point	29.5 ft.	28.5 ft.	+1 ft.
*Height of 771 San Carlos Avenue is based on approved plans (1988) from Building Inspection Section microfiche archives. Note: All heights measured from finished grade.			

The neighbors also state that the industrial/commercial nature of the design does not fit with the existing neighborhood. While the style of the proposed residence is distinctly more contemporary than the existing houses in the neighborhood, the applicant has chosen colors and materials that soften the design and help it to blend with its riparian surroundings, including natural cedar plank siding along the body of the building and dark brown standing seam roofing. A rendering of the front facade of the proposed residence is included as Attachment E. As the applicant has redesigned the project to the CDRC's satisfaction, the project is in substantial compliance with this design standard.

- e. The design of the proposed residence does not provide facade articulation on all building sides (Standards for Design, pg. 15).

Staff's Response: The neighbors state that the front and southeast elevations need further articulation. As the applicant has redesigned the project to the CDRC's satisfaction, the project is in substantial compliance with this design standard.

Based on the foregoing, the project is in compliance with Standards for Design for the Midcoast. Staff has also found the project in compliance with the applicable standards of the Design Review Zoning District (Section 6565.17 of the County Zoning Regulations). For a discussion of project compliance with policies of the Visual Resources Component of the County's Local Coastal Program (LCP), please see Section A.4.b of this report, below.

3. Conformance with Zoning Regulations

The proposal complies with the property's R-1/S-17/DR/CD zoning, as illustrated in the following table. As previously stated, the applicant has withdrawn his request for a variance to allow the residence to encroach into the required front yard setback. The project now complies with the required minimum setbacks. The proposal also complies with daylight plane requirements (as established from the front and rear property lines).

	S-17 Development Standards	Proposed
Maximum Floor Area Ratio	53% (3,747 sq. ft.)	40.4 % (2,854 sq. ft.)
Maximum Building Site Coverage	35% (2,474 sq. ft.)	24.7% (1,749 sq. ft.)
Minimum Front Setback	20 ft.	20 ft.
Minimum Rear Setback	20 ft.	72* ft.
Minimum Side Setback	5 ft.	Right: 10 ft. Left: 5 ft.
Minimum Combined Side Setback	15 ft.	15 ft.
Maximum Building Height	36 ft.	29 ft.-6 in.
Minimum Parking Spaces	2	2
*The proposed residence maintains a 20-foot setback from the "Edge of the Potential Former Riparian Corridor," where a 50-foot setback is required for perennial streams, unless no other feasible building alternative exists for the site (per LCP Policy 7.12). Detailed discussion in Section A.4.a of this report, below.		

The height of the proposed residence is 29'-6", where 28 feet is typically the height limit in the S-17 combining district. However, the district allows for an increase up to 36 feet, where the average slope of a parcel is greater than 14.3% from the established street grade at the front lot line and where a sewer connection must be made uphill from the building location. The project meets the criteria as the site has an average slope of 18% and sewer service would be accessed from a sewer main located north and uphill of the project site, within the San Carlos Avenue right-of-way.

4. Conformance with the Local Coastal Program

A Coastal Development Permit is required pursuant to Section 6328.4 of the County Zoning Regulations for development in the Coastal Development (CD) District. Per Section 6328.11.1 of the County Zoning Regulations, this project is appealable to the California Coastal Commission, as the project is located within the mapped appeals jurisdiction area. Staff has completed a Coastal Development Checklist for this project and has determined that the project is in compliance with applicable Local Coastal Program (LCP) policies. Relevant sections of the LCP are summarized below:

a. Sensitive Habitats Component

LCP Policy 7.1 (*Definition of Sensitive Habitats*) defines sensitive habitat as any area in which plant or animal life or their habitats are either rare or especially valuable. According to reports by Mahoney and Kobernus (see Attachments G through I), the site does not contain any plants or animals listed on the State of California "State and Federally Listed Endangered, Threatened, and Rare Plants of California (October 2006)." However, nests of the San Francisco dusky-footed woodrat (woodrat) have been observed in the project vicinity (see Attachment J for map). The woodrat does not have endangered or threatened status, but is identified by the California Department of Fish and Game as a California Special Concern Species. Riparian vegetation, including various species of coastal scrub and riparian woodland, has also been observed at the site.

Removal of Riparian Vegetation in 2004

According to Mahoney, vegetation removal performed in June 2004 has resulted in significant impact to riparian vegetation in the southern portion of the riparian corridor. The northern portion of the corridor was not impacted by vegetation removal. Mahoney and Kobernus' recommendations for the restoration of riparian vegetation, including implementation of a "conceptual revegetation plan" (including planting of a minimum of 20 arroyo willow trees), monitoring and annual reporting of re-plantings, and control of invasive species at the site, have been included as Condition Nos. 10 and 11 in Attachment A. Staff has included required administrative review dates to ensure compliance with the 3-year monitoring plan. In addition, Condition No. 3 requires the property owners to record a deed restriction, prior to the issuance of the Certificate of Occupancy, that prohibits further removal of riparian vegetation, requires the removal of invasive exotic plant species within the buffer zone, and replanting of native plant species in the buffer zone, over the life of the project.

Construction of New Residence

The Montecito Riparian Corridor is considered a perennial stream. LCP Policy 7.11 (*Establishment of Buffer Zones*) requires the designation of a riparian buffer zone of 50 feet from the limit of riparian vegetation for perennial streams. However, Policy 7.12 (*Permitted Uses in Buffer Zones*) allows for a 20-foot riparian buffer zone if no feasible building alternative exists for the site. Based on the parcel-specific delineation performed by Mahoney, the potential former riparian corridor and existing riparian corridor encompass approximately 3,000 sq. ft., or nearly 43% of the parcel, making this area unbuildable. Application of a 50-foot buffer zone from the potential former riparian corridor and the required minimum front and side yards, would leave a "building envelope" of approximately 300 feet, or 4% of the parcel area. Therefore, Planning staff is able to determine that there would be no feasible building

alternative for the site unless a 20-foot riparian buffer zone could be applied. Mahoney appears to support a 20-foot setback, stating that the line representing the potential former riparian corridor (see Attachment F) is an estimate of former conditions and consists of more marginal habitat compared to the contiguous, tree dominated riparian corridor to the south and west.

Based on the proposed location of the house as marked by story poles present during his investigation, Kobernus states that the woodrat nests would not be impacted by project construction. However, as woodrats tend to move, Condition No. 13 has been included in Attachment A to minimize potential significant impact to woodrat nests. In addition, Condition No. 3 requires the property owners to record a deed restriction, prior to the issuance of the Certificate of Occupancy, which: (1) prohibits the removal or alteration of the riparian vegetation within the riparian corridor and associated buffer zone, (2) prohibits utilization of any pesticide, herbicide, or fertilizer, except types specifically accepted by the biological consultant within the riparian corridor and associated buffer zone, (3) requires the removal of invasive exotic plant species from within the buffer zone, (4) requires the replanting with native riparian and coastal scrub plant species in the buffer zone, and (5) prohibits the construction of accessory structures within the riparian corridor and associated buffer zone, over the life of the project. Condition No. 12 restricts future use and development within the riparian corridor and associated buffer zone. Condition No. 16 prohibits all vehicles, machinery and construction equipment within the riparian corridor and associated buffer zone. Therefore, as proposed and conditioned, the proposed residence and attached garage would not result in significant impact to sensitive habitat.

b. Visual Resources Component

LCP Policy 8.13 (*Special Design Guidelines for Coastal Communities*) establishes special design guidelines for El Granada. The following policies apply to this project:

- (1) Design structures which fit the topography of the site and do not require extensive cutting, grading, or filling for construction. A minor amount of grading, approximately 98 cubic yards of grading, would be necessary in order to construct a new driveway (having a 20% slope) and a foundation for the proposed residence and garage. Grading and ground disturbance would be limited to the area of the proposed building envelope located in the northern portion of the site, in areas outside of the existing riparian corridor, former potential riparian corridor and 20-foot buffer zone. Grading would include 33 cubic yards of excavation and 65 cubic yards of fill. If there should be any precipitation during the construction of improvements, there is the potential for sedimentation downslope from the area of construction. Condition Nos. 6 and 8 have been added to prevent sediment and other pollutants from entering the riparian corridor and

buffer zone, or leaving the project site, and to protect all exposed earth surfaces from erosive forces.

- (2) Employ the use of natural materials and colors which blend with the vegetative cover of the site. The applicant proposes to use natural cedar plank siding along the body of the building, dark brown standing seam roofing, smooth concrete garage walls, and low-emittance window glazing (to reduce heat loss, but admit solar gain). As the natural cedar planks will be a stained medium-brown tone and will cover the majority of the building, the proposed residence should blend in with existing and proposed vegetation at the site.
- (3) Use pitched, rather than flat, roofs which are surfaced with non-reflective materials except for the employment of solar energy devices. The proposed residence employs an arched-roof, which slopes downward towards the north and south. The proposed standing seam roofing is dark brown in color and somewhat reflective. In order to minimize glare impacts to neighbors across the street, staff recommends that the applicant choose a roof material that is completely non-reflective, to be submitted for review to Planning staff prior to Planning's approval of the building permit. This requirement has been added as Condition No. 5 of Attachment A.
- (4) Design structures which are in scale with the character of their setting and blend rather than dominate or distract from the overall view of the urban landscape. The applicant has designed the proposed house to minimize the amount of necessary grading (proposing 98 cubic yards, where 250 cubic yards of excavation is allowed without a grading permit), minimize building height (proposing 29'-6" feet where 36 feet is allowed), and minimize building floor area (proposing 2,854 sq. ft., where 3,747 sq. ft. is allowed). While the style of the proposed residence is more contemporary than surrounding residences, the proposed materials and colors would blend well within the riparian environment and would add to the architectural diversity of the Midcoast. In addition, as required by Condition Nos. 4, 10, and 11, the approved landscaping plan would provide for the restoration of riparian habitat and additional screening of the proposed residence from nearby homes. Therefore, the project, as proposed and conditioned, is in scale with the character of its setting and blends rather than dominates or distracts from the overall view of the urban landscape.

B. ENVIRONMENTAL REVIEW

The project is not exempt from the California Environmental Quality Act (CEQA) review, as the proposed project could result in potentially significant effects to the environment due to the presence of the Montecito Riparian Corridor, a sensitive habitat, at the rear of the

parcel. An Initial Study was completed and a Negative Declaration issued in conformance with CEQA guidelines. The public review period for this document was November 16, 2006 to December 6, 2006. Comments received during this period are discussed below and included as Attachments M through W of this report (with staff's response to follow).

1. The Negative Declaration states that the proposed residence is located "outside of the existing and potential former riparian corridor." The neighbors state that, prior to vegetation removal, the edge of the riparian corridor was actually 20 feet further uphill on the lot than what is represented in reports from Mahoney and Kobernus.

Staff's Response: They believe the true edge of the riparian corridor makes the lot "unbuildable." In response to concerns expressed by neighbors prior to the CDRC recommendation for this project, the Director of Community Development requested Patrick Kobernus of TRA Environmental Consultants to review Mahoney's riparian delineation at the site, including review of photos of the site by Fritz Ender (neighbor at 771 San Carlos Avenue). Kobernus states that he concurs with Mahoney's delineation of the riparian boundary (see Attachment I). While the neighbors may not agree with the delineation, staff has received sufficient evidence to substantiate the delineation made.

2. The Initial Study Checklist states that the project does not "involve cutting of heritage or significant trees as defined in the County Heritage Tree and Significant Tree Ordinance": The neighbors state that vegetation removal included significant arroyo willow trees.

Staff's Response: Mahoney states that arroyo willow trees compose a "structurally mature" riparian woodland area along the western half of the site. In their reports, Kobernus and Mahoney do not identify specific trees removed. In addition, the arroyo willow is considered a shrub or small tree and generally does not grow to a diameter that is considered significant by the County (equal to or greater than 12" dbh). Therefore, it is likely that no heritage or significant trees were removed in June 2004.

3. The Negative Declaration states that the proposed residence would obstruct ocean views from homes across the street (770 and 754 San Carlos Avenue): The neighbors state that the proposed residence would also obstruct views of the riparian corridor from these locations, as well as daylight to 771 San Carlos Avenue.

Staff's Response: Planning staff acknowledges that the proposed residence would also block views of the riparian corridor from viewing locations across San Carlos Avenue. While the project complies with the height and daylight plane requirements of the S-17 district, the project involves the development of an undeveloped site and would result in daylight impacts to the adjoining property. However, the proposed residence is approximately 6 feet under the 36-foot maximum height of the S-17 zoning district and complies with design review standards. The neighbors also state that the height of the proposed residence is not well represented by the story poles,

which were installed incorrectly, and do not demonstrate the significant impacts to views of neighbors across the street that would result from construction of the residence. The property owners have since corrected the story poles and have maintained the poles throughout the 10-day notification period prior to this hearing.

4. The Initial Study Checklist states that the project does not involve “construction on slope of 15% or greater.”

Staff's Response: Planning staff acknowledges that the average slope of the parcel is 18%. Condition Nos. 6, 8, and 9 in Attachment A help to mitigate erosion, runoff, and grading impacts associated with construction on sloped lots.

5. Mitigation Measure No. 3 in the Negative Declaration [Condition No. 11 in Attachment A] should include controlling invasive/exotic species, as recommended by Kobernus.

Staff's Response: This requirement is included in Mitigation Measure No. 4 in the Negative Declaration and Condition Nos. 3 and 11 in Attachment A, which require annual reporting within the three years after planting to demonstrate control of all invasive species on-site and requires their removal over the life of the project.

6. The Negative Declaration states that the “applicant faces a significant hardship in the development of this parcel” and seeks a variance.

Staff's Response: The applicant has since revised his proposal to exclude a request for a variance and to comply with S-17 district setback requirements.

C. REVIEW BY THE MIDCOAST COMMUNITY COUNCIL

On August 15, 2005, the Midcoast Community Council (MCC) recommended that the revegetation of cleared areas of the riparian corridor occur before further processing of the proposed residence. Planning staff has determined that review of the vegetation clearing should occur concurrently with review of the proposed residence to allow greater oversight through the Planning and Building Department permitting process of required replanting and monitoring of vegetation reestablishment at the site. Staff's concern is that, if the legalization of the vegetation removal were processed separately and no other permits were required, it would have been very difficult for staff to ensure that the restoration of the riparian corridor occurred in a timely manner. As previously discussed, staff has added Condition Nos. 10 and 11 to require the applicant to implement the recommended revegetation plan prior to Planning's final approval of the building permit for the proposed residence.

With regard to a previous version of the residence, the MCC recommended denial of the variance request and the redesign of the residence (which was 36 feet in height with a flat roof) to lower the height and incorporate a pitched roof. The MCC's comments are

included as Attachment L of this report. The proposed residence has since been redesigned to eliminate the need for a variance and to be 29'-6" in height with an arched roof.

The MCC also requested a copy of the biology reports prepared for the site. On February 7, 2007, staff sent the MCC a copy of the Initial Study/Negative Declaration (which includes copies of the biology reports). To this date, staff has not received any additional comments. Any future comments will be reviewed at the hearing of April 5, 2007.

D. REVIEW BY THE CALIFORNIA COASTAL COMMISSION

On December 7, 2006, Planning staff received comments from Ruby Pap, Coastal Planner, at the California Coastal Commission. She stated that the staff report should address project compliance with LCP Policy 7.12 (*Permitted Uses in Buffer Zones*), which allows for a 20-foot riparian buffer zone if no feasible building alternative exists for the site. Staff has included this discussion in Section A.4.a of this report, above. Also, Ms. Pap asked whether the Montecito Riparian Corridor map had been incorporated into the LCP and certified by the Coastal Commission. On February 7, 2007, staff informed Ms. Pap that the Montecito Riparian Corridor map had been prepared as a focused County reference map to administer the existing LCP policies and had not been incorporated into the Local Coastal Program.

E. OTHER REVIEWING AGENCIES

Building Inspection Section
Department of Public Works
Half Moon Bay Fire Protection District
Granada Sanitary District
Coastside County Water District
Midcoast Community Council
County Geotechnical Section
Environmental Health Division
California Coastal Commission
CA Department of Fish and Game

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
- B. Location Map
- C. Project Site Plan, Landscape Plan, Floor Plans, Elevations, and Sections, Received January 25, 2007
- D. Map of Coastal Commission Appeals Jurisdiction
- E. Rendering of the Front of the Proposed Residence, Received January 25, 2007
- F. Topographic Map, Turnrose Land Surveying, September 2004
- G. Riparian Delineation on San Carlos Avenue Parcel Prepared by Tom Mahoney, Albion Environmental, Inc., October 15, 2004

- H. Riparian Update Prepared by Tom Mahoney, Albion Environmental, Inc., November 29, 2005
- I. Assessment of Riparian Corridor Boundary Prepared by Patrick Kobernus, TRA Environmental Consultants, April 11, 2006
- J. Woodrat Map and E-mail Prepared by Patrick Kobernus, TRA Environmental Consultants, October 23, 2006
- K. Montecito Riparian Corridor Map, County of San Mateo, January 1994
- L. Letter from the Midcoast Community Council, August 15, 2006
- M. Letter from Coastside Design Review Committee, August 15, 2006
- N. Initial Study/Negative Declaration, November 16, 2006
- O. Letter from Mark Aschauer (770 San Carlos Avenue), December 5, 2006
- P. Letter from Roel van Bezooijen (730 San Carlos Avenue), December 5, 2006
- Q. Letter from Susana van Bezooijen (730 San Carlos Avenue), December 5, 2006
- R. Letter from Rex Geitner (731 San Carlos Avenue), December 6, 2006
- S. Letter from Connie Taniguchi (754 San Carlos Avenue), December 5, 2006
- T. Letter from Allan Lorenz (763 San Carlos Avenue), December 5, 2006
- U. Letter from Fritz Ender (771 San Carlos Avenue), December 5, 2006
- V. Letter from Barry McAdoo, December 6, 2006
- W. Letters from Janet Cochrane, Received December 6, 2006
- X. Photos of Views Taken from 730, 754, and 770 San Carlos Avenue by Fritz Ender
- Y. "In the Matter of the Proposed One-Family Home at 779 San Carlos Avenue," Received During the Design Review Process for the Project
- Z. Map of Neighborhood with Addresses

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County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit File Numbers: PLN 2004-00398 & PLN 2005-00248

Hearing Date: April 5, 2007

Prepared By: Camille Leung, Project Planner

For Adoption By: Zoning Hearing Officer

RECOMMENDED FINDINGS

Regarding the Environmental Review, Find:

1. That the Negative Declaration is complete, correct and adequate, and prepared in accordance with the California Environmental Quality Act and applicable State and County guidelines. An Initial Study was completed and a Negative Declaration issued in conformance with CEQA guidelines. The public review period for this document was November 16, 2006 to December 6, 2006.
2. That, on the basis of the Initial Study and comments received thereto, no substantial evidence exists that the project, if subject to the mitigation measures contained in the Negative Declaration, will have a significant effect on the environment. The eight (8) mitigation measures contained in the Negative Declaration and the conditions of approval in this document adequately mitigate any potential significant effect on the environment.
3. That the mitigation measures identified in the Negative Declaration, agreed to by the applicant, placed as conditions on the project, and identified as part of this public hearing, have been incorporated into a Mitigation Monitoring and Reporting Plan in conformance with the California Public Resources Code Section 21081.6. The property owners have agreed to comply with the eight (8) mitigation measures contained in the Negative Declaration. In addition, applicable mitigation measures have been incorporated as conditions of approval for this project. Given compliance with the conditions of approval, a separate Mitigation Monitoring and Reporting Plan is not necessary.
4. That the Negative Declaration reflects the independent judgment of the San Mateo County Current Planning Section.

Regarding the Coastal Development Permit, Find:

5. That the project, as described in the application and accompanying materials required by Zoning Regulations Section 6328.4 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 (LCP). The project, as proposed and conditioned, complies with the applicable policies of the Sensitive Habitats Component, as the applicant is required to maintain all structures a minimum of 20 feet from the edge of the riparian corridor, implement the biologist recommended conceptual revegetation plan, control invasive species at the site, and perform monitoring and annual reporting of replantings three years after replanting. The project complies with the applicable policies of the Visual Resources Component, including special design guidelines for El Granada.

6. That, where the project is located between the nearest public road and the sea, or the shoreline of Pescadero Marsh, the project is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Section 30200 of the Public Resources Code). The project site is not located between the nearest public road and the sea, or the shoreline of Pescadero Marsh.
7. That the project conforms to specific findings required by policies of the San Mateo County Local Coastal Program. The project complies with applicable policies of the Sensitive Habitats and Visual Resources Components of the LCP, and conforms to the required findings listed above.

Regarding the Design Review, Find:

8. That the project is found to be in compliance with the Design Review Standards for the Coastsides, per the Coastsides Design Review Committee recommendation of approval on August 10, 2006.

RECOMMENDED CONDITIONS OF APPROVAL

Current 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 April 5, 2007. Minor revisions or modifications to these projects may be made subject to the review and approval of the Community Development Director.
- ✓2. These permits shall be valid for one year from the date of this approval. If the building permit has not been issued within this time period, these permits will expire. An extension to these permits will be considered upon written request and payment of applicable permit extension fees sixty (60) days prior to expiration.
- ✓3. Performance standards for fertilization, pesticide and herbicide use, and irrigation shall be reviewed and approved by the applicant's biological consultant. **Prior to the issuance of the Certificate of Occupancy for the residence, this review shall be submitted to the Community Development Director for review and approval and the property owner(s) shall record a deed restriction which:** (1) prohibits the removal or alteration of riparian vegetation within the riparian corridor and associated buffer zone, (2) prohibits utilization of any pesticide, herbicide, or fertilizer, except types specifically accepted by the

biological consultant within the riparian corridor and associated buffer zone, (3) requires the removal of invasive exotic plant species from within the buffer zone, (4) requires the replanting with native riparian and coastal scrub plant species in the buffer zone, and (5) prohibits the construction of accessory structures within the riparian corridor and associated buffer zone, over the life of the project.

- ✓
4. The applicant shall revise the submitted landscape plan (received January 25, 2007) to (1) limit landscaping in the front yard to tree varieties that, at maturity, would not exceed 30 feet in height and (2) incorporate landscaping along the southeast elevation to provide additional screening of the building from 771 San Carlos Avenue. **The revised landscape plan shall be submitted for review to the Current Planning Section, prior to Planning's approval of the building permit.** The applicant shall provide photos to Planning staff to demonstrate implementation of the approved landscape plan prior to Planning's final approval of the building permit.
 5. In order to minimize glare impacts to neighbors across the street, **the applicant shall choose a roof material that is completely non-reflective, to be submitted for review to Planning staff prior to Planning's approval of the building permit (the proposed dark brown color was not approved).** The applicant shall provide photos to Planning staff to demonstrate installation of the approved roofing material prior to Planning's final approval of the building permit.
 6. The applicant shall comply with LCP performance standards for areas within a riparian corridor or riparian corridor buffer zone (Policies 7.10 and 7.13), including, but not limited to, the following:
 - a. Use only adapted native or non-invasive exotic plant species when replanting,
 - b. Minimize adverse effects of wastewater discharges and entrainment,
 - c. Prevent depletion of groundwater supplies and substantial interference with surface and subsurface water flows,
 - d. Encourage wastewater reclamation,
 - e. Maintain natural vegetation buffer areas that protect riparian habitats,
 - f. Conform to natural topography to minimize erosion potential,
 - g. Make provisions (i.e., catch basins) to keep runoff and sedimentation from exceeding pre-development levels, and
 - h. Prevent discharge of toxic substances, such as fertilizers and pesticides, into the riparian corridor.

7. The applicant shall pay an environmental filing fee of \$1,800.00, as required under Fish and Game Code Section 711.4(d), to the San Mateo County Clerk **within four (4) working days of the final approval date of this permit.** X

Mitigation Measures from the Negative Declaration Made Available on November 16, 2006:

8. **Prior to the beginning of all construction, the applicant shall submit to the Current Planning Section for review and approval an erosion and drainage control plan which shows how the transport and discharge of soil and pollutants from the project site would be minimized.** The approved erosion and drainage control plan shall be implemented prior to the beginning of construction. 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. Delineation with field markers of clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses.
 - b. Protection of adjacent properties and undisturbed areas (including the riparian corridor and 20-foot buffer zone) from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
 - c. Stabilization of all denuded areas and maintenance of erosion control measures continuously between October 15 and April 15. Stabilization shall include both proactive measures, such as the placement of hay bales or coir netting, and passive measures, such as revegetation per the "conceptual revegetation plan" (Mahoney 2005).
 - d. Proper storage, handling, and disposal of construction materials and wastes, so as to prevent their contact with stormwater.
 - e. 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.
 - f. Use of sediment controls or filtration to remove sediment when dewatering the site and acquisition of all necessary permits.
 - g. Avoidance of cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
 - h. Performance of approved clearing and earth-moving activities only during dry weather.
 - i. Limitation and timed applications of pesticides and fertilizers to prevent polluted runoff.

- j. Limitation of construction access routes and stabilization of designated access points.
 - k. Avoidance of tracking dirt or other materials off-site; cleaning of off-site paved areas and sidewalks using dry sweeping methods.
 - l. Contractor training and provision of instruction to all employees and subcontractors regarding the construction best management practices.
 - m. Implementation of the approved erosion and sediment control plan prior to the beginning of construction.
9. The San Mateo County Grading Ordinance shall govern all grading on and adjacent to this site. Unless exempted by the Grading Ordinance, the applicant may be required to apply for a grading permit upon completion of their review of the plans and should access construction be necessary.
10. **Prior to Planning's final approval of the building permit, the applicant shall provide evidence of replanting, performed in accordance with the "conceptual revegetation plan" within the area of the potential former riparian corridor and 20-foot riparian buffer zone** (Mahoney 2005). Replanting should emphasize arroyo willow, with no more than 20-30 willow trees to be planted due to the small size of the lot (Kobernus 2006).
11. The applicant shall perform monitoring and annual reporting, as delineated in the "conceptual revegetation plan" (Mahoney 2005) for three years after planting, starting with the first spring after planting. Reporting must demonstrate that all invasive species on-site are consistently and thoroughly controlled. **To ensure compliance with this condition, administrative reviews of the site and monitoring reports will be required in March 2009 (or first spring after planting), June 2010 (or second summer after planting), and June 2011 (or third summer after planting). The applicant shall pay the inspection fee within thirty (30) days of the administrative review date.**
12. Any future construction shall maintain a minimum 20-foot setback from the edges of the existing and potential former riparian corridor, as indicated in the Topographic Map prepared by Turnrose Land Surveying, unless as outlined in the LCP and permitted through an approved Coastal Development Permit. Uses within the riparian corridor and associated buffer zone shall be limited to those listed in LCP Policies 7.9 (*Permitted Uses in Riparian Corridors*) and 7.12 (*Permitted Uses in Buffer Zones*).
13. **Prior to construction, the applicant shall arrange for the following:**
- a. **The property shall be surveyed by a qualified biologist for woodrat nests prior to construction**, within the same season that construction is planned (i.e., if construction is planned for fall, then a survey should be conducted in the fall prior to construction). If any nests are found, the applicant shall contact Dave Johnston at the California Department of Fish and Game, 707/944-5525.

- b. **Prior to construction, the woodrat nests shall be clearly demarcated by a qualified biologist.** A 6-foot chain link fence should be installed along the 20-foot setback from riparian corridor to protect the riparian corridor and the woodrat nests from any potential impacts from construction, as required by Condition No. 16.
 - c. Per the CA Department of Fish and Game, the applicant shall be made aware that the presence of outdoor cats can threaten woodrat populations.
14. Noise levels produced by proposed construction activities shall not exceed the 80-dBA level at any one moment. Construction activities shall be limited to the hours from 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturdays. Construction operations shall be prohibited on Sunday and any national holiday.
15. All new power and telephone utility lines from the street or nearest utility pole to the main dwelling shall be placed underground starting at the closest existing utility pole.
16. All vehicles, machinery and construction equipment shall be kept out of the riparian corridor and associated buffer zone. Prior to the issuance of a building permit, the applicant shall install a 6-foot chain link fence along the 20-foot setback from riparian corridor on the site. This barrier shall remain in place until all heavy machinery has been removed from the site and the building permit has been completed.

Building Inspection Section

17. At the time of application for a building permit, the following will be required:
- a. Prior to pouring any concrete for foundations, written verification from a licensed surveyor will be required confirming that the setbacks, as shown on the approved plans, have been maintained.
 - b. An automatic fire sprinkler system will be required. This permit must be issued prior to, or in conjunction with the building permit.
 - c. If a water main extension, upgrade or hydrant is required, this work must be completed prior to the issuance of the building permit or the applicant must submit a copy of an agreement and contract with the water purveyor that will ensure the work will be completed prior to finalizing the permit.
 - d. A site drainage plan will be required that will demonstrate how roof drainage and site runoff will be directed to approved locations in accordance with County Drainage Guidelines. Treatment measures, where required by the County's NPDES permit, shall be included in the site drainage plan (refer to Department of Public Works conditions).
 - e. Sediment and erosion control measures must be installed prior to beginning any site work and maintained throughout the term of the permit. 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.

- f. No wood burning fireplaces are allowed.
- g. As this structure is a 3-story house, a second means of exit will be required from the third floor.

Department of Public Works

- 18. 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.
- 19. No proposed construction work within the County right-of-way shall begin until County requirements for the issuance of an encroachment permit have been met and an encroachment permit issued. Construction within the County right-of-way must conform to County standard details wherever applicable.
- 20. The applicant shall submit a driveway "plan and profile" to the Department of Public Works, showing that the driveway access to the parcel (garage slab) complies with County standards for driveway slopes (not to exceed 20%) and with County standards for driveways (elevation at the property line being the same as the center of the access roadway). When appropriate, 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.
- 21. Prior to the issuance of a building permit, the applicant shall have prepared by a registered civil engineer a drainage analysis and plan for the proposed development in accordance with the County Drainage Guidelines and NPDES permit, and submit it to the Department of Public Works for review and approval. The drainage analysis shall include a written narrative and a map detailing the drainage basin. The flow of the stormwater onto, over, and off the property being developed shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the pattern of flow. Recommended measures shall be designed and included in the improvement plans and submitted to the Department of Public Works for review and approval.

County Geotechnical Section

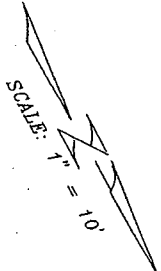
- 22. This project will require a soils and foundation study at the building permit stage, with emphasis on slope stability and erosion hazards. If grading is necessary, then the study must be done before a grading permit is issued.

Half Moon Bay Fire Protection District

23. As per 2001 CFC, Appendix III-B, Table A-III-B-1, a Fire District approved fire hydrant (Clow 960) must be located within 250 feet of the proposed single-family dwelling unit measured by way of drivable access. As per 2001 CFC, Appendix III-A, Section 4.1, the hydrant must produce a minimum fire flow of 1,000 gallons per minute at 20 pounds per square inch residual pressure for 2 hours. Contact the local water purveyor for water flow details. Fire District records indicate that there is an existing Clow 960 hydrant within 250 feet of the property. However, it will need to be flow tested to satisfy this condition.
24. As per San Mateo County Building Standards and Fire District Ordinance No. 2002-01, the applicant is required to install an automatic fire sprinkler system throughout the proposed dwelling and garage. All areas that are accessible for storage purposes shall be equipped with fire sprinklers. The only exception being 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 Half Moon Bay Fire District for review. The fee schedule for automatic fire sprinkler systems shall be in accordance with Half Moon Bay Ordinance No. 13. Fees shall be paid prior to plan review.
25. An exterior bell and interior horn/strobe are required to be wired into the flow switch on your fire sprinkler system. The bell, horn/strobe and flow switch, along with the garage door opener, are to be wired into a separate circuit breaker at the main electrical panel and labeled.
26. As per the California Building Code Section 310.9.1.1, State Fire Marshal Regulations, and Half Moon Bay Fire District Ordinance No. 2002-01, 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 sleeping room and at a point centrally located in the corridor or area giving access to each separate sleeping area. A minimum of one detector shall be placed on each floor. Smoke detectors shall be tested and approved prior to the building final.
27. As per Half Moon Bay Fire District Ordinance No. 2002-01, 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 of adequate size and of a color, which is contrasting with the background. In no case shall letters/numerals be less than 4 inches in height with a minimum 3/4-inch stroke. Such letters/numerals shall be internally illuminated and facing the direction of access.
28. As per County of San Mateo Building Standards and the Half Moon Bay Fire District Ordinance No. 2002-01, 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.

29. The San Mateo County Department of Public Works and the Half Moon Bay Fire District Ordinance No. 2002-01 shall set road standards. The applicant must have a maintained all-weather surface road for ingress and egress of fire apparatus that meets these standards. Dead-end roads exceeding 150 feet shall be provided with a turnaround in accordance with Half Moon Bay Fire District standards and specifications. Road width shall not be less than 20 feet. Fire District records indicate that a turnaround will need to be designed and installed to satisfy this condition.
30. As per CFC 2001, Section 1103.2.4 and Half Moon Bay Fire District Ordinance No. 2002-01, a minimum clearance of flammable vegetation within 30 feet of the proposed structures, or to the property line, shall be maintained around all structures by the property owner. This does not include individual species of ornamental shrubs and landscaping.

CML:fc/kcd – CMLR0298_WFU.DOC



1) ELEVATIONS SHOWN WERE BASED UPON A SET HUB WITH SPIKE AND SHINER SHOWN AS "R-4" WITH AN ASSUMED ELEVATION OF 506.83 FEET.

2) SCALE: 1" = 10'; CONTOUR INTERVAL = 1';

3) TOPOGRAPHIC FEATURES SHOWN WERE LOCATED BY THE "E.N.M." METHOD ALTHOUGH THIS METHOD PROVIDES AN ACCURACY OF LESS THAN 1.0' IN HORIZONTAL AND VERTICAL ERROR IN MOST CASES ANY PROPOSED DEVELOPMENT THAT IS DESIGNED ON (1) SPECIFIC HEIGHT REQUIREMENTS AND/OR (2) A CLOSENESS TO SAID FEATURES MUST BE CONFIRMED ON THE SITE.

4) THE EXISTING AND POTENTIAL RIPARIAN CORRIDOR LOCATION IS APPROXIMATE AND WAS DERIVED FROM PLACES PLACED BY TOM MAHONY, PLANT ECOLOGIST FROM ALBION ENVIRONMENTAL INC. (931-469-1773) ON SEPTEMBER 17, 2004.

5) THERE ARE NO EASEMENTS OF RECORD ENCUMBERING THIS PROPERTY AS PER A PRELIMINARY REPORT PREPARED BY OLD REPUBLIC TITLE COMPANY DATED MAY 26, 2004 WITH ORDER NUMBER 0353007316.

6) PROPERTY CORNERS TO BE MARKED WITH 3/4" IRON PIPES AND A RECORD OF SURVEY MAP IS TO BE PREPARED.

1 Survey
scale 1/8" = 1'-0"

Michael T
James

TOPOGRAPHIC MAP
OF LOT 2, BLOCK 77 AS SHOWN ON MAPS & AS WERE

TURNROSE LAND SURVEYING
P.O. BOX 6644
SILVERADO CITY, CA 92682
TEL (708) 340-3111
FAX (708) 650-0719

REVISED INITIAL STUDY
ENVIRONMENTAL EVALUATION CHECKLIST
(To Be Completed By Current Planning Section)

I. BACKGROUND

Project Title: Restoration of Riparian Corridor at Lacasia-Barrios Property (Formerly New Lacasia-Barrios Residence)

File Nos.: PLN 2004-00398 and PLN 2005-00248

Project Location: San Carlos Avenue, El Granada

Assessor's Parcel No.: 047-105-020

Owner/Applicant: Rodrigo Lacasia-Barrios/Stam Field

Date Environmental Information Form Submitted: June 6, 2005

PROJECT DESCRIPTION: The applicant requests a Coastal Development Permit, Variance and Coastsides Design Review to construct a new 2,501-sq.-ft. single-family residence and attached 457-sq.-ft. garage, on a 7,070-sq.-ft. undeveloped parcel on San Carlos Avenue in the unincorporated El Granada area of San Mateo County. The applicant requests a Coastal Development Permit for the construction of the residence and to correct and mitigate the removal of riparian vegetation performed in June 2004, on a 7,070 sq. ft. undeveloped parcel on San Carlos Avenue in the unincorporated El Granada area of San Mateo County. The applicant requests a Variance to allow a 10-foot front setback where 20 feet is the minimum required in the S-17 Combining District. The applicant requests Coastsides Design Review for the design of the proposed residence. The project would involve 98 cubic yards of grading and would not result in the removal of any significant or heritage trees. The property is located within the California Coastal Commission appeals jurisdiction.

II. ENVIRONMENTAL ANALYSIS

Any controversial answers or answers needing clarification are explained on an attached sheet. For source, refer to pages 15 and 16.

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
1. <u>LAND SUITABILITY AND GEOLOGY</u>						
Will (or could) this project:						
a. Involve a unique landform or biological area, such as beaches, sand dunes, marshes, tidelands, or San Francisco Bay? No unique landform or biological area at the project site.	X					B,F,O
b. Involve construction on slope of 15% or greater? The project will not result in any construction.	X					E,I
c. Be located in an area of soil instability (subsidence, landslide or severe erosion)? The parcel is not located in this area.	X					Bc,D
d. Be located on, or adjacent to a known earthquake fault? The parcel is not located in this area.	X					Bc,D
e. Involve Class I or Class II Agriculture Soils and Class III Soils rated good or very good for artichokes or Brussels sprouts? The parcel is not located in a Prime Soils area.	X					M
f. Cause erosion or siltation? See Questions and Answers section for discussion.			X			M,I

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
g. Result in damage to soil capability or loss of agricultural land? Project will not result in soil damage or conversion.	X					A,M
h. Be located within a flood hazard area? The parcel is located in Zone C, area of minimal flooding.	X					G
i. Be located in an area where a high water table may adversely affect land use? The site is vacant and no land use is being proposed.	X					D
j. Affect a natural drainage channel or streambed, or watercourse? The project will have no direct impact on a natural drainage channel or streambed, or watercourse.	X					E
2. <u>VEGETATION AND WILDLIFE</u> Will (or could) this project:						
a. Affect federal or state listed rare or endangered species of plant life in the project area? The project will have no direct impact on a federal or state listed rare or endangered species of plant life in the project area.	X					F
b. Involve cutting of heritage or significant trees as defined in the County Heritage Tree and Significant Tree Ordinance? Project does not involve cutting of heritage or significant trees.	X					I,A

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
c. Be adjacent to or include a habitat food source, water source, nesting place or breeding place for a federal or state listed rare or endangered wildlife species? See Questions and Answers section for discussion.		X				F
d. Significantly affect fish, wildlife, reptiles, or plant life? Project will not have any direct significant impact on fish, wildlife, reptiles, or plant life.		X	X			I
e. Be located inside or within 200 feet of a marine or wildlife reserve? No wildlife reserve is present within 200 feet of site.	X					E,F,O
f. Infringe on any sensitive habitats? See Questions and Answers section for discussion.		X	X			F
g. Involve clearing land that is 5,000 sq. ft. or greater (1,000 sq. ft. within a County Scenic Corridor), that has slopes greater than 20% or that is in a sensitive habitat or buffer zone? The project aims to restore land cleared illegally. No future clearing is proposed.	X	X	.			I,F,Bb
3. <u>PHYSICAL RESOURCES</u> Will (or could) this project:						
a. Result in the removal of a natural resource for commercial purposes (including rock, sand, gravel, oil, trees, minerals or topsoil)? Project does not involve removal of any natural resource.	X					I

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
b. Involve grading in excess of 150 cubic yards? No grading is proposed.	X					I
c. Involve lands currently protected under the Williamson Act (agricultural preserve) or an Open Space Easement? Project site is not protected under the Williamson Act or an Open Space Easement.	X					I
d. Affect any existing or potential agricultural uses? The parcel is not zoned for agricultural use nor is it adjacent to agricultural lands.	X					A,K,M
4. AIR QUALITY, WATER QUALITY, SONIC Will (or could) this project:						
a. Generate pollutants (hydrocarbon, thermal odor, dust or smoke particulates, radiation, etc.) that will violate existing standards of air quality on-site or in the surrounding area? The project will not generate pollutants to air quality.	X	X				I,N,R
b. Involve the burning of any material, including brush, trees and construction materials? The project does not involve burning of any material.	X					I
c. Be expected to result in the generation of noise levels in excess of those currently existing in the area, after construction? The project will not generate a significant level of noise.	X					Ba,I

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
d. Involve the application, use or disposal of potentially hazardous materials, including pesticides, herbicides, other toxic substances, or radioactive material? The project does not involve the application of potentially hazardous materials.	X					I
e. Be subject to noise levels in excess of levels determined appropriate according to the County Noise Ordinance or other standard? No development or use is proposed.	X					A, Ba, Bc
f. Generate noise levels in excess of levels determined appropriate according to the County Noise Ordinance standard? The project will not generate a significant level of noise.	X		X			I
g. Generate polluted or increased surface water runoff or affect groundwater resources? See Questions and Answers section for discussion.		X	X			I
h. Require installation of a septic tank/leachfield sewage disposal system or require hookup to an existing collection system which is at or over capacity? No septic system or sewer service is proposed.	X					S
5. TRANSPORTATION Will (or could) this project:						
a. Affect access to commercial establishments, schools, parks, etc.? No development or use is proposed.	X					A, I

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
b. Cause noticeable increase in pedestrian traffic or a change in pedestrian patterns? No development or use is proposed.	X					A,I
c. Result in noticeable changes in vehicular traffic patterns or volumes (including bicycles)? No development or use is proposed.	X					I
d. Involve the use of off-road vehicles of any kind (such as trail bikes)? No development or use is proposed.	X					I
e. Result in or increase traffic hazards? No development or use is proposed.	X					S
f. Provide for alternative transportation amenities such as bike racks? No development or use is proposed.	X					I
g. Generate traffic which will adversely affect the traffic carrying capacity of any roadway? No development or use is proposed.	X					S
6. <u>LAND USE AND GENERAL PLANS</u>						
Will (or could) this project:						
a. Result in the congregating of more than 50 people on a regular basis? No development or use is proposed.	X					I

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
b. Result in the introduction of activities not currently found within the community? No development or use is proposed.	X					I
c. Employ equipment which could interfere with existing communication and/or defense systems? No development or use is proposed.	X					I
d. Result in any changes in land use, either on or off the project site? No development or use is proposed.	X	X				I
e. Serve to encourage off-site development of presently undeveloped areas or increase development intensity of already developed areas (examples include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)? No development or use is proposed.	X					I,Q,S
f. Adversely affect the capacity of any public facilities (streets, highways, freeways, public transit, schools, parks, police, fire, hospitals), public utilities (electrical, water and gas supply lines, sewage and storm drain discharge lines, sanitary landfills) or public works serving the site? No development or use is proposed.	X					I,S
g. Generate any demands that will cause a public facility or utility to reach or exceed its capacity? No development or use is proposed.	X					I,S

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
h. Be adjacent to or within 500 feet of an existing or planned public facility? No development or use is proposed.	X					A
i. Create significant amounts of solid waste or litter? No development or use is proposed.	X					I
j. Substantially increase fossil fuel consumption (electricity, oil, natural gas, coal, etc.)? No development or use is proposed.	X					I
k. Require an amendment to or exception from adopted general plans, specific plans, or community policies or goals? The project complies with existing regulations.	X	X				B
l. Involve a change of zoning? The project is not subject to zoning.	X					C
m. Require the relocation of people or businesses? The project does not require relocation of people or businesses.	X					I
n. Reduce the supply of low-income housing? The project will not affect current housing supply.	X					I
o. Result in possible interference with an emergency response plan or emergency evacuation plan? The project will not interfere with an emergency response plan or emergency evacuation plan.	X					S

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
p. Result in creation of or exposure to a potential health hazard? No health hazards exist in the project area; none will be created.	X					S
7. <u>AESTHETIC, CULTURAL AND HISTORIC</u> Will (or could) this project:						
a. Be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor? The project site is not adjacent to a Scenic Highway or within a State or County Scenic Corridor.	X					A, Bb
b. Obstruct scenic views from existing residential areas, public lands, public water body, or roads? No development or use is proposed.	X		X			A, I
c. Involve the construction of buildings or structures in excess of three stories or 36 feet in height? No development is proposed.	X					I
d. Directly or indirectly affect historical or archaeological resources on or near the site? No development or use is proposed.	X					H
e. Visually intrude into an area having natural scenic qualities? No development or use is proposed.	X	X				A, I

III. **RESPONSIBLE AGENCIES.** Check what agency has permit authority or other approval for the project.

AGENCY	YES	NO	TYPE OF APPROVAL
U.S. Army Corps of Engineers (CE)		X	
State Water Resources Control Board		X	
Regional Water Quality Control Board		X	
State Department of Public Health		X	
San Francisco Bay Conservation and Development Commission (BCDC)		X	
U.S. Environmental Protection Agency (EPA)		X	
County Airport Land Use Commission (ALUC)		X	
CalTrans		X	
Bay Area Air Quality Management District		X	
U.S. Fish and Wildlife Service		X	
Coastal Commission		X	
City		X	
Sewer/Water District:		X	
Other:			

IV. MITIGATION MEASURES

	<u>Yes</u>	<u>No</u>
Mitigation measures have been proposed in project application.	<u>X</u>	<u> </u>
Other mitigation measures are needed.	<u> </u>	<u>X</u>

The following measures are included in the project plans or proposals pursuant to Section 15070(b)(1) of the State CEQA Guidelines:

Mitigation Measure 1: ~~Prior to the beginning of all construction, the applicant shall submit to the Current Planning section for review and approval, an erosion and drainage control plan which shows how the transport and discharge of soil and pollutants from the project site would be minimized. The approved erosion and drainage control plan shall be implemented prior to the beginning of construction. 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 CEQA Guidelines. The applicant shall adhere to the San Mateo Countywide Water Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:~~

- (1) ~~Delineation with field markers clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses.~~
- (2) ~~Protection of adjacent properties and undisturbed areas (including the riparian corridor and 20 foot buffer zone) from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.~~
- (3) ~~Stabilization of all denuded areas and maintenance of erosion control measures continuously between October 15 and April 15. Stabilization shall include both proactive measures, such as the placement of hay bales or coir netting, and passive measures, such as revegetation per the "conceptual revegetation plan" (Mahoney 2005).~~
- (4) ~~Storage, handling, and disposal of construction materials and wastes properly, so as to prevent their contact with stormwater.~~
- (5) ~~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 water courses.~~
- (6) ~~Use of sediment controls or filtration to remove sediment when dewatering site and obtain all necessary permits.~~
- (7) ~~Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.~~
- (8) ~~Performing approved clearing and earth moving activities only during dry weather.~~
- (9) ~~Limiting and timing applications of pesticides and fertilizers to prevent polluted runoff.~~
- (10) ~~Limiting construction access routes and stabilize designated access points.~~

(41) (5) Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.

(42) The Contractor shall train and provide instruction to all employees and subcontractors regarding the construction Best Management Practices.

(43) The approved erosion and sediment control plan shall be implemented prior to the beginning of construction.

Mitigation Measure 2: The San Mateo County Grading Regulations shall govern all grading on and adjacent to this site. Unless exempted by the Grading Regulations, the applicant may be required to apply for a Grading Permit upon completion of Planning's review of the plans and should access construction be necessary.

Mitigation Measure 3: Prior to Planning's final approval of the building permit, the applicant shall provide evidence of replanting, performed in accordance with the November 29, 2005 "conceptual revegetation plan" within the area of the potential former riparian corridor and 20-foot riparian buffer zone (Mahoney 2005). Replanting should emphasize arroyo willow, with no more than 20-30 willow trees to be planted due to the small size of the lot (Kobernus 2006).

Mitigation Measure 2: The applicant shall provide evidence of replanting, performed in accordance with the November 29, 2005 "conceptual revegetation plan" within the area of the potential former riparian corridor and 20-foot riparian buffer zone (Mahoney 2005). The applicant shall also perform monitoring and annual reporting (Mahoney 2005) for three years after planting, starting with the first spring after planting. Replanting should emphasize arroyo willow, with no more than 20-30 willow trees to be planted due to the small size of the lot (Kobernus 2006). Reporting must demonstrate that all invasive species on-site are consistently and thoroughly controlled.

Mitigation Measure 5: Any future construction should maintain a minimum 20-foot setback from the edges of existing and potential former riparian corridor, as indicated in the Topographic Map prepared by Turnrose Land Surveying.

Mitigation Measure 6: Prior to construction, the applicant shall arrange for the following:

(1) Prior to construction, the property shall be surveyed by a qualified biologist for woodrat nests, within the same season that construction is planned (i.e., if construction is planned for fall, then a survey should be conducted in the fall prior to construction). If any nests are found, the applicant shall contact Dave Johnston at the California Department of Fish and Game, 707/944-5525.

(2) Prior to construction, the woodrat nests shall be clearly demarcated by a qualified biologist. Temporary plastic barrier fencing should be installed along the riparian boundary to protect the riparian corridor and the woodrat nests from any potential impacts from construction.

Mitigation Measure 3: Prior to the Zoning Hearing Officer's review of the project, the applicant shall submit a landscape plan. Landscaping shall be designed to screen the proposed house, minimize tall vegetation that could further obstruct views, and incorporate the recommended "conceptual revegetation plan" and planting of willow trees in Mitigation Measure 3.

V. **MANDATORY FINDINGS OF SIGNIFICANCE**

	Yes	No
1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal, or eliminate important examples of the major periods of California history or prehistory?		X
2. Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?		X
3. Does the project have possible environmental effects which are individually limited, but cumulatively considerable?		X
4. Would the project cause substantial adverse effects on human beings, either directly or indirectly?		X

On the basis of this initial evaluation:

I find the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared by the Current Planning Section.

I find that although the proposed project could have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because of the mitigation measures in the discussion have been included as part of the proposed project. A **NEGATIVE DECLARATION** will be prepared.

I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

Camille Leung

September 9, 2008
Date

Project Planner
(Title)

VI. SOURCE LIST

- A. Field Inspection
- B. County General Plan 1986
 - a. General Plan Chapters 1-16
 - b. Local Coastal Program (LCP) (Area Plan)
 - c. Skyline Area General Plan Amendment
 - d. Montara-Moss Beach-El Granada Community Plan
 - e. Emerald Lake Hills Community Plan
- C. County Ordinance Code
- D. Geotechnical Maps
 - 1. USGS Basic Data Contributions
 - a. #43 Landslide Susceptibility
 - b. #44 Active Faults
 - c. #45 High Water Table
 - 2. Geotechnical Hazards Synthesis Maps
- E. USGS Quadrangle Maps, San Mateo County 1970 Series (See F. and H.)
- F. San Mateo County Rare and Endangered Species Maps, or Sensitive Habitats Maps
- G. Flood Insurance Rate Map – National Flood Insurance Program
- H. County Archaeologic Resource Inventory (Prepared by S. Dietz, A.C.R.S.) Procedures for Protection of Historic and Cultural Properties – 36 CFR 800 (See R.)
- I. Project Plans or EIF
- J. Airport Land Use Committee Plans, San Mateo County Airports Plan
- K. Aerial Photography or Real Estate Atlas – REDI
 - 1. Aerial Photographs, 1941, 1953, 1956, 1960, 1963, 1970
 - 2. Aerial Photographs, 1981
 - 3. Coast Aerial Photos/Slides, San Francisco County Line to Año Nuevo Point, 1971
 - 4. Historic Photos, 1928-1937

- L. Williamson Act Maps
- M. Soil Survey, San Mateo Area, U.S. Department of Agriculture, May 1961
- N. Air Pollution Isopleth Maps – Bay Area Air Pollution Control District
- O. California Natural Areas Coordinating Council Maps (See F. and H.)
- P. Forest Resources Study (1971)
- Q. Experience with Other Projects of this Size and Nature
- R. Environmental Regulations and Standards:

Federal	<ul style="list-style-type: none"> - Review Procedures for CDBG Programs - NEPA 24 CFR 1500-1508 - Protection of Historic and Cultural Properties - National Register of Historic Places - Floodplain Management - Protection of Wetlands - Endangered and Threatened Species - Noise Abatement and Control - Explosive and Flammable Operations - Toxic Chemicals/Radioactive Materials - Airport Clear Zones and APZ 	<ul style="list-style-type: none"> 24 CFR Part 58 36 CFR Part 800 Executive Order 11988 Executive Order 11990 24 CFR Part 51B 24 CFR 51C HUD 79-33 24 CFR 51D
State	<ul style="list-style-type: none"> - Ambient Air Quality Standards - Noise Insulation Standards 	<ul style="list-style-type: none"> Article 4, Section 1092
- S. Consultation with Departments and Agencies:
 - a. County Health Department
 - b. City Fire Department
 - c. California Department of Forestry
 - d. Department of Public Works
 - e. Disaster Preparedness Office
 - f. Other

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COUNTY OF SAN MATEO
Planning and Building Department

REVISED Initial Study Pursuant to CEQA
Project Narrative and Answers to Questions for the Negative Declaration
File Numbers: PLN 2004-00398 and PLN 2005-00248
Restoration of Riparian Corridor at Lacasia-Barrios Property
(Formerly New Lacasia-Barrios Residence)

PROJECT DESCRIPTION

~~The applicant requests a Coastal Development Permit, Variance and Coastsides Design Review to construct a new 2,501 sq. ft. single family residence and attached 457 sq. ft. garage, on a 7,070 sq. ft. undeveloped parcel on San Carlos Avenue in the unincorporated El Granada area of San Mateo County. The applicant requests a Coastal Development Permit for the construction of the residence and to correct and mitigate the removal of riparian vegetation performed in June 2004, on a 7,070 sq. ft. undeveloped parcel on San Carlos Avenue in the unincorporated El Granada area of San Mateo County. The applicant requests a Variance to allow a 10-foot front setback where 20 feet is the minimum required in the S-17 Combining District. The applicant requests Coastsides Design Review for the design of the proposed residence. The project would involve 98 cubic yards of grading and would not result in the removal of any significant or heritage trees. The property is located within the California Coastal Commission appeals jurisdiction.~~

PROJECT SETTING

The undeveloped parcel is located within an existing urban, residential neighborhood and is bordered to the north and east by single-family residential development. An unnamed perennial drainage channel flows generally southbound, west of the project site. A portion of the Montecito Riparian Corridor, a riparian corridor associated with the drainage, is located on the southwest portion of the site. Among various species of riparian vegetation found on-site, nests of the San Francisco dusky-footed woodrat (identified by the California Department of Fish and Game as a California Special Concern species) have been found in the project vicinity. The site has an average slope of 18%. The parcel is zoned R-1/S-17/DR/CD (Single-Family Residential District, S-17 Combining District with 5,000 sq. ft. minimum parcel size, Design Review, Coastal Development).

ANSWERS TO QUESTIONS

~~In sections of this document, the project has been separated into two parts, construction of the new residence and vegetation removal, due to differences in project timing, potential impact, and proposed mitigation for each part. It should be noted that the analysis below draws from three biological reports prepared at different times. The north-south orientation used in Tom Mahoney's two reports (Mahoney 2004 and 2005, Attachments ED and FE) differs from the orientation used in Patrick Kobernus' report (Kobernus 2006, Attachment GF). For example, using Mahoney's orientation, San Carlos Avenue borders the site to the north, while, using Kobernus' orientation, the street borders the site to the east. For consistency, this report follows~~

ANSWERS TO QUESTIONS

PLN 2004-00398 and PLN 2005-00248

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time to riparian corridor if: (a) all invasive species on-site are consistently and thoroughly controlled; and (b) replanting is performed according to the November 29, 2005 "conceptual revegetation plan" within the area of the potential former riparian corridor and 20-foot riparian buffer zone. He recommends that replanting should emphasize arroyo willow, with no more than 20-30 willow trees to be planted due to the small size of the lot. These recommendations have been included as Mitigation Measure 2, below. Staff has added Mitigation Measure 1 in order to minimize the potential for sedimentation down-slope from cleared areas during the replanting process. Implementation of these mitigation measures would reduce potential erosion and siltation impacts to a level that is considered less than significant.

~~In order to ensure that the impact from the construction of the new residence and vegetation removal is not significant, the following measures are proposed:~~

Mitigation Measure 1: ~~Prior to the beginning of all construction, the applicant shall submit to the Current Planning section for review and approval, an erosion and drainage control plan which shows how the transport and discharge of soil and pollutants from the project site would be minimized. The approved erosion and drainage control plan shall be implemented prior to the beginning of construction. 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 The applicant shall adhere to the San Mateo Countywide Water Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:~~

- ~~(1) Delineation with field markers clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses.~~
- ~~(2) Protection of adjacent properties and undisturbed areas (including the riparian corridor and 20-foot buffer zone) from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.~~
- ~~(3) Stabilization of all denuded areas and maintenance of erosion control measures continuously between October 15 and April 15. Stabilization shall include both proactive measures, such as the placement of hay bales or coir netting, and passive measures, such as revegetation per the "conceptual revegetation plan" (Mahoney 2005).~~
- ~~(4) Storage, handling, and disposal of construction materials and wastes properly, so as to prevent their contact with stormwater.~~

the north-south orientation used by Mahoney (which is consistent with the orientation provided in the Topographic Map prepared by Turnrose Land Surveying). Therefore, orientation references in this document will differ from those in Kobernus' report.

1. LAND SUITABILITY AND GEOLOGY

f. Will (or could) this project cause erosion or siltation?

Yes, Significant Unless Mitigated. Please see discussion provided below.

Construction of New Residence

~~A minor amount of grading, approximately 98 cubic yards of grading, would be necessary in order to construct a new 117-foot driveway (having a 20% slope) and a foundation for the 2,501 sq. ft. single-family home and 457 sq. ft. attached garage. Grading would include approximately 33 cubic yards of excavation and 65 cubic yards of fill. Grading and ground disturbance would be limited to the area of the proposed building envelope located in the northern portion of the site, in areas outside of the existing riparian corridor, former potential riparian corridor (that may have existed prior to land clearing activities in June 2004) and 20-foot buffer zone (see Topographic Map in Attachment D). If there should be any precipitation during the construction of improvements, there is the potential for sedimentation down-slope from the area of construction. Mitigation Measures 1 and 2, below, have been added to prevent sediment and other pollutants from entering the riparian corridor and buffer zone, or leaving the project site, and to protect all exposed earth surfaces from erosive forces.~~

Removal of Riparian Vegetation in 2004

In June 2004, a prior property owner performed illegal clearing of vegetation, including riparian vegetation, at the undeveloped project site. According to a riparian delineation prepared by Tom Mahoney (plant ecologist), dated October 15, 2004, areas cleared primarily impacted the southern portion of the riparian corridor and did not appear to impact the northern portion of the corridor (Mahony 2004).

Per the recommendations of Mahoney's report, vegetation in cleared areas has been allowed to naturally reestablish, with an examination of the project site after one growing season had elapsed (Mahony 2004). Based on a site visit performed on November 16, 2005, Mahoney states that riparian vegetation in cleared areas is not reestablishing rapidly, where approximately 50% of the area is bare ground (Mahony 2005). If there should be any precipitation, there is the potential for sedimentation down-slope from cleared areas, including the area of the riparian corridor.

Mahoney recommends a "conceptual revegetation plan," including monitoring of plantings for three years and annual reporting of the results to the County. In his 2006 assessment of the site, Patrick Kobernus (biologist) states that the southern portion of the property where vegetation is sparse constitutes a small area and will likely return in

ANSWERS TO QUESTIONS

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- (5) 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.
- (6) Use of sediment controls or filtration to remove sediment when dewatering site and obtain all necessary permits.
- (7) Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
- (3)
- (8) Performing approved clearing and earth-moving activities only during dry weather.
- (9) Limiting and timing applications of pesticides and fertilizers to prevent polluted runoff.
- (4)
- (10) Limiting construction access routes and stabilize designated access points.
- (11) Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
- (5)
- (12) The Contractor shall train and provide instruction to all employees and subcontractors regarding the construction Best Management Practices.
- (13) The approved erosion and sediment control plan shall be implemented prior to the beginning of construction.

Mitigation Measure 2: The San Mateo County Grading Regulations shall govern all grading on and adjacent to this site. Unless exempted by the Grading Regulations, the applicant may be required to apply for a Grading Permit upon completion of Planning's review of the plans and should access construction be necessary.

Mitigation Measure 3: Prior to Planning's final approval of the building permit, the applicant shall provide evidence of replanting, performed in accordance with the November 29, 2005 "conceptual revegetation plan" within the area of the potential former riparian corridor and 20-foot riparian buffer zone (Mahoney 2005). Replanting should emphasize arroyo willow, with no more than 20-30 willow trees to be planted due to the small size of the lot (Kobernus 2006).

Mitigation Measure 2: The applicant shall provide evidence of replanting, performed in accordance with the November 29, 2005 "conceptual revegetation plan" within the area of the potential former riparian corridor and 20-foot riparian buffer zone (Mahoney 2005). The applicant shall also perform monitoring and annual reporting (Mahoney

2005) for three years after planting, starting with the first spring after planting. Replanting should emphasize arroyo willow, with no more than 20-30 willow trees to be planted due to the small size of the lot (Kobernus 2006). Reporting must demonstrate that all invasive species on-site are consistently and thoroughly controlled.

2. VEGETATION AND WILDLIFE

- c. **Will (or could) this project be adjacent to or include a habitat food source, water source, nesting place or breeding place for a federal or state listed rare or endangered wildlife species?**

Yes, Not Significant. Due to the project's location within the vicinity of a perennial drainage channel and within a portion of the Montecito Riparian Corridor, the site could be adjacent to or include a habitat food source, water source, nesting place or breeding place for a federal or state listed rare or endangered wildlife species. However, according to reports by Mahoney (2004 and 2005) and Kobernus (2006), the site does not contain any plants or animals listed on the State of California "State and Federally Listed Endangered, Threatened, and Rare Plants of California," October 2006. However, nests of the San Francisco dusky-footed woodrat (woodrat) have been observed in the project vicinity (see Attachment HG for map). The woodrat does not have endangered or threatened status, but is identified by the California Department of Fish and Game as a California Special Concern species (Kobernus 2006). ~~For more information, please see Section 2.d., below.~~ However, as the project involves the restoration of riparian vegetation and does not involve any construction, the project is not anticipated to have any significant impact on the woodrat population. Restoration of riparian vegetation within the area of the "Edge of Potential Former Riparian Corridor" as mapped in Attachment C would result in benefits to existing on-site habitat. No additional mitigation measures are necessary.

- d. **~~Will (or could) this project significantly affect fish, wildlife, reptiles, or plant life?~~**

~~Yes, Significant Unless Mitigated.~~ Yes, Not Significant. See response to question 2.c. above. Plant and animal species present at the project site have been documented in reports dated October 15, 2004, November 29, 2005, and April 11, 2006 (Attachments E through G). A site map showing the edges of the existing riparian corridor and potential former riparian corridor (that may have existed prior to land-clearing activities in June 2004) are provided in Attachment D. Mahoney states that the delineation of the potential former riparian corridor is based on observations of remnant and re-sprouting vegetation (one to two months after land-clearing), topography, and vegetation pattern at the site. While the delineation may not precisely represent the extent of the original riparian corridor, as vegetation is dynamic and changes continually due to natural and man-made events, the delineation was supported by Kobernus in his 2006 report. Mahoney states that the site was likely composed of two plant communities prior to land-clearing activities, coastal scrub and riparian woodland. Riparian woodland,

ANSWERS TO QUESTIONS

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composed of the arroyo willow series, occurred along the western half of the riparian corridor, while coastal scrub, likely composed of the Coyote brush series, covered most of the eastern half of the riparian corridor prior to land clearing.

In addition, nests of the San Francisco dusky-footed woodrat have been observed in the project vicinity (see Attachment H for map). The woodrat does not have endangered or threatened status, but is identified by the California Department of Fish and Game as a California Special Concern species. Although nests were not found on-site, woodrats tend to move as they build, abandon, and rebuild their nests every year (see Kobernus email in Attachment H).

Construction of New Residence

The applicant proposes to construct a single-family home and an attached garage on the northern portion of the site, in areas outside of the existing and potential former riparian corridor. The residence would also be located outside the 20-foot buffer zone as delineated by Mahoney (2004 and 2006). Mahoney recommends that any future construction should maintain a minimum 20-foot setback from the edges of the existing and potential former riparian corridor. This recommendation has been included as Mitigation Measure 5, below. The San Mateo Local Coastal Program (LCP) Policy 7.11 (Establishment of Buffer Zones) requires the designation of a riparian buffer zone of 50 feet from the limit of riparian vegetation for perennial streams. Kobernus considers the Montecito Riparian Corridor to be a perennial stream. However, Policy 7.12 (Permitted Uses in Buffer Zones) allows for a 20-foot riparian buffer zone if no feasible building alternative exists for the site. Mahoney (2004) and Kobernus (2006) support the use of a 20-foot buffer zone, based on the size of the lot (7,070 sq. ft.), the constriction of the lot due to the presence of riparian vegetation in the southern and western portions, and required building setbacks on the northern boundary.

As the proposed residence and attached garage would maintain the recommended 20-foot setback, no significant impact resulting from the proposed construction is anticipated. In addition, Kobernus states that, based on the proposed location of the house as marked by story poles on the site, the woodrat nests would not be impacted by construction (Kobernus 2006). However, as woodrats tend to move, Mitigation Measure 6 has been included below to minimize potential significant impact to woodrat nests.

Removal of Riparian Vegetation in 2004

According to Mahoney (2004), land clearing performed in June 2004 has resulted in significant impacts to riparian vegetation in the southern portion of the riparian corridor. The northern portion of the corridor was not impacted by clearing. Mahoney and Kobernus' recommendations for the restoration of riparian vegetation have been included as Mitigation Measures 3 and 4 in Section 1.f., above. No additional mitigation measures are necessary.

Mitigation Measure 5: ~~Any future construction should maintain a minimum 20-foot setback from the edges of existing and potential former riparian corridor, as indicated in the Topographic Map prepared by Turnrose Land Surveying.~~

Mitigation Measure 6: ~~Prior to construction, the applicant shall arrange for the following:~~

- ~~(1) Prior to construction, the property shall be surveyed by a qualified biologist for woodrat nests, within the same season that construction is planned (i.e., If construction is planned for fall, then a survey should be conducted in the fall prior to construction). If any nests are found, the applicant shall contact Dave Johnston at the California Department of Fish and Game, 707/944-5525.~~
- ~~(2) Prior to construction, the woodrat nests shall be clearly demarcated by a qualified biologist. Temporary plastic barrier fencing should be installed along the riparian boundary to protect the riparian corridor and the woodrat nests from any potential impacts from construction.~~

f. **Will (or could) this project infringe on any sensitive habitats?**

Yes, Not Significant. The County's Local Coastal Program Policy 7.1 (*Definition of Sensitive Habitats*) defines sensitive habitats as any area in which plant or animal life or their habitats are either rare or especially valuable. As previously stated, riparian vegetation including various species of coastal scrub and riparian woodland have been observed at the site. The San Francisco dusky-footed woodrat, a California Species of Special Concern, was observed in the project vicinity. Therefore, the riparian corridor is considered a sensitive habitat. However, as the project involves the restoration of riparian vegetation and does not involve any construction, the project is not anticipated to have any significant impact to sensitive habitat. No additional mitigation measures are necessary. ~~To minimize potential impact to sensitive habitats both on-site and in the project vicinity, Mitigation Measures 3 through 6, above, have been incorporated. No additional mitigation measures are necessary.~~

g. **~~Will (or could) this project involve clearing land that is 5,000 sq. ft. or greater (1,000 sq. ft. within a County Scenic Corridor), that has slopes greater than 20% or that is in a sensitive habitat or buffer zone?~~**

Yes, Significant Unless Mitigated. ~~The project site is 7,070 sq. ft. in size and has an average slope of 18%. The site is not located within a State or County Scenic Corridor. For a discussion of land clearing performed at the site, see Section 1.f., above. For a discussion of on-site sensitive habitat, see Section 2.f., above. To minimize potential impact to sensitive habitats both on-site and in the project vicinity, Mitigation Measures 3 through 6, above, have been incorporated. No additional mitigation measures are necessary.~~

4. AIR QUALITY, WATER QUALITY, SONIC

- a. **Will (or could) this project generate pollutants (hydrocarbon, thermal odor, dust or smoke particulates, radiation, etc.) that will violate existing standards of air quality on site or in the surrounding area?**

Yes, Not Significant. The construction of a new residence, attached garage, and driveway may result in temporary generation of pollutants related to construction. However, the project would not result in the generation of a significant level of pollutants. Section 2-1-113 (*Exemption, Sources and Operations*) of the General Requirements of the Bay Area Air Quality Management District exempts sources of air pollution associated with construction of a single-family dwelling used solely for residential purposes, as well as road construction. The project does not involve the demolition of any structures or portion of structures. No additional mitigation measures are necessary.

- f. **Will (or could) this project generate noise levels in excess of levels determined appropriate according to the County Noise Ordinance standard?**

Yes, Significant Unless Mitigated. The construction of a new residence, attached garage, and driveway may temporarily generate noise levels that are greater than the ambient noise levels in the project area. As residences are located within 100 yards of the project site, residents could be affected by the anticipated temporary noise increase. To mitigate this potential impact, the following mitigation measure is proposed:

Mitigation Measure 7: Noise levels produced by proposed construction activities shall not exceed the 80 dBA level at any one moment. Construction activities shall be limited to the hours from 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturdays. Construction operations shall be prohibited on Sunday and any national holiday.

- g. **Will (or could) this project generate polluted or increased surface water runoff or affect groundwater resources?**

Yes, Not Significant. Grading and construction Proposed planting activities at the project site may disturb soils and generate polluted or increased surface water runoff. In order to prevent sediment and other pollutants from leaving the project site or entering into the riparian corridor, and to protect all exposed earth surfaces from erosive forces, Mitigation Measures 1 and 2 have been incorporated in Section 1.f., above. No additional mitigation measures are necessary.

6. LAND USE AND GENERAL PLANS

- d. **~~Will (or could) this project result in any changes in land use, either on or off the project site?~~**

~~Yes, Not Significant.~~ The project would result in the development of an undeveloped parcel for single-family residential use within an existing urban residential neighborhood. The project is consistent with the parcel's R-1 (One-Family Residential District) zoning and Medium-Density Residential (which allows 6.1 to 8.7 dwelling units per acre) General Plan land use designation. No additional mitigation measures are necessary.

- k. **~~Will (or could) this project require an amendment to or exception from adopted general plans, specific plans, or community policies or goals?~~**

~~Yes, Not Significant.~~ The applicant requests a Variance of the S-17 Combining District Zoning Regulations to allow a 10-foot front setback where 20 feet is the minimum required for the construction of the new residence. A variance is sought due to the constriction of the lot by the presence of the riparian corridor and the recommended 20-foot buffer zone on the rear half of the parcel (more details provided in Section 2.d).

According to a map of the Montecito Riparian Corridor developed by the County of San Mateo (last amended in January 1994), the corridor runs through only the south-western corner of the parcel (see Attachment I). The map designates the parcel as a "parcel [that] may be developed without variance but requires delineation of riparian buffer zone by a biological consultant." However, according to the parcel-specific delineation performed by Mahoney (2004 and 2005), the potential former riparian corridor and existing riparian corridor encompass approximately 3,000 sq. ft. of the parcel, or nearly 43% of the parcel, making this area un-buildable. In comparing Mahoney's delineation of the parcel with parcels on the County's map which contain comparable areas of riparian corridor, the parcel should be designated as a parcel in which a "residence could be built with a variance to the zoning regulations." Including the area of the recommended 20-foot buffer zone, approximately 4,600 sq. ft. or 65% of the parcel is un-buildable. Therefore, as the site contains only 2,470 sq. ft. of buildable area and is located in a zoning district that requires a minimum parcel size of 5,000 sq. ft., the applicant faces a significant hardship in the development of this parcel and seeks a variance. No additional mitigation measures are necessary.

7. AESTHETIC, CULTURAL AND HISTORIC

- b. **~~Will (or could) this project obstruct scenic views from existing residential areas, public lands, public water body, or roads?~~**

~~Yes, Significant Unless Mitigated.~~ The proposed residence would result in the development of an undeveloped parcel in a residential area that is already developed. In particular, the proposed 29'-6" high residence may obstruct views from residential

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areas upslope, or north of the property. Specifically, views of the ocean from residences at 770 and 754 San Carlos Avenue would be significantly obstructed. Views of the ocean from 730 San Carlos Avenue would be minimally obstructed (please see Attachment K for photos taken from these locations).

It should be noted that, while views add value and enjoyment to a property, private views are not protected by existing regulations. Instead, the County's "Standards for Design for One-Family and Two-Family Residential Development in the Mideast" encourages the minimization of effect on views from neighboring homes in the design of a new home or addition (Site Planning and Structure Placement, Section 2.b.). On August 10, 2006, the Coastside Design Review Committee (CDRC) found the project to be in compliance with design review standards and recommended the project for approval by the Zoning Hearing Officer, upon the condition that a landscape plan appropriate for the site is provided. In order to minimize the impact resulting from proposed construction to neighboring properties to the north, the following mitigation measure is proposed:

Mitigation Measure 8: Prior to the Zoning Hearing Officer's review of the project, the applicant shall submit a landscape plan. Landscaping shall be designed to screen the proposed house, minimize tall vegetation that could further obstruct views, and incorporate the recommended "conceptual revegetation plan" and planting of willow trees in Mitigation Measure 3.

- e. **Will (or could) this project visually intrude into an area having natural scenic qualities?**

Yes, Not Significant. The project site is located within an existing urban, residential neighborhood. As stated previously, the Montecito Riparian Corridor runs through the southwest portion of the site. The site, which is currently undeveloped, contains riparian vegetation as described in Section 2.d., above. However, the project, as proposed, would not result in the development of areas located within the existing and potential former riparian corridor or 20-foot buffer zone. The project would result in the development of this parcel with a single-family residential use, as allowed by and consistent with the parcel's R-1 zoning district and General Plan Medium Density Residential land use designation. No additional mitigation measures are necessary.

ATTACHMENTS

- A. Location Map.
- B. Project Site Plan, Floor Plans, Elevations, and Sections, received July 19, 2006.
- C. Area of Appeals Jurisdiction Map
- B.
- D. Topographic Map, Turnrose Land Surveying, September 2004.
- C.

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- ~~E.~~ Riparian Delineation on San Carlos Avenue Parcel prepared by Tom Mahoney, Albion
- D. Environmental, Inc., October 15, 2004.
- ~~F.~~ Riparian Update prepared by Tom Mahoney, Albion Environmental, Inc., November 29,
- E. 2005.
- ~~G.~~ Assessment of Riparian Corridor Boundary prepared by Patrick Kobernus, TRA
- F. Environmental Consultants, April 11, 2006.
- ~~H.~~ Woodrat Map and Email prepared by Patrick Kobernus, TRA Environmental Consultants,
- G. October 23, 2006.
- ~~I.~~ Montecito Riparian Corridor Map, County of San Mateo, January 1994.
- H.
- ~~J.~~ Letter from Coastsides Design Review Committee, dated August 15, 2006.
- ~~K.~~ Photos of views taken from 730, 754, and 770 San Carlos Avenue, submitted by Interested Neighbors.
- ~~L.~~ Initial Study Environmental Evaluation Checklist, November 16, 2006.

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ALBION ENVIRONMENTAL, INC.
NATURAL AND CULTURAL RESOURCES CONSULTANTS

1414 SOQUEL AVENUE, SUITE 205
SANTA CRUZ, CALIFORNIA 95062

TELEPHONE (831) 469-9128
FACSIMILE (831) 469-9137

October 15, 2004

Mr. Robert Ray
526 High Grove Ave.
Goleta, CA 93117

Re: Riparian Delineation on San Carlos Avenue Parcel (APN 047-105-020), El Granada

Dear Mr. Ray:

On July 27, 2004, I conducted a riparian corridor delineation on the property located at the northwestern end of San Carlos Avenue in El Granada, San Mateo County, California (APN 047-105-020) ("Project Area"). I conducted an additional site visit on September 17, 2004, where I met with you and land surveyor Mike Turnrose to flag the riparian corridor in order to have it surveyed. The riparian delineation followed definitions outlined in Section 7.7 of the San Mateo County Local Coastal Program (LCP), which states, in part:

"Define riparian corridors by the "limit of riparian vegetation", (i.e. a line determined by the association of plant and animal species normally found near streams, lakes, and other bodies of freshwater: red alder, jaumea, pickleweed, big leaf maple, narrow leaf cattail, arroyo willow, broadleaf cattail, horsetail, creek dogwood, black cottonwood, and box elder). Such a corridor must contain at least 50 % cover of some combination of the plants listed".

Biological issues addressed in this report are limited to the riparian corridor. The report format follows the Biological Impact Form guidelines for compliance with San Mateo County Local Coastal Program Policy 7.5.

Applicant

Mr. Robert Ray
526 High Grove Ave.
Goleta, CA 93117
(805) 705-6686

Project Location

The project is located in the southwestern corner of the Montara Mountain USGS 7.5' quadrangle. The Assessor's Parcel Number is 047-105-020.

Principal Investigator

Tom Mahony, M.S.
Plant Ecologist
Albion Environmental, Inc.
1414 Soquel Ave., Suite 205
Santa Cruz, CA 95062
(831) 469-1775 (phone)

(831) 469- 9137 (fax)
tmahony@albionenvironmental.com

Project and Property Description

The Project Area for this riparian delineation is located at the northwestern end of San Carlos Avenue in El Granada, San Mateo County (Appendix A). The Project Area is currently undeveloped and is located in an existing residential community. The Project Area occurs at approximately 125 feet elevation (NGVD 1929), and is moderately sloped to the southwest. An unnamed intermittent drainage channel flows generally southbound, west of the Project Area. A riparian corridor associated with the drainage extends onto the Project Area.

The Project Area was likely composed, originally, of two plant communities: coastal scrub and riparian woodland. However, prior to the site visit (apparently in June 2004), most of the Project Area was cleared of vegetation. Virtually all of the coastal scrub, and some of the riparian woodland, was removed.

Based on remnant vegetation observed on the Project Area, coastal scrub, likely composed of the Coyote brush series (Sawyer and Keeler-Wolf 1995) covered most of the eastern half of the Project Area prior to vegetation clearing. Dominant species still present in uncleared and resprouting areas of coastal scrub are primarily common, native shrubs and herbs including coyote brush (*Baccharis pilularis*), poison oak (*Toxicodendron diversilobum*), California blackberry (*Rubus ursinus*), cow parsnip (*Heracleum lanatum*), California figwort (*Scrophularia californica*), as well as occasional non-native shrubs and herbs including pampas grass (*Cortaderia jubata*), French broom (*Genista monspessulana*), iceplant (*Carpobrotus* sp.), poison hemlock (*Conium maculatum*), black mustard (*Brassica nigra*), wild oat (*Avena* sp.), and cotoneaster (*Cotoneaster* sp.).

Riparian woodland, composed of the Arroyo willow series (Sawyer and Keeler-Wolf 1995), occurs along the western half of the Project Area. The riparian woodland is structurally mature, and forms an intact canopy extending from the Project Area down to the unnamed drainage channel to the west. Arroyo willow (*Salix lasiolepis*) is the dominant canopy species, with occasional Monterey pine (*Pinus radiata*). A diverse shrub and herb understory is present, composed primarily of native species such as coyote brush, California blackberry, poison oak, creek dogwood (*Cornus sericea* ssp. *occidentalis*), red flowering currant (*Ribes sanguineum* var. *glutinosum*), spreading rush (*Juncus patens*), twinberry (*Lonicera involucrata* var. *ledebourii*), swordfern (*Polystichum munitum*), stinging nettle (*Urtica dioica*), slough sedge (*Carex obnupta*), and yerba buena (*Satureja douglasii*).

Methodology

The Project Area was visited on July 27, 2004 to conduct the original riparian delineation, and again on September 17, 2004 to flag the riparian corridor. Meandering transects were walked across the property, with emphasis placed on documenting the presence and extent of the riparian corridor. Plant species and communities observed during the field visit were noted. Plant taxonomy nomenclature follows Hickman (1993). Vegetation series nomenclature follows Sawyer and Keeler-Wolf (1995). Both the existing riparian dripline and the estimated extent of riparian vegetation present prior to clearing were flagged and subsequently surveyed by Mike Turnrose of Turnrose Land Surveying.

Results

A riparian corridor occurs on the Project Area, and is depicted in the map in Appendix A. The riparian corridor qualifies as a "Sensitive Habitat" under the San Mateo County LCP. The southern portion of the riparian corridor on the Project Area has been impacted by recent vegetation clearing. The portion of the riparian corridor in the northern section of the Project Area does not appear to have been impacted by recent vegetation clearing, and therefore the riparian dripline mapped in the field accurately represents the extent of original riparian corridor. The limits of riparian corridor in the northern area was determined by: (1) an abrupt change in vegetation structure from the tree dominated riparian corridor to the shrub and herb dominated coastal scrub community; and (2) a distinct change in species composition from a nearly continuous tree canopy of arroyo willow (approximately 80 percent aerial cover) to a mixed composition of shrub and herb species such as coyote brush, pampas grass, poison hemlock, and California blackberry that lack any association with the drainage channel and are more representative of coastal scrub habitat. This methodology for determining the riparian boundary is consistent with the definition of riparian corridor described in Section 7.7 of the San Mateo County LCP.

The riparian corridor located in the southern portion of the Project Area has been impacted by recent vegetation clearing. Therefore, the riparian vegetation observed in this area during the field visits does not accurately represent the extent of the original riparian corridor. However, based on topography, vegetation pattern, and resprouting vegetation, the prior limit of riparian vegetation was estimated. Most of the vegetation clearing took place outside of the riparian corridor, or only impacted marginal riparian habitat.

Based on topography, vegetation pattern, and resprouting vegetation, there appears to be a transition from strongly riparian species in the southern portion of the Project Area to more marginal riparian habitat moving north (upslope), and then to clearly non-riparian habitat further upslope. In the southern portion of the Project Area, strongly riparian species, such as arroyo willow, are present, and concave topography and low chroma matrix soils are indicative of ponding or near surface soil saturation during the rainy season. A portion of this area was cleared, and is resprouting with arroyo willow and other woody and herbaceous species. This concave area, though partially cleared, is clearly part of the riparian corridor and is mapped as occurring within the "Edge of Existing Riparian Corridor" in Appendix A.

Upslope of this concave area, species associated with the adjacent intact riparian area were observed, including twinberry, stinging nettle, and thimbleberry (*Rubus parviflorus*). The topography was concave, but soils lacked strong hydric indicators present further downslope. Therefore, this area potentially still qualifies as riparian, but appears to be a transitional area between the well developed, willow dominated area downslope and the coastal scrub habitat upslope, composed of resprouting coyote brush, pampas grass, and poison oak. This area is delimited by the line marked "Edge of Potential Former Riparian Corridor" in Appendix A.

Recommendations

No specific development plan occurs for the Project Area. Therefore, specific impacts to the riparian corridor that may occur from any development of the Project Area can't be determined at this time. According to Section 7.12 of the San Mateo County LCP, permitted uses in riparian buffer zones include:

"(R)esidential uses on existing building sites, setback 20 feet from the limit of riparian vegetation, only if no feasible alternative exists."

Therefore, any future development of the Project Area should maintain a minimum 20 foot setback from the existing, undisturbed riparian dripline in the northern portion of the Project Area, and, if feasible, the estimated limit of riparian vegetation that was present prior to vegetation clearing in the southern portion of the Project Area (marked as "Edge of Potential Former Riparian Corridor" on the map in Appendix A). I recommend more flexibility with the 20 foot setback from the line marked "Edge of Potential Former Riparian Corridor", since (1) this line represents an estimate of former conditions, and (2) this area represents more marginal habitat compared to the contiguous, tree dominated riparian corridor to the south and west.

I anticipate that, due to resprouting vegetation and natural recruitment, the cleared portion of the riparian corridor will reestablish itself naturally. However, the pace of regeneration and the final species composition may be insufficient to replace ecological function lost as a result of riparian vegetation clearing (e.g., invasive non-native species such as pampas grass may exploit mineral soil exposed by vegetation clearing and exclude native species recruitment). Therefore, I recommend that a qualified biologist examine the Project Area after one growing season has elapsed (e.g., in late spring or early summer 2005) to determine if vegetation recovery is occurring at an acceptable rate. If vegetation recovery is acceptable, I recommend no further action. If vegetation recovery is unacceptable, as determined by the qualified biologist, a revegetation plan (including recommendations for native species plantings, invasive species removal, etc.) should be prepared by the qualified biologist and included as part of an approved building plan for the Project Area.

Sincerely,



Tom Mahony
Plant Ecologist

cc: China Osborn, San Mateo County Planning Division
Mail Drop 5500, 590 Hamilton Street
Redwood City, CA 94063

References

- Hickman, J.C. (ed.). 1993. The Jepson manual: higher plants of California. University of California Press, Berkeley, CA.
- Sawyer, J.O and T. Keeler-Wolf. 1995. A manual of California vegetation. California Native Plant Society. Sacramento.

**Appendix A. Riparian Corridor Map Prepared by Mike Turnrose,
Turnrose Land Surveying**



ALBION ENVIRONMENTAL, INC.
NATURAL AND CULTURAL RESOURCES CONSULTANTS

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November 29, 2005

Rod Lacasia
#4 El Sereno Drive
San Carlos, CA 94070

11/29/05

Re: Riparian Update, APN 047-105-020, El Granada, California

Dear Rod:

This report describes the results of a site visit I conducted on your property located on San Carlos Avenue in El Granada, San Mateo County, California (APN 047-105-020) ("Project Area"). I met you and several of your neighbors on the Project Area on November 16, 2005 to examine the status of riparian vegetation that had been previously cleared, as addressed in the October 15, 2004 letter report, *Riparian Delineation on San Carlos Avenue Parcel (APN 047-105-020), El Granada*, I prepared for the previous landowner, Robert Ray. In that report, I recommended revisiting the Project Area after one growing season had elapsed to determine whether riparian vegetation was reestablishing at an acceptable rate, and, if not, to provide recommendations to facilitate vegetation establishment.

During discussions with you and your neighbors, two issues arose: (1) the edge of the riparian corridor that existed prior to vegetation clearing, and (2) the reestablishment of riparian vegetation in cleared areas.

Riparian Boundary

In the October 2004 letter report, I estimated the location of the riparian corridor that existed just prior to the June 2004 vegetation clearing on the Project Area. During the November 2005 field visit, we discussed which datum to use as the "baseline" from which to estimate riparian extent.

Vegetation is dynamic and changes continually due to natural and man-made events. Therefore, any delineation of a riparian corridor or other plant community represents a snapshot in the life of that community. The extent of riparian vegetation on the Project Area has clearly changed over time. San Mateo County's 1994 Montecito Riparian Corridor map delineates the riparian corridor boundary further south (downslope) than that estimated in the October 2004 report. A neighbor, Fritz Ender, provided photographic and anecdotal evidence indicating that the Project Area was cleared in 2000. He suggested that riparian vegetation was removed, and prior to the 2000 clearing, extended further upslope (north) than that estimated to occur prior to the June 2004 clearing and delineated in the October 2004 report.

My original 2004 riparian delineation was conducted as a response to the clearing that took place in June 2004, and the goal was to estimate the riparian extent that occurred just prior to June 2004 clearing. Based on this, and the fact that my original field visit occurred relatively recently (one or two months) after the clearing when remnant and resprouting vegetation was still somewhat identifiable (aiding in the delineation), the datum I used (in the October 2004 report and this report) for estimating the limits of the riparian corridor is vegetation occurring just prior to the

June 2004 clearing. The feasibility and desirability of using datums earlier than June 2004 for estimating riparian extent would have to be determined by San Mateo County and/or Coastal Commission staff.

As stated in the October 2004 report, the estimate of the pre-cleared riparian boundary was based primarily on topography, vegetation pattern, and resprouting vegetation. In order to address concerns about the riparian extent expressed by your neighbors during the November 2005 site visit, I examined photographs provided by Mr. Ender, photographs located on www.sanmateo.org, and a February 27, 2004 color orthophoto obtained from Terraserver USA.

The photos provided by Mr. Ender show what appears to be clearing of willows and other riparian vegetation in the lowest portion of the Project Area, confirming that riparian vegetation was removed as part of the clearing. (Note: The photos also show what appears to be the removal of a woodrat nest. This report and the October 2004 report only address issues related to delineating the riparian corridor and do not address wildlife or other biotic issues).

The orthophoto (Appendix A) shows a structure break (based on color and texture) between what appears to be the edge of the intact willow canopy and a shorter plant community upslope. This is in the vicinity of the "Edge of Potential Former Riparian Corridor" in the October 2004 report. I am unable to determine the species composition of the shorter community from the orthophoto. However, by examining photographs provided by Mr. Ender and available at www.sanmateo.org taken in the general area during clearing operations, this vegetation appears to be composed primarily of typical coastal scrub species—such as pampas grass (*Cortaderia jubata*¹), coyote brush (*Baccharis pilularis*), and poison oak (*Toxicodendron diversilobum*)—and therefore does not meet the County's riparian definition.

The most accurate and definitive way to determine the riparian boundary would be to examine pre-cleared vegetation in the field. Since this is obviously impossible, one can only make an estimate based on indirect data. Based on the data available to me, The "Edge of Potential Former Riparian Corridor" depicted in the October 2004 report remains my best estimate of the edge of the riparian corridor that occurred prior to the June 2004 clearing.

Vegetation Reestablishment

Riparian vegetation in the cleared area is not reestablishing rapidly. Approximately 50 percent of the area is bare ground. Some native species, such as poison oak, California blackberry (*Rubus ursinus*), California bee plant (*Scrophularia californica*), and thimbleberry (*Rubus parviflorus*), are reestablishing. However, two invasive non-native species, pampas grass, and French broom (*Genista monspessulana*) are also establishing, and have the potential to increase rapidly and impede native species establishment. No willows were observed colonizing the area.

The high cover of bare ground, even after a complete growing season (with above-average rainfall) had elapsed, contrasts previously cleared areas upslope that have much higher vegetation cover. This may be the result of a slow natural recovery processes or possibly indicative of soil disturbance (mechanical or chemical) persisting from 2004 vegetation clearing that is delaying or inhibiting vegetation reestablishment. Prior to replanting, soil testing may be advisable to ensure revegetation success.

¹ Botanical nomenclature follows Hickman (1993)

The high cover of bare ground, the presence of invasive non-native species, and the lack of willow establishment indicates that revegetation may be needed to facilitate riparian vegetation establishment in this area.

Conceptual Revegetation Plan

Revegetation Area

The revegetation area should include the area contained within the "Edge of Potential Former Riparian Corridor" described in the October 2004 report. Currently, this area is composed of approximately 50 percent cover of bare ground, low cover of native species, and an increasing cover of non-native invasive species.

Revegetation Goals

The goal of the revegetation is to facilitate riparian vegetation establishment in the cleared portion of the riparian corridor. The revegetation should improve the biotic functions and values of the area by providing species and structural diversity in the cleared area similar to that contained in the adjacent intact riparian woodland. Additional goals include removing invasive, non-native species (such as French broom and pampas grass) from the cleared area that serve to displace native species and lower biotic functions and values of the area.

Planting Plan

Prior to planting, non-native species, such as pampas grass and French broom, should be removed from the area. Native species that occur in the adjacent intact riparian corridor should be used. Arroyo willow should be the primary species planted to help reestablish a willow canopy contiguous with the adjacent riparian corridor. Additional native understory species should be planted amidst the willows to help facilitate a diverse native riparian corridor. A list of proposed species for planting is presented in Table 1.

Table 1. Species proposed for planting.

Species	Planting Size
arroyo willow (<i>Salix lasiolepis</i>)	Onsite Cuttings
creek dogwood (<i>Cornus sericea</i> ssp. <i>occidentalis</i>)	1-Gallon Pots
red flowering currant (<i>Ribes sanguineum</i>)	1-Gallon Pots
twinberry (<i>Lonicera involucrata</i>)	1-Gallon Pots
California blackberry (<i>Rubus ursinus</i>)	1-Gallon Pots
thimbleberry (<i>Rubus parviflorus</i>)	1-Gallon Pots

Monitoring

Monitoring should be conducted for three years after planting, starting with the first spring after planting. Proposed performance standards for species survival, non-native cover, etc. are presented below. Monitoring should consist of: (1) recording species survival and cover in relation to performance standards, (2) identifying constraints to native vegetation establishment, such as death of plantings and invasion by non-natives; and (3) photographic documentation from fixed photo points.

Year 1

- Planted willow cuttings and other native species will have an 85 percent survival rate.
- Invasive plants on the California Exotic Pest Plant Council (CalEPPC) "A" List will not exceed 15 percent absolute cover in the revegetation area.

Year 2

- Planted willow cuttings and other native plantings will have an 80 percent survival rate.
- Willow cover throughout the revegetation area will exceed 25 percent absolute cover.
- Invasive plants on the California Exotic Pest Plant Council (CalEPPC) "A" List will not exceed 15 percent absolute percent cover.

Year 3

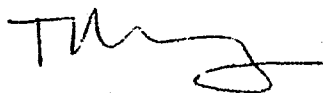
- Willow cover throughout the revegetation area will exceed 40 percent absolute cover.
- Native plant species will dominate the revegetation area.
- Invasive plants on the California Exotic Pest Plant Council (CalEPPC) "A" List will not exceed 15 percent absolute cover

Reporting

An annual monitoring report should be prepared after each year of monitoring and submitted to the County for review. The monitoring report should present results of the field monitoring in relation to the performance standards, provide recommendations for remedial action to ensure revegetation success (if necessary), and provide photographic documentation of the revegetation area for year to year visual comparison.

Please contact me if you have questions or need additional information.

Sincerely,



Tom Mahony
Plant Ecologist

References

Hickman, J.C. (ed.). 1993. The Jepson manual: higher plants of California. University of California Press, Berkeley, CA.

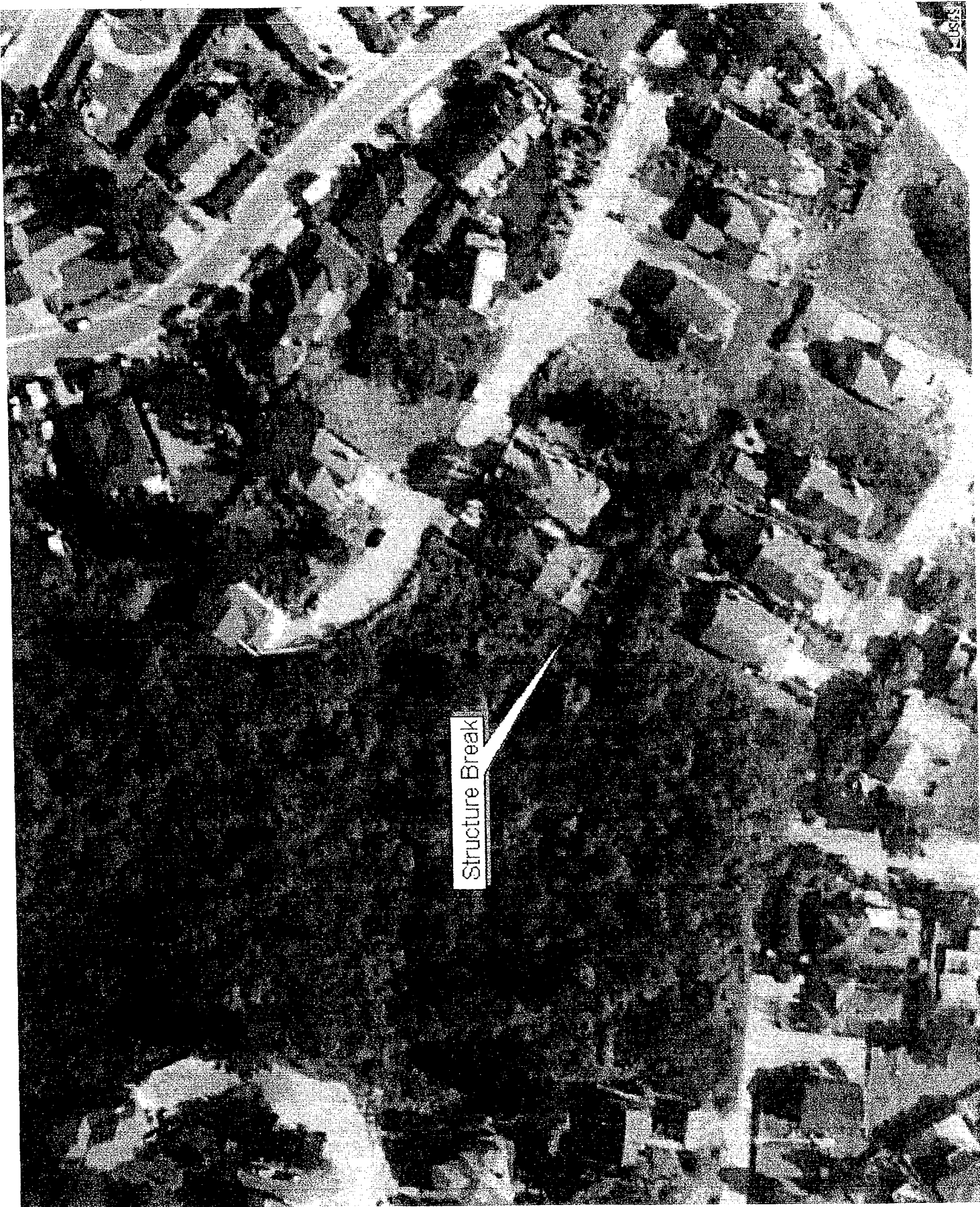
Appendix A. February 27, 2004 Orthophoto

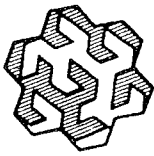
August 29, 2008

PLN2004-00398

Project is located in the Coastal Zone

Due to problems associated with the photocopying of a photocopy the referenced photos in this staff Report packet are not entirely legible. The photos in the original report are available at the Planning and Building Department office and will be available at the September 9, 2008 Board of Supervisor's hearing if the Board or any other member of the public wishes to review them.





TRA

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April 11, 2006
TRA Case Code: BBIO

Lisa Grote
Planning and Building Division
455 County Center, 2nd Floor
Redwood City, CA 94063

Re: Assessment of Riparian Corridor Boundary for APN 047-105-020, El Granada, California.

Dear Ms. Grote:

At your request, I reviewed the October 15, 2005 and November 29, 2005 riparian assessments of APN 047-105-020 submitted by Tom Mahony of Albion Environmental, and I conducted a field investigation of the site on March 27, 2006. The field assessment consisted of walking the 0.16-acre site for approximately 1.5 hours to map the riparian corridor boundary on the site. I also reviewed additional materials such as a color aerial photo of the site dated June 21, 2000, digital photos of the site posted on the website (www.sanmateo.org), and email correspondences and photos of the site from Fritz Ender (neighbor at 771 San Carlos Avenue).

Based on this research, I concur with the location of the riparian boundary as marked by Mr. Mahony and recorded on the topographic map for the site, dated 10/11/04 by Turnrose Land Surveying. Though it is obvious that some riparian habitat was cleared on the site, apparently in 2000 and 2004, the location of the proposed house and buffer zone appears appropriate based on existing conditions on site and the extent of riparian estimated prior to the cutting that occurred. The proposed restoration of riparian habitat would restore the area that had been previously cleared. I agree with the restoration recommendations provided in the two reports submitted for the property by Mr. Mahony, with a minor recommended change in emphasis. The focus of the restoration work should be primarily on the control of invasive species, such as French broom and others, and secondarily on replanting the site. French broom has become established due to the disturbance to the property from previous vegetation clearing work, and is now the dominant species on site (Figures 1, 2 and 4). I observed several native riparian species recovering on the site in the former cleared areas including red flowing currant (*Ribes sanguineum* var. *glutinosum*), poison oak (*Toxicodendron diversilobum*), twinberry (*Lonicera involucrata* var. *ledebourii*), spreading rush (*Juncus patens*), California blackberry (*Rubus ursinus*), coyotebrush (*Baccharis pilularis*) and others. These species will likely flourish on the site over time, with minimal replanting efforts, as long as invasive species such as French broom are routinely and thoroughly controlled. Any riparian replanting that is done on site should emphasize arroyo willow, which is the one species that has not been observed to be recolonizing the cleared areas.

I am somewhat familiar with the site having conducted several biological assessments in the Montecito Riparian Corridor as a biologist for TRA over the past 10 years. The location of the riparian boundary that Mr. Mahony delineated is consistent with my estimation at the site on March 27, 2006.

According to Leslie Ender who lives at 771 San Carlos Avenue, the property was cleared twice in the past, once in 2000, and again in June 2004. The vegetation clearing work that was conducted in 2000 appeared to have been focused on the removal of arroyo willow (*Salix lasiolepis*) trees within the lower western portion of the property (personal communications Leslie Ender). Photos of the site taken by Fritz Ender appear to show that willow trees had been cut within the lower western portion of the property (email communication, Fritz Ender to Lisa Grote).

Though it is evident that vegetation clearing work did occur on site, it should be noted that arroyo willow is found in both riparian and non-riparian habitats. Arroyo willow is listed as a riparian corridor plant species (LCP S.7.7), and is designated a facultative wetland (FACW) plant species (Reed, 1988). FACW species usually occur in wetlands (estimated probability 67-99%), and are occasionally found in non-wetlands. The LCP requires that for a site to be designated a riparian corridor, it must have one or more riparian plant species at a density of at least 50% cover. Based on the density of upland species observed to be currently present on site (primarily coyote brush (*Baccharis pilularis*), poison oak and French Broom (*Genista monspessulana*)), and the dominance of upland (convex) topography, most of the site does not meet the criteria of a riparian corridor. The dominance of upland vegetation (coyote brush) on the site is further demonstrated in [Figure 4](#), which shows a photo of the site taken on August 15, 2001. During the March 27, 2006 field visit I searched through the brush on site and found a number of stumps. All of these stumps upon close inspection were identified as large coyote brush stumps (an upland species) ([Figure 5](#)).

I believe the boundary between upland and riparian as mapped by Mr. Mahony in the October 15, 2004 report is consistent with the general vegetation boundaries present on the site in 2000, as shown in ([Figure 3](#)). Based on the coloration of the vegetation on the 2000 aerial photo, a clear boundary between upland and riparian vegetation is evident. The eastern and central portions of the property are brownish in color, in contrast to the dark green color of the dense willow trees within the Montecito Riparian Corridor. The dense riparian vegetation is primarily limited to the northern and western boundaries of the property, with a transition zone that likely included both riparian and upland vegetation on the western one-third of the property ([Figure 3](#)). Mr. Mahoney designated (approximately) the lower half of this transition zone to be riparian, and the upper half to be upland. I believe this to be a fair characterization of this transition area, where vegetation was cleared and there is no clear boundary today, and both upland and riparian plants are currently recolonizing. Though there is general agreement between the 2000 aerial photo in [Figure 3](#), and the 10/11/04 survey map, the 10/11/04 survey map should be considered a more precise delineation of the riparian boundary because it is based on vegetation, topography, and soil information observed in the field.

The San Mateo County Local Coastal Program, (LCP S.7.11), requires the designation of a riparian buffer zone of 50 feet from the limit of riparian vegetation for perennial streams, and the Montecito Riparian Corridor is considered a perennial stream. The LCP allows for a 20-foot riparian buffer zone if no feasible building alternative exists for the site (LCP S.7.12). The 20-foot buffer seems appropriate for this site, based on the size of the lot (0.16 acres), the constriction of the lot due to the presence of riparian vegetation along the western and northern boundaries, and required road and building setbacks on the eastern and southern boundaries.

If restoration work is conducted on the site as proposed, riparian vegetation would be restored to the areas that had been previously cleared, and partially within a 20 foot buffer zone ([Figure 6](#)). This would create a band of riparian vegetation consistent and in excess of what was likely cleared from the site in 2000. Currently the site is in process of restoring itself, and in time as

long as restoration is conducted as proposed and invasive species are thoroughly controlled, the biological value of the site will be restored.

During the site assessment I conducted on March 27, 2006, I found three San Francisco dusky-footed woodrat nests (*Neotoma fuscipes annectens*), along the edge of the riparian corridor on the northern property boundary. This species is identified by the California Department of Fish and Game as a California Special Concern species, and recommendations for avoiding impacts to this species are described below.

Recommendations

1) The rear of the property (western section) where vegetation is sparse constitutes a small area and likely will return in time to riparian corridor if: a) all invasive species on site are consistently and thoroughly controlled; and b) replanting within the 20-foot riparian buffer emphasizes arroyo willow. I would recommend that no more than 20-30 willow trees be planted due to the small size of the lot.

2) Three San Francisco dusky-footed woodrat nests were identified along the northern boundary of the property. Based on the current proposed location of the house as marked by story poles on the site, the woodrat nests would not be impacted by construction. The woodrat nests should be clearly demarcated by a qualified biologist prior to any construction on site, and temporary plastic barrier fencing should be installed along the riparian boundary to protect the riparian corridor and the woodrat nests from any potential impacts from construction.

If you have any questions, please feel free to contact me at the office.

Sincerely,



Patrick Kobernus
Senior Biologist

References:

San Mateo County Local Coastal Program Policies, 1998. County of San Mateo, Planning and Building Division.

Reed, P.B. Jr., 1988. National List of Plant Species that Occur in Wetlands: California (Region 0). Biological Report 88 (26.10), May 1988. WELUT-86/W13.10. US Fish and Wildlife Service.

Personal Communications

Leslie Ender, resident of 771 San Carlos Avenue. March 27, 2006.

Fritz Ender, resident of 771 San Carlos Avenue. Email correspondence, April 10, 2006.



Figure 1. View looking northeast, from northwest corner of property. The property rises toward the east, where upland vegetation (coyote brush, poison oak and French broom) is dominant. Foreground of photo shows bare ground, along with upland plant species re-colonizing within a riparian/ upland transition zone. Riparian vegetation (arroyo willow) associated with the Montecito riparian corridor is to the left of the photo. The large story pole in the foreground delineates the rear northwest corner of the proposed house. The house shown in the background is on the opposite side of San Carlos Avenue. Photo date: March 27, 2006.



Figure 2. View looking downslope, from front side of property toward southwest. Vegetation on the center of the property is dominated by upland species, primarily French broom. Riparian vegetation (arroyo willow) is shown in background of photo along western property boundary. Story poles delineate corners of the proposed house. The house shown on the upper left side of the photo is 771 San Carlos Avenue. Photo date: March 27, 2006.

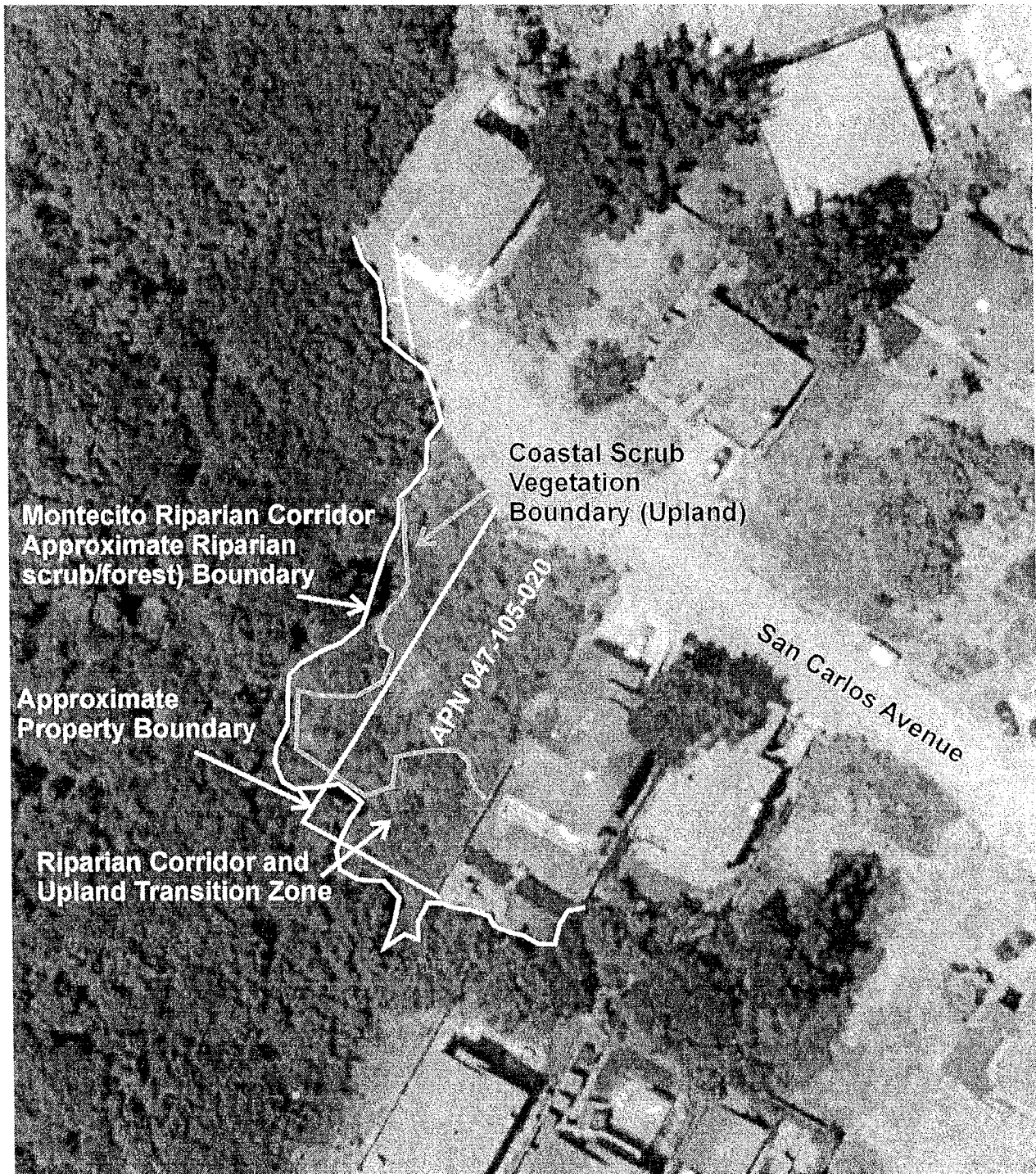


Figure 3. Approximated vegetation community boundaries delineated on a June 21, 2000 color aerial photo of APN 047-105-020, El Granada, California. The property appears dominated by coastal scrub (upland) vegetation within the central and eastern portions of the property bordering San Carlos Avenue, and a riparian/upland transition zone is located on the rear of the property. Approximate scale 1 inch = 50 feet. Photo source: GlobeXplorer. Map by TRA.





Figure 4. View of APN 047-105-020, looking from the east (San Carlos Avenue) toward the west. Upland /coastal scrub vegetation is shown in the foreground and riparian trees associated with the Montecito riparian corridor is shown in the background and on the upper right side of the photo. Photo date: August 15, 2001.



Figure 5. Coyote brush, (an upland plant), stump found within the center of property. French broom (*Genista monspessulana*) seedlings, also an upland plant, surround the stump and are common on the site. Photo date: March 27, 2006.

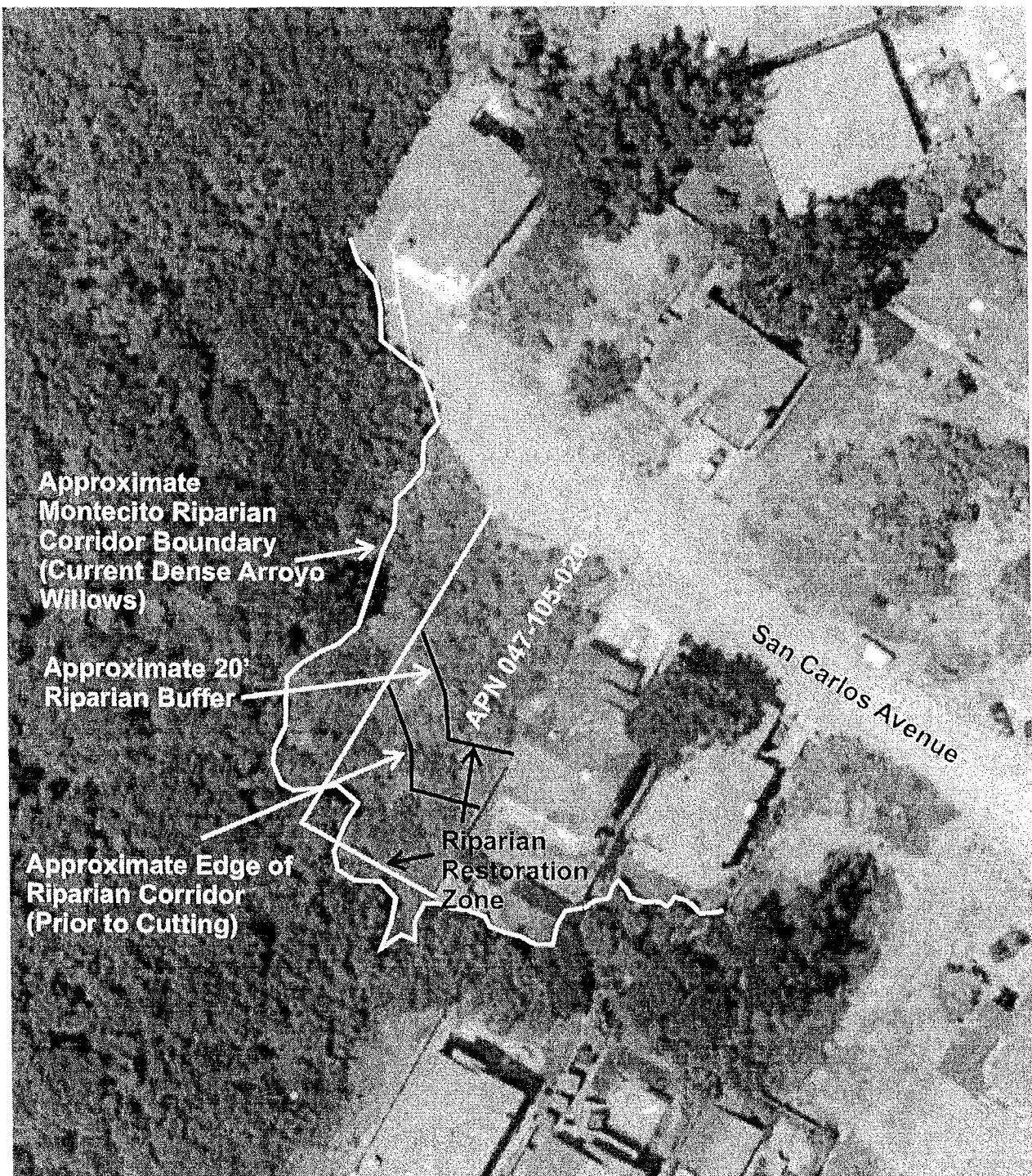


Figure 6. Approximate location of 20' Riparian buffer area and proposed building area on APN 047-105-020. The project would restore riparian habitat in excess of what is estimated to have been present prior to vegetation clearing work in 2000. Approximate scale 1 inch = 50 feet. Photo source: GlobeXplorer. Map by TRA.



From: "Patrick Kobernus" <Kobernus@traenviro.com>
To: "Camille Leung" <CLEung@co.sanmateo.ca.us>
Date: 10/23/2006 10:57 AM
Subject: Re: map for woodrats on Lacasia property

Camille,
 Yes, I found them just off the northwest boundary of the property.

Remember though, these animals can move around. They build, abandon, and rebuild nests every year. They can build a new nest pretty fast (within a week or two). They typically build nests in the spring, but can build them at other times of year.

Because the property was cleared, they are less likely to build a nest on the property itself. However over time, as plants grow back, the site becomes more suitable for woodrats because there is more cover for them from predators and they may start building nests on site (again?).

Since it sounds like this site has 'sat' over the summer and still has not been developed, I would recommend that the property be surveyed for woodrat nests prior to construction, within the same season that construction is planned. (i.e. If they are planning to build this fall, then a survey should be conducted this fall prior to construction; If they are planning to build next spring, they should have a survey done next spring prior to construction). (You may also want to have this survey done for the additional reason that there has been a lot of publicity about the woodrat on site due to the Coastsider website posting which shows a woodrat nest that was allegedly removed from the property back in 2004). That article was really inaccurate by the way (this species does NOT have Endangered or Threatened status). It's a California Species of Special Concern and is protected by the State, but has no protection under the Endangered Species Act.

If any nests are found, the California Dept. Fish and Game should be contacted. In all likelihood, DFG would allow the nests to be taken by development, dismantled, or simply moved off site into the riparian corridor. Because there is ample habitat for woodrats 'next door' to the site, DFG would not likely require other more intensive mitigation measures (such as creating habitat somewhere else).

Patrick

Patrick Kobernus
 Senior Biologist
 TRA Environmental Sciences, Inc.
 545 Middlefield Road, Suite 200
 Menlo Park, CA 94025
 650-327-0429, ext. 89

Kobernus@traenviro.com
 www.traenviro.com

>>> "Camille Leung" <CLEung@co.sanmateo.ca.us> 10/23/06 7:56 AM >>>
 Patrick,

Just to confirm, the nests were not found on the site, but in an

adjacent off-site location?

Thanks!

Camille M. Leung
Planning and Building Division
455 County Center, Second Floor
Redwood City, CA 94063
(650) 363-1826

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>>> "Patrick Kobernus" <kobernus@traenviro.com> 10/20/2006 1:29 PM >>>
Camille,
Here is the map.

Patrick

Patrick Kobernus
Senior Biologist
TRA Environmental Sciences, Inc.
545 Middlefield Road, Suite 200
Menlo Park, CA 94025
650-327-0429, ext. 89

Kobernus@traenviro.com
www.traenviro.com

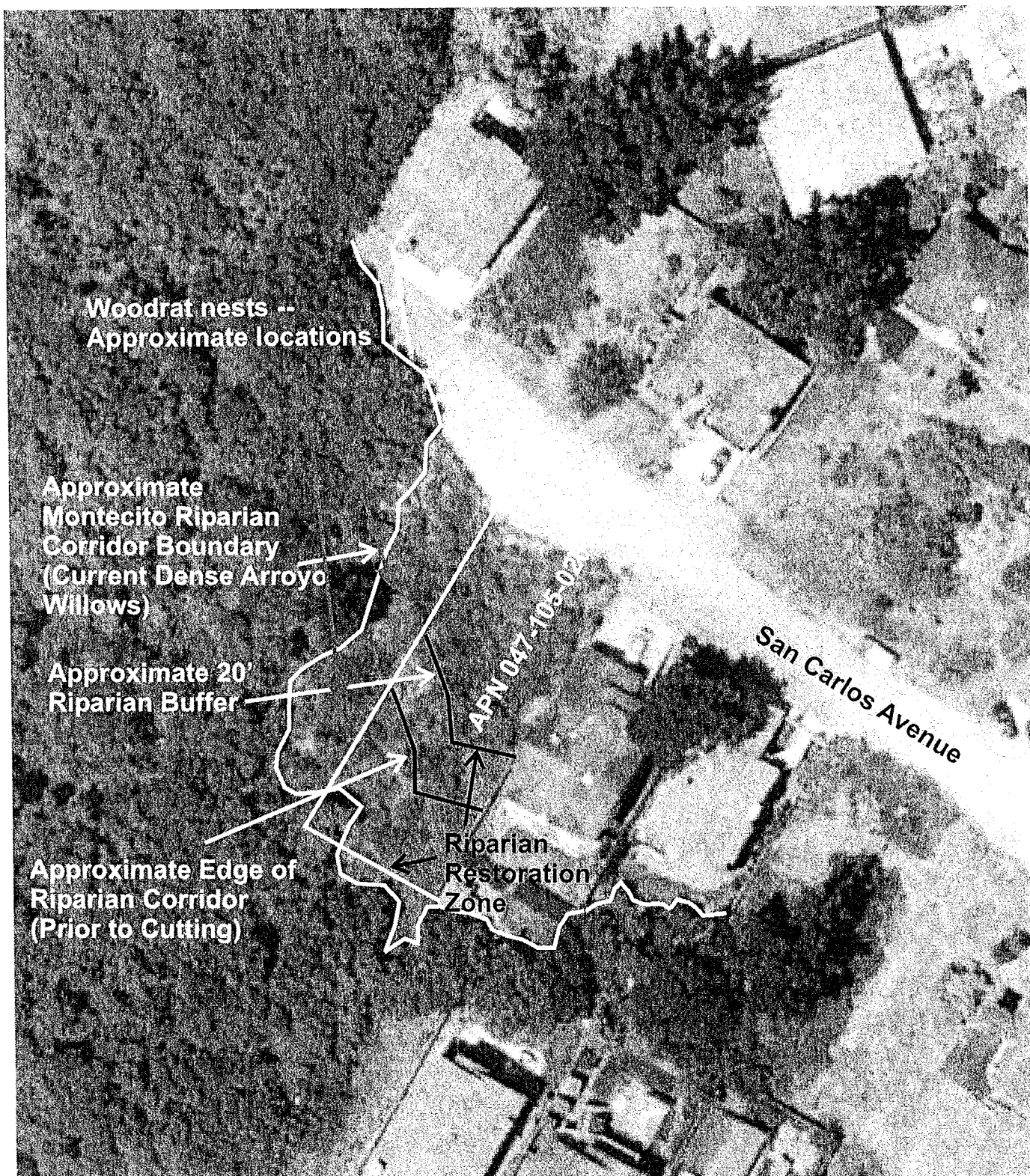


Figure 6. Approximate location of 20' Riparian buffer area and proposed building area on APN 047-105-020. The project would restore riparian habitat in excess of what is estimated to have been present prior to vegetation clearing work in 2000. Approximate scale 1 inch = 50 feet. Photo source: GlobeXplorer. Map by TRA.



**Planning & Zoning
Committee of the
MidCoast
Community Council**
PO Box 64, Moss Beach
CA 94038
Serving 12,000 residents

August 15, 2005

FAX/Email

Farhad Mortazavi and Matt Seubert
San Mateo County Planning and Building Division
Mail Drop PLN122, 455 County Center
Redwood City, CA 94063
650.363.1844 - FAX: 650.363.4849

(83)

RE: PLN2005-00248: DR, staff-level CDP, & staff-level variance for a new SFD with 2-car garage, with a 10' front setback where 20' is required at

779 San Carlos St, El Granada. A portion of the parcel is in the Montecito Riparian Corridor. **APN: 047-105-020**

Dear Farhad & Matt:

The Planning and Zoning Committee of the MidCoast Community Council reviewed the above-referenced project on July 20, 2005 without the applicant in attendance because this was an initial review of this complicated application.

only not
We have not received copies of the biological report or other documents pertaining to the environmentally sensitive areas on this property, their delineation, protection and restoration. We request that these materials be forwarded as soon as possible so we may continue our review.

Illegal Riparian Vegetation Removal

The On-line Permit Center provides that there is a still-pending an after-the-fact CDP application for illegal riparian vegetation clearing ("See PLN2004-00398 for still-pending 'after-the-fact' CDP application for illegal riparian clearing.") We believe that this riparian corridor should be re-vegetated and that this permit should not be allowed to move forward until this is done.

House Design

- We agree with and strongly support the following On-Line Permit Center comments regarding the design of this house: "6/20/5 MAT: LCP policy 8.13.a(3) calls for pitched, not flat roofs. Also, 8.13.a(1) calls for structures to fit with topography of site (ie. stepping)."
- The house is three stories. This not allowed on a parcel with this slope.
- The house is thirty-six feet tall. The thirty-six foot height limit is limited to parcels with a greater slope than this parcel. Even if the thirty-six foot height limit is found to apply to this parcel, the limit is intended for the peak of the roof not the entire mass of the house.

Variance

We do not believe a Variance should be granted for this project: In order to grant the variance, the county "must make all" the required findings in Chapter 25 of the Zoning Regulations, section 6534.1 which provides as follows:

Aug 15 05 02:15P Bassler & Neumann
SECTION 6534.1 VARIANCE FINDINGS. In order to approve an application for a variance, the approving authority must make all of the following findings in writing:

- (1) The parcel's location, size, shape, topography and/or other physical conditions vary substantially from those of other parcels in the same zoning district or vicinity.
- (2) Without the variance, the landowner would be denied the rights and privileges that are enjoyed by other landowners in the same zoning district or vicinity.
- (3) The variance does not grant the landowner a special privilege which is inconsistent with the restrictions placed on other parcels in the same zoning district or vicinity.
- (4) The variance authorizes only uses or activities which are permitted by the zoning district.
- (5) The variance is consistent with the objectives of the General Plan, the Local Coastal Program (LCP) and the Zoning Regulations.

- Many parcels in the immediate area are affected by the limitations of the riparian corridor – some have been deemed “un-buildable” by the County. Because of this, the parcel does meet the required finding #1.
- The project does not meet the required findings for granting a variance because item (2) is not met. If the applicant is not granted the variance they can easily build an 1800 s/f home. There is nothing inappropriate or unduly restrictive about an 1800 s/f home and thus the landowner will not be “denied the same rights and privileges that are enjoyed by other landowners in the same zoning district or vicinity.”
- The house the applicant is currently proposing is larger than any house currently on the market in El Granada.
- The fact that the applicant is able to max out the FAR with the variance demonstrates that they can build an adequately-sized house without the variance. The desire to max out the FAR is not grounds for a variance.

Again, this was just an initial review of this project and after receiving copies of the biological report we will submit additional comments.

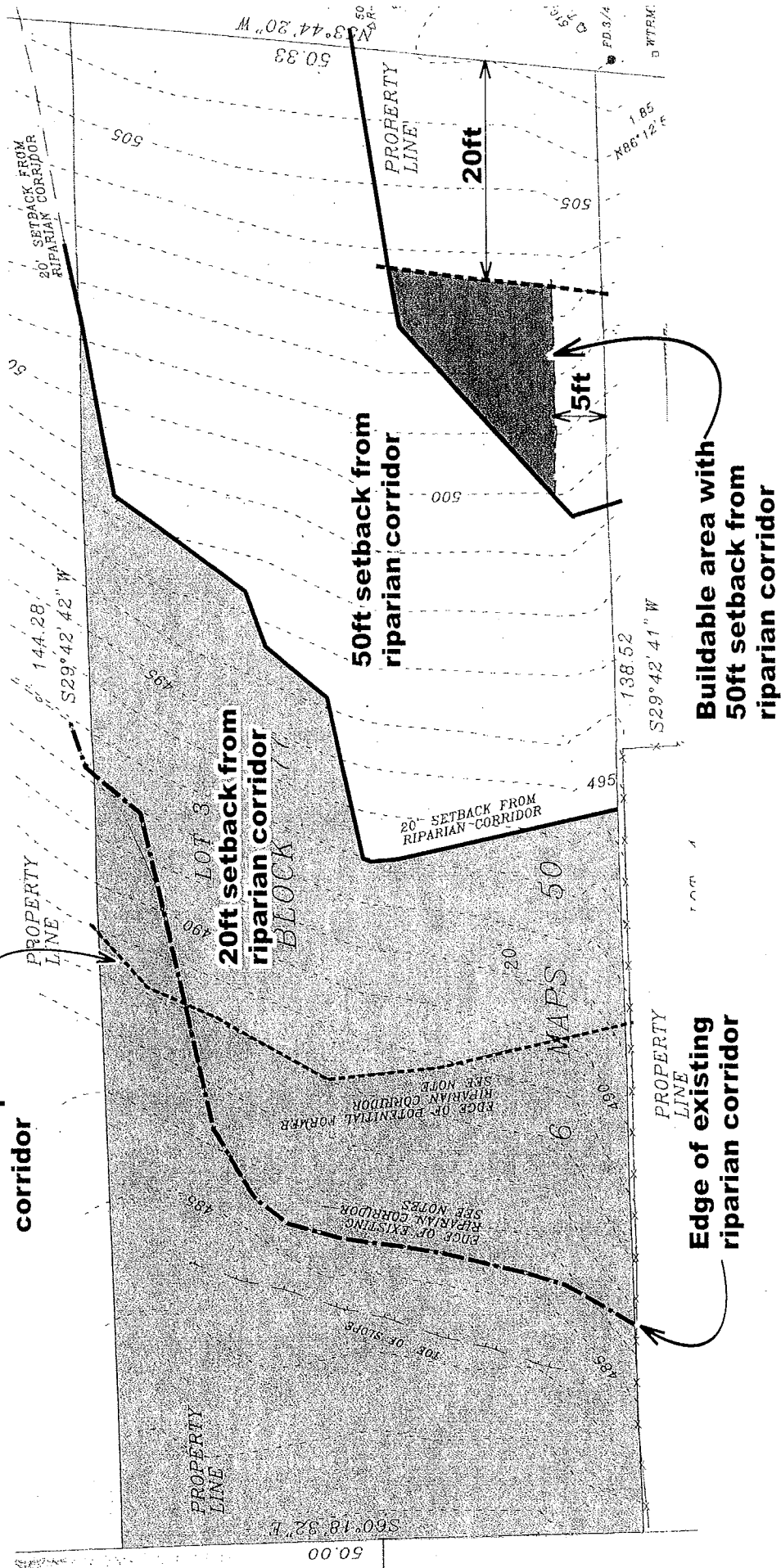
Thank you for your help. We request that you keep us informed of any further developments, redesigns, hearings, approvals or appeals concerning this application.

For the MidCoast Community Council Planning & Zoning Committee,



Sara Bassler
Chair, MCC Planning and Zoning Committee

Edge of potential former riparian corridor



San Mateo County Board of Supervisor's Meeting

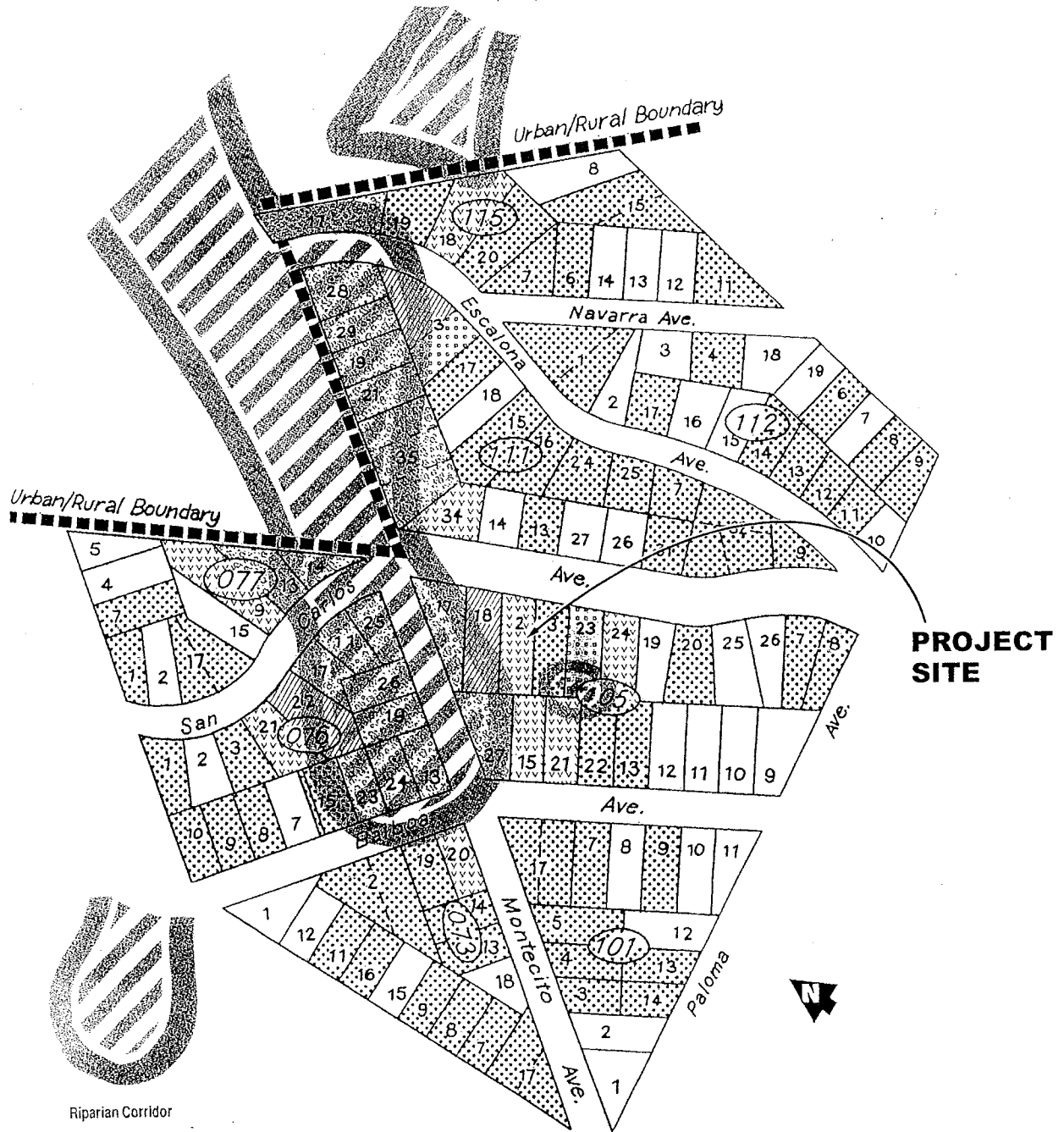
Owner/Applicant: **ROD LACASIA**

File Numbers: **PLN 2004-00398**

Attachment: **P**

Montecito Riparian Corridor

All numbers used on this map are parcel numbers.



Riparian Corridor

Parcel has already been developed with a residence.

Residence could be built only if the LCP allowed for 0 ft. buffer zone beyond riparian vegetation.

Completely within the riparian corridor; not buildable without detriment to riparian vegetation.

Residence could be built with a variance to the zoning regulations.

Parcel may be developed without variance but requires delineation of riparian buffer zone by a biological consultant.

RP/jan.'94

San Mateo County Board of Supervisors' Meeting

Applicant: **ROD LACASIA**

Attachment: **Q**

File Numbers: **PLN 2004-00398**

149

December 5, 2006

Environmental Impact Committee
County of San Mateo
San Mateo, California

Dear Committee,

The purpose of this letter is to comment on the "negative declaration" from the county regarding the property located at 779 San Carlos Avenue, El Granada, Ca. This declaration maintains that there is not a significant effect on the environment because of the mitigation measures that are part of the project. I live across the street from this property and have observed the changes in this property closely during the past 7 years.

When I purchased my home, at 770 San Carlos, I was told that the property at 779 San Carlos was unbuildable because the boundary of the riparian corridor adjacent to the San Augustin creek ran through the middle of the property. This representation was made by Millie Golder then of Coldwell Banker, and subsequently I saw plot drawings which substantiated this representation. Indeed, in 2000 there was a large tree growing in the middle of the lot and the riparian area came approximately 50% of the way up the hill/lot.

Subsequent to this, Robert Ray (previous owner) illegally cleared this lot of all vegetation and removed the tree. This clearing was done on two separate occasions and has had the effect of moving the appearance of the riparian boundary substantially down the hill. This newly and illegally created boundary is being used to establish the available building area on the lot at 779 San Carlos.

It appears to me that acknowledging the newly created boundary through the approval of this "negative impact" report both rewards Mr. Ray and the current owner for this illegal redrawing of this boundary. This action also sets a dangerous precedent given the inroads which are being made into the riparian corridor by clearing occurring of the opposite side of the corridor. I strongly appeal to your committee not to approve this study until the neighborhood, which unanimously opposes this building on these grounds, can present an independent study supporting this point of view.

Sincerely,



Mark L. Aschauer
770 San Carlos St., P.O. Box 1590
El Granada, CA 94018

RECEIVED

DEC 06 2006

San Mateo County
Planning Division

Camille Leung, Project Planner
 San Mateo County Planning Division
 455 County Center, 2nd Floor
 Redwood City, CA 94063

RECEIVED

2006 DEC -5 P 4:30 December 5, 2006

SAN MATEO COUNTY
 PLANNING DIVISION

Dear Ms. Leung,

I am writing to comment on the Negative Declaration on parcel no. 047-105-020, file nos. PLN 2004-00398 and PLN 2005-00248.

Although this may no longer be relevant, I first want to express my disgust with the San Mateo County Coastside Design Review Committee that approved the plans on August 10, 2006. The same committee was ready to grant approval on the first review meeting in January, 2006, in spite of the fact that the project was in flagrant conflict with the San Mateo county Planning and Building Division Standards for Design for One-Family and Two-Family Residential Development in the Midcoast (El Granada). When concerned citizens pointed out these violations (see appendix A), Mr. Snow, a member of the review board, threw down a copy of the document and exclaimed in anger that because of the document he could not approve of the design. I am sure that had we not been at the meeting, the plans would have been approved as the design committee apparently does not seem it fit to enforce the the standards for design. As another example of the irrational decision making of the committee I am including two figures, labeled Fig. 1 and Fig. 2 that show frontal and side views. In the meeting prior to Aug 10, the same committee almost rejected the plan altogether, then reconsidered and told the architect to make major changes. The changes made are indicated by the red lines in Figs 1 and 2, and basically involve lowering the house by 1.5 foot, and adding some slit-type windows to the blind wall that surrounds the house over a 180 deg angle. In spite of the fact that these changes, in my opinion, are very minor and do not mitigate any of the concerns of the neighbors, the committee decided to approve.

Following the change from a flat roof to a lightly bent roof and a reduction of the length of the third story, the house is still in violation with the standards as is indicated by the red crosses in appendix A. The neighbors submitted appendix A prior to the meeting in January, 2006.

Furthermore, I am very upset by the fact that a property owner can, in practical terms, turn an unbuildable lot into a buildable lot by repeated violations of the law with just very minor consequences. I believe the former owner, Robert Ray, just paid fines of approximately \$2,000.00 for each of the two violations (one committed in 2000, the other one in 2004). The violations involved the illegal removal of riparian vegetation aimed at making it possible to sell an unbuildable lot at a huge profit. If it is OK to commit the violation and obtain the permit after the fact, then there is basically no credible deterrent for other owners of lots in protected riparian areas to follow Mr. Ray's example.

In summary, I am very opposed to the construction of this home, where the owners exploit the fact that the buildable area on the lot is only some 2000 square feet. They claim they have no choice but going up to three stories with an architecture that is completely out of character and scale with the houses in the neighborhood and still violates many requirements of the design standards (see appendix A). Setting a precedent in this is not a good thing.

Thank you for your consideration.

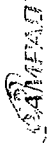
Regards,



Roel van Bezooijen
730 San Carlos Ave
El Granada CA 94018-1112

Attachments:

Figs 1 and 2
Appendix A



Per is design

Final design changes

Shown in red

- house forward 1 1/2 ft.

- some slit type windows

2 added

Proposed home at 779 San Carlos Ave
(3 stories)**

Existing house at 771 San Carlos Ave
(2 stories)*

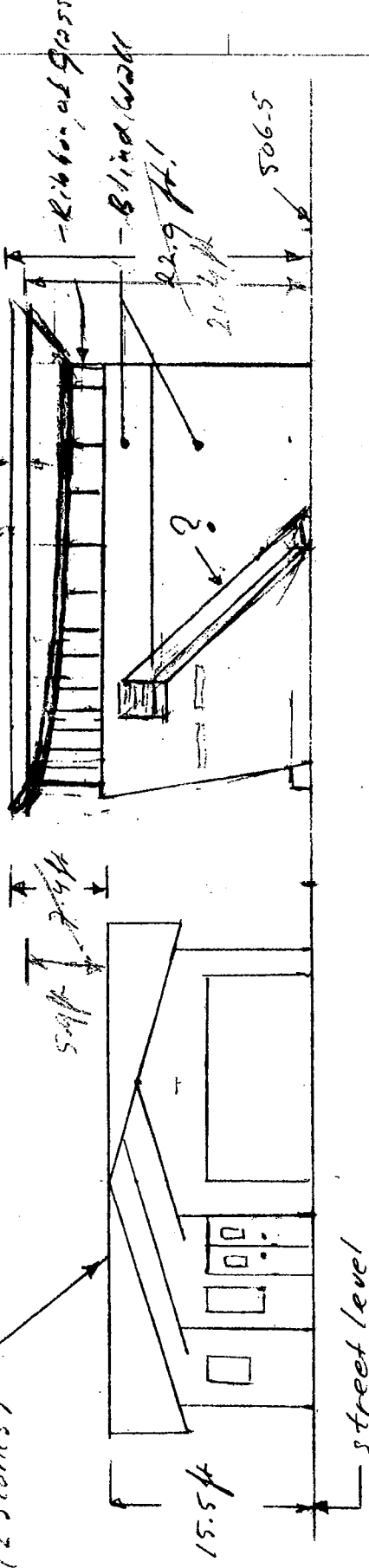


Fig. 2

Drawn by Roel van Breezen
650-726-7147

Elevation as seen from Street

* 1 one above st level
** 2 two above st level

Feb 15 design

Front design
changes

- house lowered

1.0/3 ft

- same silt type
windows added

Proposed home at 779 San Carlos Ave
(2 stories above street level) **

Existing house at
771 San Carlos Ave
(one story above
street level) *

10 ft

1.5 ft

Ribbon of glass

Blind wall

Garage

Fig. 2

Drawn by Roel van Bezooyen
650 726 7147

Side Elevation

* 2 total
** 3 total

Dec. 5, 2006

Camille Leung, Project Planner
Planning Division
455 County Center, 2nd Floor
Redwood City, CA 94063

RECEIVED
2006 DEC -6 P 4: 30
SAN MATEO COUNTY
PLANNING DIVISION

Subject: Proposed building at 779 San Carlos Ave, EL Granada

Dear Ms Leung,

I am a resident living at 730 San Carlos Ave in El Granada CA. I would like to bring to your attention my concerns about the proposed building for 779 San Carlos Ave, parcel #047-105-020. In the 17 years that I have been a resident on San Carlos Ave, four new homes have been built on this block. They all have unique character, they are ample, and they harmonize with the rustic nature of the neighborhood. This house would not. The house plan proposes a very large three story building with a nearly flat roof that is roughly six feet taller than the roof ridge of the neighboring house and any other house on that side of the street (all other houses are two stories tall). I am afraid that if built as proposed, this house would look industrial and out of place on the rustic cul de sac where we live. It will change the nature of the neighborhood and reduce the property values on this block of San Carlos Ave.

A variance has been requested for a 10 foot setback from the street, instead of the usual 20 feet. I think the owner should be required to conform with the usual setback from the street, provide a similar roofline to the other homes on that side of the street, conform to the shadow rule, and build a home that doesn't exceed the height and size of nearby existing homes. The house should step down the hill as recommended in the San Mateo County Building and Planning Standards for Design.

Please do not approve this house plan for 779 San Carlos. It is too tall and too close to the street. He should not be allowed to completely obstruct the views of the ocean and creek area, nor shadow the windows of the house next door. He should be required to comply with the San Mateo County Building and Planning Standards for Design for Residential Development in the San Mateo County for Midcoast. If he is allowed to build in variance to the standards set by the county, it sets a dangerous precedent for ignoring those standards. His house plan if built would set a negative precedent for "monster homes" in this neighborhood. Such homes upset the well being of residents, destroy the rustic surroundings and lower the property values of existing homes.

I am sure a unique house design, that is less massive, set back from the street and congruent with the existing neighborhood is possible. The owner can still have a fine house with great views that is not so tall, massive and imposing. There is no obstruction to a view for a home at 779 San Carlos, even if it conforms to the average height of the homes on the street.

I appreciate the County Building and Planning Department directing the builder toward a more appropriate design that will enhance all of our property values including his own.

Thank you very much for your consideration of my concerns about the plan for 779 San Carlos Ave. Please place a copy of this letter in all pertinent files.

Sincerely,

Susana van Bezooijen

Susana van Bezooijen
730 San Carlos Avenue
El Granada, CA, 94018-1112
650 726 7147

12/6/06

RECEIVED

DEC 6 2006

Camille Leung, Project Planner
County of San Mateo
Environmental Services Agency
Planning and Building Division

San Mateo County
Planning Division

Ms. Leung,

My wife and I are residents of San Mateo County; residing at 731 San Carlos Ave. El Granada, CA. We would like to express our deep concern about the Notice of Intent to Adopt Negative Declaration regarding Assessor's Parcel 047-105-020, Files numbers PLN2004-00398 and PLN 2005-00248, owner applicant Rodrigo Lacasia-Barrios/Stan Field.

We enjoy the ambiance and charm that living in El Granada provides and in purchasing our home my wife and I knew that certain surrounding parcels may be built upon but would be subject county regulations and codes.

It appears that this parcel, AP 047-105-020, at one time was a significant part of the Montecito Riparian Corridor. To our understanding there is photo documentation and possibly other factual data that supports this truth. What appears to have taken place at some time in the past is a large amount of riparian vegetation was removed to enhance the value of a lot. This lot may not have been buildable, or had severe limitations placed upon it in regards to what could have been built if the Montecito Riparian Corridor had not been modified.

Although Mr. Lacasia-Barrios appears not to have been the owner at the time of the riparian modification, **the fact is the riparian corridor was modified**, not restored to its original condition, and subsequently sold. Now rather correct the effects of this illegal activity, the County of San Mateo is ready to reward a property owner with a Negative Declaration and a building permit. **THIS SETS A DANGEROUS PRECEDENT.**

We are convinced that some of our neighbors bought their homes and or bought and built their homes adjacent to this parcel fully expecting the laws, regulations and codes to be enforced that would protect their property and property rights. This has not been the case.

It is incumbent upon the County of San Mateo to acquire and review the data and make an accurate determination on what was the original riparian boundary and thereafter make a decision on what the size of building envelope is suitable for this parcel. Someone, and We suggest, the person who modified the riparian zone, should be held accountable for their actions and be made to pay for the restoration of the corridor they were responsible for modifying.

Thank you,



Rex Geitner

CC Lisa Grote, Director of Community Development

December 5, 2006

County of San Mateo

Camille Leung, Project Planner
Planning and Building Division
455 County Center, Second Floor
Mail Drop PLN-122
Redwood City, CA 94063-1646

RECEIVED
DEC 06 2006
San Mateo County
Planning Division

Re: File Nos: PLN 2004-00398 and PLN 2005-00248
Rodrigo Lacasia-Barrios

Ms. Leung:

I live at 754 San Carlos Avenue which is directly across from the subject property. I am writing this letter to voice my opinion regarding the property's construction plans. Although I am new to the neighborhood and was not a party to previous meetings regarding the design, I did attend the final meeting in which the design review board simply stated that "change was good" and ended the discussion.

I agree that change is good in most cases, but when more consideration is given to the environmental impact than to the neighborhood concerns I have to say that this is not a good thing. Obviously a lot of time and effort was spent on studying and observing the plant and animal life and how this was going to affect them. What about the well being of the humans this involves?

My husband and I are retired and purchased our home at a great cost to us because we wanted to live in a quiet neighborhood with a coastal feel and a view of the ocean. I was aware a new home would be built across from me. What I did not know at the time was that the height would be so much higher than the adjacent home and the style of the new home would upset the aesthetics of the neighborhood. I believe the story poles were not installed properly which is misleading when viewing the proposed project height. My view is adversely affected which defeats one of the main purposes of purchasing this home.

Imagine yourself living across from a home that fits better into an airport environment than a coastal one. What would you or any other member of the commission having to live where I do have to say then? Please consider keeping the integrity of El Granada intact.

Respectfully,


Connie Taniguchi

cc:file

Camille Leung, Project Planner
San Mateo County Planning Division
455 County Center, 2nd Floor
Redwood City, Ca. 94063

RECEIVED
DEC 06 2006
San Mateo County
Planning Division

December 5, 2006

Re: Negative Declaration on parcel no. 047-105-020, file nos. PLN 2004-00398 and PLN 2005-00248.

Dear Ms. Leung,

1. A large section of the riparian area has been destroyed. That seems to be acceptable to the planning department, so is it also acceptable to destroy the rest of it? I have a much smaller section of riparian area behind my house at 763 San Carlos Avenue. When my house was constructed eight years ago, the contractor went to great pains, as instructed by the Planning Division to not infringe on the setback demanded. I was also instructed that I could not transform this wildlife habitat into usable back yard, and I complied with that order. May I now assume that this restraint is unnecessary, and I have the right to tear down the willows and other plants on my property? In truth I have become very fond of that natural area behind my house, but a normal landscape would add thousands to my property value.
2. The owner of the lot at 779 San Carlos twice ignored these orders in 2000 and 2004, and reduced the riparian area on his lot to bare ground. I understand that he sold the previously unbuildable lot for \$300,000 and later paid a \$2,000 fine for his treachery. Will that stop the next culprit?
3. The house in question is very different in character from the other homes on San Carlos Avenue. It does not fit in the neighborhood with its strange industrial/commercial appearance. An attractive log cabin or a southern plantation home with large white pillars would be two other examples of home styles that have no place on San Carlos Avenue.
4. When this process was in the early stages, the neighborhood residents pointed out to the Design Review Committee 13 areas in the Design Standards that were violated by this proposed home. It would have been minimally disruptive to the current residents on San Carlos

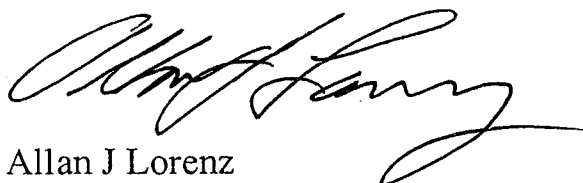
Avenue, and for the prospective owner of the house in question, for the reviewers to stop the process at that time, but they failed in their responsibility. It is now at the point where much investment has been made in time and money on both sides and a great deal of emotion is now going to be uncovered by your decision. It is imperative that you now review these areas of nonconformance in your decision process. The letter identifying areas where the proposed property at 779 San Carlos Avenue significantly deviated from the Standards Booklet is attached.

5. There are other lots on this section of San Carlos Avenue that may be built out in the future. I have two concerns about these lots that have a foundation on your decision process concerning the house in question.

First, if you ignore your own guidelines in a decision to allow the construction of this house on this lot, which guidelines will you ignore when the next lot on San Carlos Avenue has a build proposal? Won't the owner builder have a right to expect this if you set the wrong precedent now?

Second, several of these lots are in the riparian area. Will owners and builders be allowed, with impunity, to destroy these sections of natural habitat as well? The precedent will have been set.

I will be grateful for your consideration in this matter.

A handwritten signature in black ink, appearing to read 'Allan J Lorenz', with a stylized, flowing script.

Allan J Lorenz
763 San Carlos Avenue

RECEIVED

DEC 06 2006

San Mateo County
Planning Division

December 5, 2006

Camille Leung, Project Planner
San Mateo County Planning Division
455 County Center, 2nd Floor
Redwood City, CA 94063

Dear Ms. Leung,

I am writing to comment on the Negative Declaration on parcel no. 047-105-020, file nos. PLN 2004-00398 and PLN 2005-00248.

PROJECT DESCRIPTION: The waterway adjoining this parcel is not an "unnamed intermittent drainage channel". Rather, it is labeled as "San Agustin Creek" on nautical chart 18682, 13th Ed., Mar 3/90, and it is a perennial stream, as noted in the 3rd biologist's report included in your package. This stream is the reason for the creation of the Montecito Riparian Corridor. The corridor is called Montecito because it is the name of the "paper street" that was laid out but not built due to the presence of this creek.

Since the project seeks a retroactive coastal development permit for cutting of vegetation that occurred in 2004, it is not correct to state that the project would not result in the removal of any significant trees. The cutting that occurred on this parcel in 2004 (VIO2004-00085) and previously in 2000 (VIO2000-00011) resulted in removal of at least 3 truckloads of vegetation, including willows up to several inches in diameter. Photos of this have been shown to Lisa Grote at the County.

Between these two violations, in 2002 the owner had a biological survey performed. The biologist tagged various sites on the property, including some wood rat nests. Apparently the results were not to the owner's liking, because he determined that it would be too difficult to build on the parcel. He stated as much to my wife, Leslie. This survey was never disclosed to the County. He then decided to sell the lot without disclosing this report to the buyer, and tried to do so over the next few years. We heard from real estate professionals who avoided showing this property to potential buyers due to concerns over the riparian status.

SITE DESCRIPTION: Not only have wood rat nests been found in the vicinity, but there were wood rat nests existing on the property that were removed in 2004.

PROJECT NARRATIVE: I disagree with the points below.

2. Vegetation and Wildlife

- d. Will (or could) this project significantly affect fish, wildlife, reptiles or plant life?
- e. Will (or could) this project infringe on any sensitive habitats?

The answer to both questions is clearly either "Yes, Significant" or "Yes, Cumulative". The vegetation removal on 2 occasions did alter the plant and animal life on the parcel and in the neighborhood. The biologist reports done after the second vegetation removal were unable to adequately reconstruct the former riparian vegetation boundary as witnessed by neighbors. There is photographic evidence that the former riparian corridor actually extended approximately 20 feet further uphill than shown on the biologist's reports.

6. Land Use and General Plans

- k. Will (or could) this project require an amendment to or exception from adopted general plans, specific plans, or community policies or goals?

Granting a variance to the 20-foot setback for anything other than a garage on the downhill side of the street is without precedence in this neighborhood. Allowing a house that rises 2 stories above street level on the downslope side of the street is also an abnormal situation and out of character. Attached are additional issues brought up at the 3 Design Reviews.

7. Aesthetic, Cultural and Historic

- b. Will (or could) this project obstruct scenic views from existing residential areas, public lands, public water body, or roads?

- e. Will (or could) this project visually intrude into an area having natural scenic qualities?

The following information pertains to both points above: In addition to the ocean view obstruction noted in the report, significant views of the riparian corridor are blocked from 771 (next door) and 730 (across and down the street), as well as daylight at 771. The obstruction is maximized by the unusual box-like cross-section design of the project:

- at least 7 feet higher than adjacent houses on the downhill side of the street
- jutting 10 feet closer to the street than allowed without variance
- a virtually flat (non-peaked) roof
- Blank, windowless front and side walls up to the roofline of adjacent structures
- A side wall that comes within 10 feet of the neighbor's house, rising approx. 27 feet

Neighbors bought houses with the understanding that if the code were followed, no house or only a small house could be built on that lot. The County should not allow such variances to its own guidelines if current residents are to have any assurance of their property rights and values.

The County's approach to regulating the riparian corridor assures its further destruction. The previous owner bought the lot in 1985 for a "non-buildable" price. He clear-cut to make it appear buildable and sold it for over \$300,000. If the most the County can do is impose a \$2000 fine for clear-cutting a lot, this process will continue. It is happening across the creek already. The County should at least prevent the profiteering sale of a lot with an open violation.

The unfortunate sequence of events mandated by the county's process meant that the environmental concerns pertaining to point number 2 above could not be considered by the Design Review committee. Rather, these considerations that date back 3 to 7 years had to be tabled until after house plans had been approved. Only then does the County determine the answers to basic questions about the basic buildability of the parcel. This backwards process could have saved all concerned considerable time and money if the environmental issues could have been heard on their own merits prior to the applicant drawing up plans.

Thank you for your consideration.

Regards, 

Fritz Ender
771 San Carlos Ave

Attachment:
779 San Carlos Standards Exceptions

Barry McAdoo
P.O.Box 1056
El Granada, CA 94018

December 6, 2006

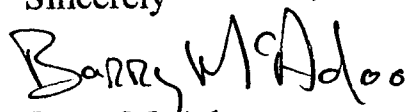
County Planning Division
455 County Center
Redwood City

Re. Negative Declaration
PLN 2004-00398 and PLN 2005-00248
APN 047-105-020
San Carlos Avenue El Granada

Dear Ms. Leung

Illegal clearing of riparian vegetation has taken place on this site. Yet this fact is put to the side, to go through lengthy design review process which has culminated in the issuance of a negative declaration. Essentially giving entitlements to build the applied for single family dwelling. Without accountability for this illegal act, this system encourages illegal clearing as is happening on the other side of Montecito Creek. What are the consequences for this illegal clearing of the protected riparian vegetation?

Sincerely


Barry McAdoo

RECEIVED
DEC 06 2006
San Mateo County
Planning Division

Camille Leung
San Mateo County Planning Office
455 County Government Center
Redwood City, CA 94063

RECEIVED

DEC 05 2006

San Mateo County
Planning Division

Re: File No. PLN 2005-00248, CDP & Variance, San Carlos Ave., El Granada –
Negative Declaration Comments

Dear Ms. Leung:

I only have a few comments on the Negative Declaration for the above listed property.

- 1) Mitigation Measure 3 should also include controlling invasive/exotic species per Patrick Kobernus' recommendations in his biological report.
- 2) Checklist Item 1b: The property averages 18% slope according to one of the reports. The checklist is checked "no" for involving construction on a slope of 15% or greater.
- 3) Checklist Item 6k: I disagree that the applicant faces a hardship requiring a variance. A smaller house could be proposed that would fit within the setback requirements. I am concerned about allowing any kind of variances in or adjacent to the Montecito Riparian Corridor due to the precedent that it would set. There will inevitably be more pressure to build in this area and future applicants could use this project as an example of allowing variances to get around the riparian setback requirements.

Lastly, I had sent a letter to Matthew Seubert regarding this project and you had mentioned that you didn't see any letter in the file. I am enclosing my original letter and would appreciate it if you could make sure that it gets in the project file.

Yours truly,

Janet Cochrane
El Granada

Matthew Seubert
San Mateo County Planning Office
455 County Government Center
Redwood City, CA 94063

RECEIVED
DEC 05 2005
San Mateo County
Planning Division

Re: File No. PLN 2005-00248, CDP & Variance, San Carlos Ave., El Granada

Dear Mr. Seubert:

I am opposed to granting any variances from the required setbacks in the Montecito Riparian Corridor for the above listed project. Granting a variance would set a precedent for future development of parcels in the riparian corridor. I realize it is a variance from the front yard setback not from the riparian corridor – but that is the equivalent of a back door riparian setback variance. In addition, the applicant (or previous owner) already cleared the riparian vegetation, so granting a variance for this violation would set a dangerous precedent for future applicants to clear their property first before they come in for permits. Several parcels in the Montecito Riparian Corridor have been sold recently at Land Auction.com and there will inevitably be more pressure to grant variances from the County's adopted LCP policy of riparian setbacks.

County LCP Policy 7.11 requires a 50 foot setback from the limit of riparian vegetation (Montecito Creek is a perennial creek). LCP Policy 7.12 allows a 20 foot setback only if no feasible alternative exists and only if no other building site on the parcel exists. The applicant should investigate reducing the size of house or changing the site plan in order to meet the setback without requiring a variance. The applicant should also be required to mitigate for the lost riparian vegetation.

In addition, we feel that a CEQA Categorical Exemption is not appropriate in this case since the project is located in an Environmentally Sensitive Habitat Area in the LCP. An Initial Study should be prepared to determine the environmental effects of the project and propose any mitigation measures to reduce impacts on the Montecito Riparian Corridor.

Yours truly,

Janet Cochrane
El Granada

Cc: Deborah Hirst, Legislative Aide, Supervisor Richard Gordon's office,
San Mateo County Board of Supervisor's
400 County Government Center
Redwood City, CA 94063

From: "Janet Cochrane" <j-cochrane@comcast.net>
To: "Camille Leung" <cleung@co.sanmateo.ca.us>
Date: 12/6/2006 8:32 AM
Subject: file # PLN 2004-00398
Attachments: neg dec letter.doc; letter to county on san carlos project.doc

Hi Camille,
please find my comments on the Neg Dec attached. I also enclosed my original letter to Matthew Seubert.

Thanks,
Janet Cochrane

In the Matter of the Proposed One-Family Home at 779 San Carlos Avenue, El Granada

San Mateo County Planning and Building Division Standards for Design for One-Family and Two-Family Residential Development in the Midcoast (El Granada)

The purpose and legislative intent of these Standards is “to encourage new single-family homes and additions that have their own individual character, while ensuring that they are complementary with neighboring houses” and “to implement the County General Plan and the LCP.” The Background/Introduction to the Standards booklet also states that “The emphasis for design review will be on a home’s appearance.” “As such, compliance with design standards will be achieved solely by requiring design techniques consistent with zoning development standards that make homes appear smaller, lower or less massive.” It further states that “the Design Review Administrator, the Coastside Design Review Committee, the Planning Commission and the Board of Supervisors will also use these standards in their review of projects.”

In closing, the Standards Background/Introduction states: “where conflicts exist between the provisions of this section and other provisions of the Zoning Regulations, they shall be resolved in a manner that on balance most protects significant coastal resources consistent with Coastal Act Section 30007.5.

The undersigned neighbors of the parcel at 779 San Carlos Avenue allege that the owner of the parcel at 779 San Carlos Avenue has violated and/or ignored the following standards set out in the named booklet, and the undersigned neighbors object to the proposed improvement:

Site Planning and Structure Placement

1. Integrate Structures with the Natural Setting

a. Trees and Vegetation

Standards: Minimize tree and vegetation removal to the extent necessary for the construction of the structures.

This was not a viable lot until the previous owner illegally cut, destroyed and removed growth in the original Montecito Riparian Corridor and Buffer Zone. This occurred on two separate occasions that are documented with the County as violations VIO2000-00011 and VIO-2004-0085. The second of these is still open.

b. Grading

Standards: (1) Minimize filling or placement of earth materials. Avoid raising the building pad for a new home or an addition above the existing grade, unless required for technical or engineering reasons by a registered civil engineer, licensed architect or geotechnical consultant; (2) Encourage excavation when needed to blend the house into the site.

The grading and building pad elevation run contrary to the Grading Standards outlined on Page 5. Specifically, Grading for the garage involves bringing in fill because fill exceeds cut for garage floor. The fill in this grading is approximately twice as large as the cut, and runs contrary to paragraphs 1 and 2 of the "Standards." Secondly, the design uses the garage to elevate the building pad over the grade by one story. The guidelines "encourage excavation when needed to blend the house into the site. This excavation (cut and fill) will have a net effect of elevating the house on the site.

e. Relationship to Open Spaces

Standards: Consider how a new or remodeled home will appear as viewed from adjacent designated open space areas; the structure placement and design shall harmonize with the natural setting with regard to massing and materials.

The house, which would be adjacent to the Montecito Riparian Corridor, would be disharmonious with the natural setting. Viewed from across the riparian corridor it would represent a massive disruption, being shaped like a large rectangular block up to 36 feet tall.

2. Complement Other Structures in the Neighborhood

b. Views

Standards: When designing a new home, an effort should be made to minimize the effect on views from neighboring houses.

The planned home exceeds the height of adjoining homes by approximately 6-7 feet. This does not comply with the 2b building standard which seeks to "minimize the effect on views from neighboring houses." Indeed the mass and height (36' above the lower grade) of this proposal ignores any attempt to preserve views of neighboring houses. The house has a flat roof, no articulation and will, in fact, require a variance of a 10-foot setback instead of the standard 20-foot setback.

The elevation of the proposed large 3 story home at 779 San Carlos Avenue as seen from the street is shown in Fig. 1, together with the existing 2 story home on the adjacent lot. No effort was made to minimize view blockage from neighboring houses. From the street, the flat-roofed house represents a massive, view blocking, unarticulated rectangular obstacle with a width of approximately 35 ft and a height of 22.5 ft above street level. The spectacular harbor and ocean view from the two houses across the street (at 754 and 770 San Carlos Ave) is severely impacted, while, in addition, there is a future view conflict for the now empty lot in between these two houses.

Due to the requested variance for a 10-foot front setback where 20 feet is required, the house juts out approximately 22 feet in front of the garage of the neighboring house as may be seen from Fig. 2. This setback violation, in addition to the great height of the house, will further impact the view of the beautiful Montecito Riparian Corridor enjoyed by the occupants of the 730 San Carlos Avenue residence. There is also a future view conflict for the two parcels between 730 and 754 San Carlos Avenue, following development of these two parcels.

Elements of Design

1. Building Mass, Shape and Scale

a. Relationship to Existing Topography

Standards: Conform to existing topography of the site by requiring the portion of the house above the existing grade to step up or down the hillside in the same direction as the existing grade.

The proposed house is a box, without step down or articulation. The building design is not compatible with the existing topography. The solid walls of the building form does not "step down with the existing grade" per the elements of design guidelines. See page 11 of "the Guidelines."

b. Neighborhood Scale

- c. *Standards: New homes should respect the scale of the neighborhood through building dimensions, shape and form, façade articulation, or architectural details that appear proportional and complementary to other homes in the neighborhood. Multiple stories are allowed on sloping lots where it is necessary to ensure that the home steps up or down with the slope.*

Fig. 1 clearly illustrates that the proposed 3384 sq ft unarticulated three-story structure is out of scale relative to the adjacent two-story house. The existing house blends in well with the other houses on the down-sloping side of the street, all of which are 1 or 2 stories high. The flat-roofed building is also in disharmony with the rural character of the other homes in the neighborhood, none of which have flat roofs or the industrial look.

d. **Second Stories**

Standards: (1) Locate the primary portion of the second stories towards the center of the first story and away from property lines. (2) Consider bringing some portions of the roof down to the gutter or eave line of the first-story to reduce the apparent mass of the building.

This has been completely disregarded, as the exterior walls are basically vertical from ground level up to 2 stories (at the front) or 3 (at the rear) above ground. One side wall comes within 10 feet of the adjacent house (5 feet from the property line) and extends up to the flat roof, which is approximately 7 feet above the highest point of the neighbor's roof peak. This creates a boxy outline when viewed from any side, with tall walls and a massive appearance. At no point does the eave line come down from the second story flat roof. (See Figures 1 & 2)

d. **Daylight Plane/Façade Articulation**

Standards: (1) Daylight Plane Option shall be established on two opposite house sides. The daylight plane shall be measured from the setback line at existing grade, upward a vertical distance of 20 feet, and then inward at an angle of 45 degrees until the maximum building height is reached. . Dormers, gables, and other architectural features located in the center 60% of the house may extend into the daylight plane, subject to the Design Review Committee approval, provided that:

- (a) The combined length on any building side does not exceed 40% of the length of that building side, and the height of such features does not exceed 24 feet*
- (b) The combined length on any building side does not exceed 30% of the length of that building side, and the height of such features does not exceed 28 feet.*

The virtually vertical walls and flat roof make this option untenable from either the sides or front/rear.

The side walls form a canyon with the closest neighbor's house, with the entire second floor towering above the neighbor's roof. Not only is the adjacent neighbor's side view of the riparian/open space view blocked, but also all sunlight out of both upper and lower story windows. The neighbor would have to lie on the floor to see the roofline of the proposed structure out of his upper story windows.

The front of the house cannot meet this requirement as written, because the house extends 10 feet into the normal front setback from the street. The owner has requested a variance in the front setback from 20 feet to 10 feet, which creates other problems that are described elsewhere in this document.

(2) Façade Articulation Option

Standards: (a) ...All building facades are well articulated and proportioned.

(b)...Each building wall is broken up so as not to appear sheer, blank, looming or massive to neighboring properties.

Fig. 1 shows that façade articulation is completely inadequate. The architect has attempted to show articulation in his drawing package (see sheet A201) by calling an oblique view the "Front Elevation." His front elevation is not what is seen from the street, but is the view at an 18 degree angle relative to the normal view from the street. Furthermore, the articulation as shown in the "East Elevation" (see sheet A202) is factually incorrect as the windows are, in reality, not moved back relative from the wall as may be seen from inspection of sheet A102. The view shown in Fig. 2 is correct and shows that articulation for this elevation is inadequate as well.

Lack of wall articulation basically makes the building look like a fat lopsided watchtower as seen from the street (ref. Fig. 1). Up to a height of 17 feet from street level we would be looking at a massive blind wall. This curved blind wall also extends along the side that faces the neighboring house at 771 San Carlos Ave, as may be seen from Fig. 2. In short, we have a windowless 17 foot wall that covers 180 degrees of the circumference of the proposed building. Above this blind wall, a ribbon of windows with a height of 4 ft is placed that extends upward to the flat roof. The bottom of the windows is at 3.5 ft above the floor level of the third story. Fig. 1 clearly shows that the 17 ft wall appears sheer, blank, looming and massive to the neighboring property.

e. Wall Articulation

Standards: (1) Requires at least one step or off-set extending to grade on the long dimension of the house. (2) Projecting or recessing architectural details are also encouraged to visually break up building walls.

Unless a peculiar-looking negatively slanted wall qualifies for wall articulation, articulation cannot be observed when looking from the street at the house as is

obvious from Fig. 1. However, a limited attempt was made for a second story setback, as may be seen from Fig. 2. This setback gradually decreases until it completely disappears as may be seen from Figs. 1 and 2.

2. Architectural Styles and Features

a. Architectural Style

Standards: Use an architectural style and design elements that complement the predominant style of nearby homes....

(1)...Contemporary and uncommon styles CAN be compatible if building shapes and materials are carefully chosen to complement other homes in the neighborhood.

Contrary to the intent of the "Architectural Style" standards this plan does not represent an effort to be compatible with existing architecture "through the use of similar building shapes, exterior materials, or architectural features such as roof (flat), windows/doors (wall of steel and glass windows and solid wood wall without windows), etc." The standard allows uncommon styles if building "shapes and materials are carefully chosen to complement other homes in the neighborhood." This structure does not complement other homes in the neighborhood, but would be the only house within the 300 foot neighborhood boundary with a flat roof, slanting and curving walls, solid wall of steel and glass windows, and a wall lacking any windows.

b. Openings

Standards: (1) Select windows and doors that are compatible with the dominant types on the house and in the neighborhood; when assessing compatibility consider the size and proportions of the openings, materials, and style or detailing. (2) When designing and placing windows and doors, consider their location, size and proportions and how they may relate to adjacent buildings; walls broken by proportioned patterns of windows are encouraged where neighbor's privacy can be protected.

The industrial looking 4 foot high ribbon of windows on the third floor that is set on top of a blind 17 foot high wall and extends over an angle of 180 degrees are the primary windows visible from the street. This style of window is incompatible with any windows for houses in the neighborhood. Other than the garage doors on the bottom floor, no other doors are visible from the street.

c. Entries

Standards: (1) Front Doors – Design front entries on a scale compatible with the other features of the house to maintain a residential rather than institutional of commercial appearance. (2) Front porches – Where front porches are a part of the neighborhood pattern, a new house or new entry should consider including this feature similar in size and proportion to the other homes in the neighborhood.

This building lacks an inviting, human-scaled appearance due to the absence of a front door and street-level, street-facing front windows. This type of design also makes for a less safe neighborhood as the building does not facilitate "eyes on the street" ability.

3. Roof Design

a. Massing and Design of Roof Forms

Standards: (2) Pitched roofs are encouraged; flat roof designs may be acceptable if the height does not exceed 22 feet from existing grade for the flat roof portion, the flat roof portion does not exceed 20% of the total roof area, and it is compatible with neighboring homes.

The single flat roof of the house in question covers close to 100% of the building and its height above grade increases from 24 feet at the front to 36 feet at the back of the building. None of the neighboring homes have flat roofs. This clearly violates the standard in every way.

b. Design Compatibility

Standards: Roof shape and type should be compatible with roofs in the neighborhood. Express this compatibility through roof forms, slope, materials and massing.

The flat roofed building is incompatible with the established architectural style of roofs in the neighborhood. In combination with the mass and view-obstructing quality of the design, the flat roof makes the building seem overpowering and ridiculous in this setting. It will clearly have a negative overall impact on this neighborhood and upset the beauty of the rustic surroundings.

4. Exterior Materials and Colors

a. Compatibility

Standards: (3) Use warm, muted colors and natural appearing materials on the house that blend with the surrounding natural features when viewed from a distance. While earth tone colors are encouraged, along with darker colors used to reduce apparent mass, other colors may be appropriate based on the architecture, neighborhood and surrounding natural features.

This design runs contrary to these guidelines on at least two issues:

- a. The wall of steel and glass windows on the northwest wall is not warm and muted, nor does it blend with the surrounding natural features. Also, this is not similar to any wall in the surrounding neighborhood.
- b. The solid wall of lath on the southeast wall is applied at a diagonal. This exterior material is not compatible with the surrounding neighborhood because of the diagonal design element and the amount of surface footage

without windows. Quite simply this non-traditional appearance does not "encourage compatibility within (the) neighborhood and with the natural setting."

5. Additional Issues - Safety

A. Slope of Driveway

The driveway borders the property line on the south and slopes severely to the lower level garage. This severe slope of the driveway creates a safety hazard with the ingress and/ or egress from the property.

B. Turnaround Space

The space available for cars to turnaround in the "guest" parking space is inadequate. Vehicles attempting to leave the parking area next to the garage will have to blindly back up a steep slope. There does not even appear to be enough turn around space for vehicles parked in the garage.

C. Building Proximity to Street

The 10-foot variance requested puts the building so close to the street that an articulated fire vehicle cannot turnaround in the space provided on the street. In order for a large fire vehicle to turnaround at the end of the cul-de-sac, it is necessary that 10 to 12 feet of the back of the vehicle extend beyond the street and into the property at 779 San Carlos.

6. Riparian Corridor setback

The garage pad as shown on drawing sheet A100 protrudes approximately 5 feet into the required 20 foot riparian setback. No variance has been requested.

Barbara J. Cohn Janice Gaynor
754 San Carlos Avenue

Frederick Ender Leslie Ender
771 San Carlos Avenue

Roel van Bezooijen Susana van Bezooijen
730 San Carlos Avenue

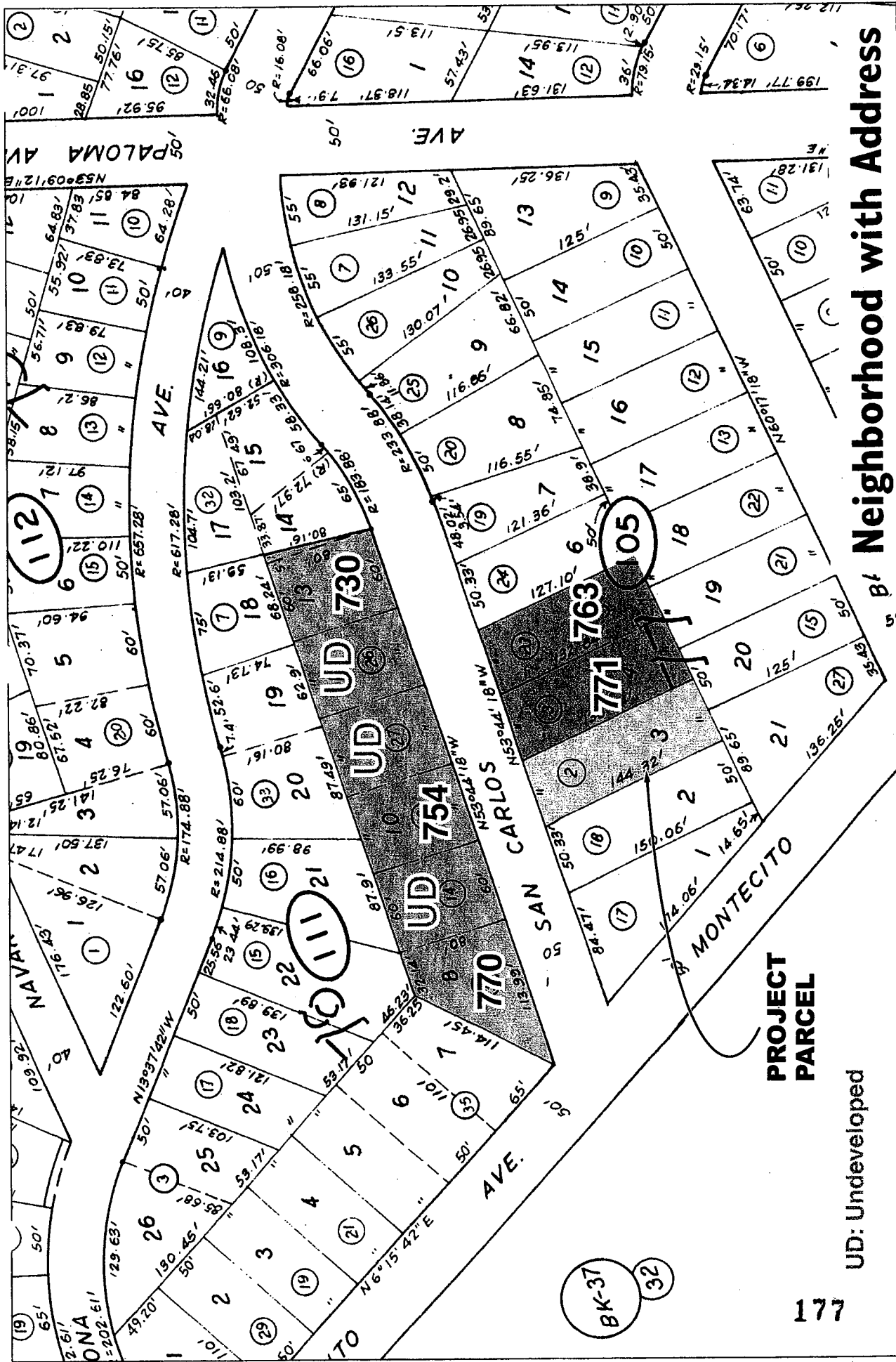
Mark Aschauer Sharlene Aschauer
770 San Carlos Avenue

Allan Lorenz Genie Lorenz
763 San Carlos Avenue

Judith Campbell Grace Collier

Additional Signatures

Name/
Address



177

**PROJECT
PARCEL**

UD: Undeveloped

Neighborhood with Address

San Mateo County Board of Supervisor's Meeting

Owner/Applicant: **ROD LACASIA**

Attachment: **AB**

File Numbers: **PLN 2004-00398**