



COUNTY OF SAN MATEO
Inter-Departmental Correspondence

PLANNING AND BUILDING DEPARTMENT

DATE: June 29, 2009
BOARD MEETING DATE: July 14, 2009
SPECIAL NOTICE/HEARING: 300 Feet
VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors

FROM: Lisa Grote, Director of Community Development L.G.

SUBJECT: Consideration of (1) a Coastal Development Permit and Certificate of Compliance, Type B, to legalize a 17,900 sq. ft. parcel, pursuant to Section 6328.4 of the County Zoning Regulations and Section 7134 of the County Subdivision Regulations, respectively, (2) a Use Permit, Coastal Development Permit, and Design Review Permit to construct a new single-family residence and septic system, pursuant to Sections 6227.b.5, 6328.4, and 6565.3 of the County Zoning Regulations, respectively, (3) a Variance to allow a 20-foot front yard setback and 35-foot rear yard setback where 50 feet is required for each, pursuant to Section 6531 of the County Zoning Regulations, (4) a Grading Permit to perform approximately 175 cubic yards of fill and approximately 13 cubic yards of excavation, pursuant to Section 8602.1 of the San Mateo County Code, and (5) certification of a Mitigated Negative Declaration, pursuant to the California Environmental Quality Act, on a parcel located within the Community Open Space Conservation (COSC) Zoning District on the west side of Avenue Alhambra, between Palma Avenue and Francisco Street, in the unincorporated El Granada area of San Mateo County. This project is appealable to the California Coastal Commission. This is an appeal by the applicant of the Planning Commission's decision to deny requested permits for parcel legalization and construction of a single-family residence.

County File Number: PLN 2003-00226 (Irizarry/Caron)

RECOMMENDATION

1. Grant the applicant's appeal and approve the Coastal Development Permit and Certificate of Compliance, Type B, legalizing the parcel, by making the required findings and adopting the conditions of approval listed in Attachment A.
2. Approve the certification of the revised Mitigated Negative Declaration.
3. Uphold the Planning Commission's decision to deny the Coastal Development Permit, Variance, and Use Permit for a new single-family residence, by making the findings for denial included in Attachment A.

PROPOSAL

The applicant proposes to legalize a 17,900 sq. ft. parcel in order to construct a new manufactured 1,777 sq. ft. single-family residence and new septic system. The development standards of the Community Open Space Conservation District (COSC), the underlying zoning district, require development to maintain a minimum 50-foot front and rear yard setback. As the subject parcel is wide and shallow, with an approximate average depth of 99 feet, application of minimum front and rear yard setbacks would largely prohibit development of the site. Therefore, the applicant seeks a variance from these required setbacks. The proposed single-family residence would be set back 20 feet from the edge of the roadway easement along the front property line (at Avenue Alhambra), 35 feet from the rear property line (at Cabrillo Highway), and 66 feet and 42 feet from the north and south side property lines, respectively. The proposed project would involve approximately 175 cubic yards of fill and approximately 13 cubic yards of excavation. Access to the residence will be provided by a new driveway from Avenue Alhambra. The project site is located within the Cabrillo Highway County Scenic Corridor. This project is appealable to the California Coastal Commission, as the proposed use is a conditionally permitted use in the COSC Zoning District and requires a use permit.

BACKGROUND

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

Applicant: Jim Irizarry

Owner: Craig and Deborah Caron

Location: West side of Avenue Alhambra, between Palma Avenue and Francisco Street

APN: 047-251-120

Size: 17,900 sq. ft. (0.41 acre)

Existing Zoning: COSC/DR/CD (Community Open Space Conservation District/Design Review/Coastal Development)

General Plan Designation: Open Space

Sphere-of-Influence: City of Half Moon Bay

Existing Land Use: Vacant

Water Supply: The Coastside County Water District (CCWD) has assigned the parcel a 5/8" water connection, which will be granted at the time of payment of applicable fees.

Sewage Disposal: The applicant proposes to construct an on-site septic system.

Flood Zone: The project site is located in an area of minimal flooding (Zone C), per FEMA Panel 060311-0113B, effective date July 5, 1984.

Environmental Evaluation: An Initial Study (IS) and Mitigated Negative Declaration (MND) providing an analysis of the potential impacts of parcel legalization and construction of a single-family residence were issued with a public review period from October 27, 2008 to November 17, 2008 (Attachment O). Comments received during the public review period and staff's response are summarized in Attachment P. Staff has revised the IS and MND (Attachment N) to reflect staff recommendation of a reduced project scope.

Setting: The project site is one of ten parcels located along a strip of land located between Avenue Alhambra and Cabrillo Highway in unincorporated El Granada (the Strip). The site is rectangular in shape and consists of 17,900 sq. ft., with an average downward slope of 5% in a southwesterly direction from Avenue Alhambra. This site is currently unimproved and is covered with weeds and grasses. There are no trees on the site. Other than a residence and a pre-school located two and five parcels south of the project site, respectively, the Strip is undeveloped. Residential and commercial uses exist to the east (across Avenue Alhambra) and commercial uses exist to the southwest (in the City Half Moon Bay).

The approval of the Coastal Development Permit to legalize the parcel through the issuance of a Certificate of Compliance, Type B, contributes to the Livable Communities 2025 Shared Vision because it is consistent with the County's land use regulations, including the Subdivision Regulations, General Plan, Zoning Regulations, and Local Coastal Program. The property is located within the urban Midcoast, near existing commercial and residential uses.

Chronology:

<u>Date</u>	<u>Action</u>
1906	- Completion of Daniel Burnham's Plan (Burnham Plan) for the town site of El Granada (originally named "Balboa"). The Burnham Plan was commissioned by the Shore Line Investment Company, who as owners of the Ocean Shore Railway, envisioned the town as a popular resort destination. The Burnham Plan designated the area of the Strip for a casino, train station, and bathhouse uses. However, the plan did not include a detailed beachfront plan. The Burnham Plan was never formally adopted.
July 8, 1949	- The parent parcel (originally 2.085 acres in size) was bifurcated by conveyance in fee simple to the State of California of a strip of land used to construct the Cabrillo Highway, resulting in the creation of two separate parcels, one to the west and the other to the east of the Highway. The current, eastern parcel was created when the area of the right-of-way was conveyed to the State of California by recorded deed.
1980	- The Strip was rezoned by the Board of Supervisors from H-1 to its current Community Open Space Conservation (COSC) zoning designation.
April 17, 2003	- Application submitted. Subsequently, the project is deemed incomplete. Processing is delayed due to the applicant's revision of proposed wastewater service and Planning Department staff turnover.
October 27, 2008	- Application is deemed complete. Initial Study and Mitigated Negative Declaration public review period begins.
November 17, 2008	- Initial Study and Mitigated Negative Declaration public review period ends.
March 25, 2009	- In the staff report prepared for the March 25, 2009 Planning Commission hearing, staff recommended a shift in the location of the house approximately 22 feet south of the proposed location ("House Location B"), in order to minimize view impacts along the Sonora Avenue view corridor.

At the public hearing, the Planning Commission denied the Certification of the Mitigated Negative Declaration, a Certificate of Compliance and Coastal Development Permit for parcel legalization, and a Coastal Development Permit, Use Permit, and Variance for a new single-family residence.

- March 30, 2009 - Applicant files appeal of the Planning Commission's decision.
- July 14, 2009 - Board of Supervisors public hearing.

DISCUSSION

A. KEY ISSUES OF THE APPEAL

1. Background

The proposal was heard by the Planning Commission at its March 25, 2009 public hearing. During the hearing, opposition to the project was expressed by members of the public with comments focusing on the project's visual impacts to ocean views from viewing locations to the east, potential impacts of the septic system to groundwater, and project non-compliance with the parcel's COSC zoning. The Planning Commission (3-1-0-1)¹ denied the certification of the Mitigated Negative Declaration, a Certificate of Compliance and Coastal Development Permit for parcel legalization, and a Coastal Development Permit, Use Permit, and Variance for the proposed single-family residence. However, the Planning Commission found in favor of the Design Review permit for the proposed residence. The Planning Commission was silent regarding the grading permit. The applicant has filed an appeal of opposition to the Planning Commission's decision to deny the project.

The following is a summary of the key findings forming the basis for the Planning Commission's denial of the proposed Parcel Legalization:

- a. Coastal Development Permit: The legalization of the parcel does not maximize consistency with Local Coastal Program (LCP) resource protection policies that require protection of coastal views and views to or along the shoreline from public lands.

The following is a summary of key findings forming the basis for the Planning Commission's denial of the proposed Single-Family Residence:

¹ (Ayes-nays-abstention-absent.)

- b. Mitigated Negative Declaration: The Mitigated Negative Declaration (MND) does not adequately mitigate scenic view obstruction, visual intrusion into an area having natural scenic qualities, and impact to groundwater resources resulting from construction of the proposed residence and septic system.
- c. Coastal Development Permit: The project does not conform to Visual Resource policies of the LCP that require protection of coastal views and views to or along the shoreline from public lands.
- d. Use Permit: The proposed single-family residential use would obstruct views from public lands and does not comply with COSC Zoning District regulations, resulting in a significant adverse impact to coastal resources, detriment to public welfare, and injury to property or improvements in the neighborhood.
- e. Variance: The subject parcel's location, size, shape, topography and/or other physical conditions do not vary substantially from those of other parcels in the same zoning district or vicinity. The wide and shallow parcel is similar to two other undeveloped parcels on the Strip.

2. Key Issues of Appeal

Michael McCracken (applicant's counsel) has submitted a position statement on behalf of Jim Irizarry, the project applicant and appellant. Mr. McCracken states that the "Planning Commission prejudicially abused the discretion vested in it, in that the findings it rendered in support of its decision are not supported by the evidence." The submitted appeal is included as Attachment D. Appeal issues, followed by staff's response, are listed below.

- a. *"[Regarding the] Certificate of Compliance, Type B, the staff report correctly notes that this is a legal issue, and references the opinion of the County Counsel... Because this parcel was created prior to 1981, the COSC prohibition against residential use on parcels created after that date does not come into play ... the parcel is legal, and a residential structure is permitted under applicable County zoning."*

Staff's Response: The appellant is correct in this statement. As discussed in Section 4.a(2) of this report, County Counsel has determined that the establishment of a residential use on this parcel would not conflict with Section 6227.b.6 of the COSC Zoning District regulations, which regulates division of land and specifically prohibits residential use on a parcel recorded after December 1, 1981. The parcel was created when the area of the Cabrillo Highway was conveyed to the State of California by recorded deed before 1981. However, the proposed single-family residence does not comply with LCP Policy 8.15, which requires

the protection of coastal views and the prohibition of development that substantially blocks views to or along the shoreline from public lands. Therefore, although the parcel was created prior to 1981, staff does not recommend approval of the proposed residence.

- b. *"[Regarding the] view corridor, this is a one-story home - exactly the same as adjoining residences. The staff report correctly concludes that the location of the residence, as mitigated, results in minimal impacts on the view corridor of the traveling public on Sonora Avenue and Francisco Street. Impacts on public views from the Highway 1 Scenic Corridor are non-existent."*

Staff's Response: The appellant states that the design and scale of the proposed residence is compatible with surrounding development and the existing residence on the Strip. At the hearing of March 25, 2009, the Planning Commission found that the project, as proposed and conditioned, complies with applicable Design Review policies.

The appellant also states that the location of the residence, as mitigated, results in minimal impacts to public views along Sonora Avenue, Francisco Street, and Highway 1. The Planning Commission found that the mitigation measures in the MND and conditions of approval in the staff report do not adequately mitigate coastal view impacts associated with the construction of the proposed residence, as the residence would be highly visible from Avenue Alhambra and Highway 1, thereby creating a significant obstruction to coastal views from viewing locations to the east.

3. Certificate of Compliance (Type B)

a. Parcel History

A Certificate of Compliance (COC), Type B, is a process required to legalize parcels that were created in violation of provisions of the County or State subdivision laws in effect at the time of a parcel's creation (Section 7134.2, San Mateo County Subdivision Regulations).

The parent parcel was created in 1947 with the recordation of a deed. The parent parcel was 2.085 acres in size and extended from Avenue Alhambra to the Pacific Ocean. On July 8, 1949, the State of California acquired a portion of the parent parcel to construct Highway 1, effectively subdividing the parent parcel.

When the area of the right-of-way was transferred in-fee simple to the State, the two remaining portions of the parent parcel (one to the east and the other to the west of the Highway) effectively became two separ-

ate parcels. This interpretation is consistent with Article 2, Section 7009 (*Definitions*), which defines a "parcel" as "a contiguous quantity of land in the possession of, or owned by, or recorded as the property of the same owner or owners." While portions of the parent parcel to the east and west of Cabrillo Highway were still under common ownership, the portions of land were separated by a separate parcel owned by someone else [the State of California] and were no longer contiguous. Therefore, the portion of land making up the subject parcel became its own parcel on July 8, 1949 (date of deed recordation).

The de-facto subdivision of the parent parcel violated the County's Subdivision Regulations (in effect since 1945) on two grounds:

- (1) One of the resulting parcels (the project parcel) violated the Subdivision Ordinance's design standards with regard to lot depth, specifically:

"Lots other than corner lots having double frontage with depths of less than two hundred (200) feet will not be approved except where necessitated by topographic or other physical conditions." (Ordinance 595 (Land Subdivision), Section 2(g)(5)).

- (2) No subdivision map was filed or recorded.

While the project parcel does not meet the minimum 200-foot depth requirement of the Subdivision Ordinance, it does meet the exception provision with regard to physical conditions. Given the State's purchase of the Highway 1 right-of-way, it would not have been possible for the subject parcel to meet the depth requirement. With regard to the recordation of a subdivision map, it is reasonable to assume that the property owner in 1949 was unaware that they had to record a map given the circumstances surrounding the State's right-of-way purchase. Also, the County's 1945 Subdivision Ordinance does not contain a Certificate of Compliance remedy to correct these types of Map Act violations. County Counsel has determined that a Certificate of Compliance, Type B, is the appropriate mechanism to legalize the parcel.

b. Conformance with the Local Coastal Program (LCP)

A Coastal Development Permit (CDP) is required when issuing a Certificate of Compliance to legalize parcels. At the March 25, 2009 public hearing, the Planning Commission determined that the proposed parcel legalization does not comply with LCP Policy 1.29(d) (*Coastal Development Permit Standards of Review for Legalizing Parcels*) which requires that the CDP be conditioned to maximize consistency with LCP

resource protection policies and requires a separate CDP for any development of the parcel. The Planning Commission found that the legalization of the parcel does not maximize consistency with policies of the Visual Resources Chapter, specifically Policy 8.15 (*Coastal Views for Structural and Community Features*), requiring the protection of coastal views and the prohibition of development which substantially blocks views to or along the shoreline from coastal roads, roadside rest areas, vista points, recreation areas, and beaches. However, parcel legalization by itself would not result in the introduction of any use nor any development on the parcel. Parcel legalization would involve the installation of a septic system and construction of a water line. The Subdivision Regulations, in effect at the time of the parcel's creation, require the provision of sewage disposal and adequate water supply. As mitigated, the construction of these improvements will not result in a significant environmental impact, as discussed in the revised MND. A separate CDP is required for development of the parcel.

Staff recommends that the Board approve the Coastal Development Permit and Certificate of Compliance legalizing the parcel. To do this, the Board would need to certify the revised Mitigated Negative Declaration. Staff has revised the MND to reflect the project's reduced scope (which includes the parcel legalization and construction of required improvements, specifically to construct a water line and install a septic system), thereby eliminating analysis of impacts of the construction of a residence. See Section B for further discussion of project environmental review.

4. Single-Family Residence

a. Project Conformance with the County's Local Coastal Program (LCP) and Zoning Regulations

At the March 25, 2009 public hearing, the Planning Commission determined that the proposed residence does not comply with required findings for a Coastal Development Permit, Variance, and Use Permit. The following analysis contains a discussion of project conformance with the County's Local Coastal Program and Zoning Regulations, as they relate to these findings.

- (1) Conformance with the Local Coastal Program (LCP): Policy 8.15 (*Coastal Views for Structural and Community Features*) requires the protection of coastal views and the prohibition of development which substantially blocks views to or along the shoreline from coastal roads, roadside rest areas, vista points, recreation areas, and beaches. The project site is widely visible from adjoining public roads, Avenue Alhambra and Cabrillo Highway, as it is located on

a strip of land that is largely undeveloped. Staff included mitigation measures in the Mitigated Negative Declaration that require implementation of low-height landscaping, colors and materials to match the surrounding environment, and minimization of exterior lighting in order to reduce visual impacts of the project. Furthermore, in the staff report prepared for the March 25, 2009 Planning Commission hearing, staff recommended that the property owners shift the location of the house approximately 22 feet south of the proposed location, to be located at the minimum 20-foot left side setback (House Location B). This shift in the house location would move approximately one-third of the house outside of the Sonora Avenue view corridor, preserve a majority of the parcel as open space, and allow for clustering opportunities for future development on the adjoining parcel. Even with the above mitigations, the Planning Commission found that the construction of the residence would still result in significant obstruction of coastal views and views to or along the shoreline from public lands.

- (2) Conformance with Zoning Regulations: Section 6227.b.6 of the COSC District regulates division of land and specifically prohibits residential use on a parcel recorded after December 1, 1981. County Counsel advises that the intent of the regulation is to prevent residential uses on parcels created after 1981. County Counsel has concluded that residential use on the subject parcel is permissible as the parcel was created by recorded deed at the time of the division of its parent parcel in 1949. Therefore, as the project would result in the establishment of a residential use on a parcel created before 1981, the issuing of a Certificate of Compliance, Type B, would not conflict with Section 6227.b.6 of the COSC Zoning District regulations.

As shown in the table below, the project complies with all development standards of the COSC District except for the minimum front and rear setbacks, for which the applicant seeks a variance. The proposed single-family residence would be set back 20 feet from the edge of the roadway easement along the front property line (Avenue Alhambra) and 35 feet from the rear property line (Cabrillo Highway), where minimum 50-foot front and rear yard setbacks are required. Construction of the house in staff recommended House Location B would increase setbacks to 24 feet in the front and 39 feet in the rear, but would still require a variance. Staff provides a discussion of project compliance with required findings necessary for the issuance of a variance in the following section.

Residence	Zoning Requirement	Proposed	Complies?
Front Yard Setback	50 ft.	<u>Location B:</u> 24 ft. (from Ave. Alhambra ROW) <u>Proposed:</u> 20 ft. (from Ave. Alhambra (ROW)	<u>No:</u> Variance requested
Rear Yard Setback	50 ft.	<u>Location B:</u> 39 ft. <u>Proposed:</u> 35 ft.	<u>No:</u> Variance requested
Right/Left Side Setback	20 ft.	<u>Location B:</u> 89 ft./20 ft. <u>Proposed:</u> 66 ft./42 ft.	Yes
Maximum Building Height	16 ft.	16 ft.	Yes
Lot coverage	10%	9.9%	Yes

(a) Project Non-Compliance with Variance Finding

On March 25, 2009, Planning Commission determined that the property (irrespective of the house location) does not comply with the following required variance finding:

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.

The Planning Commission found that the property does not vary substantially from other parcels on the Strip. After the State acquisition of the area of the Cabrillo Highway, parcels on the Strip were reduced to their current size, leaving a wider middle portion and shallower portions at the ends of the Strip. Two other undeveloped parcels on the Strip, located immediately north of the subject parcel, are as shallow or shallower than the subject parcel, where application of the required front and rear setbacks would eliminate or minimize the development potential of the parcels.

(b) Project Non-Compliance with Use Permit Findings

Section 6227.b.5 of the COSC Zoning Regulations requires a use permit for a single-family residence on a parcel less than 40 acres in size. The project site is 0.41 acre. On March 25, 2009, the Planning Commission determined that the property does not comply with the following required use permit finding:

That the establishment, maintenance, and/or conducting of the proposed use would, under the circumstances of the particular case, result in a significant adverse impact to coastal resources, or be detrimental to the public wel-

fare or injurious to property or improvements in the said neighborhood.

The Planning Commission found that the proposed single-family residential use does not comply with the requirements of Section 6227.b.6 of the COSC Zoning District, which regulates division of land and specifically prohibits residential use on a parcel recorded after December 1, 1981, and the proposed structure does not comply with LCP policies regarding protection of views from public lands. As discussed in Section 4.a(2) of this report, County Counsel has concluded that residential use on the parcel is permissible as the parcel was created by recorded deed at the time of the division of its parent parcel in 1949. However, as discussed in Section 4.A(1) of this report, the Planning Commission determined that the mitigation measures in the MND and staff's recommended house location shift to House Location B do not adequately mitigate significant obstruction of coastal views and views to or along the shoreline from public lands. Therefore, while residential use is permissible on the parcel with a use permit, staff recommends denial of the requested use permit because the Planning Commission found that the proposed residence does not comply with LCP policies regarding protection of views from public lands.

B. ENVIRONMENTAL REVIEW

A Mitigated Negative Declaration (MND) pursuant to the California Environmental Quality Act (CEQA) was published on October 27, 2008. The MND discussed potential environmental impacts resulting from parcel legalization through a Certificate of Compliance, Type B, and the construction of the single-family residence.

At the March 25, 2009 hearing, the Planning Commission found that there is substantial evidence that the construction of the proposed single-family residence (including installation of the proposed septic system) will have a significant effect on the environment, as the mitigation measures contained in the Mitigated Negative Declaration do not adequately mitigate the following potential significant effects:

1. The proposed single-family residence would result in significant obstruction to scenic views from existing residential areas, public lands, public water body, or roads.
2. The proposed single-family residence would result in significant visual intrusion into an area having natural scenic qualities.

3. The proposed installation of a septic tank/leachfield sewage disposal system may result in a potential significant impact to groundwater resources.

Planning staff's response to the above findings is included below.

Discussion of Potential Obstruction to Scenic Views and Potential Visual Intrusion into an Area Having Natural Scenic Qualities

The MND states that due to the low height of the residence, the presence of intervening development (commercial and residential structures to the east), and with implementation of recommended mitigation measures (verify project height, require landscaping, require color and materials to match surrounding vegetation, and require minimal exterior lighting) potential project impacts to scenic views from existing residential areas, public lands, public water body, and roads would be reduced to a level that is considered less than significant. After viewing photos and video of the story poles in House Location B presented at the hearing, the Planning Commission found that the house would result in a significant impact to scenic views from residences to the east and from adjoining roads, Avenue Alhambra and Cabrillo Highway. Due to the location of the Strip near the coast and downhill from a residential district, proposed development of the property would be significantly visible and would result in greater obstruction to ocean views than currently exists.

Discussion of Potential Impact to Groundwater Resources

The MND states that the septic plan has been reviewed by the County's Environmental Health Division, was found to be in compliance with the County's Septic Ordinance, and if installed according to the approved plans would not have a negative impact upon groundwater resources. However, the Planning Commission stated that due to the high water table in the area and the proximity of the property to seawater, groundwater impacts from a septic system could be significant.

Planning staff has conferred with County Environmental Health Division (Division) staff and confirms the analysis of the MND. The potential for a properly designed and installed septic system to result in contamination of groundwater, existing wells or surface water is very low. The Division reviews and permits septic systems to prevent groundwater pollution through siting requirements (including a minimum 100-foot setback from any water well), percolation testing requirements, and a determination as to the depth of groundwater. If groundwater is present or if there is evidence of past groundwater quality problems, the Division can require 'wet-weather' monitoring to determine peak groundwater levels prior to issuing a permit to install the septic system. All septic systems must be designed to maintain a minimum of 3-foot clearance between the highest groundwater level and the bottom of the septic drainfield. Therefore, the Division's minimum requirements as discussed above, collectively reduce the risk of groundwater contamination

and impacts to public health. As the risk of groundwater contamination through the proper installation of a permitted septic system is low, there is little to no risk associated with potential contamination to coastal waters through contact with contaminated groundwater.

Revised Mitigated Negative Declaration

To support the current recommendation of approval for the Certificate of Compliance, Type B, only, staff has revised the Mitigated Negative Declaration, limiting staff's analysis to the impacts of the proposed Certificate of Compliance legalizing the parcel, and eliminating analysis of the proposed single-family residence (Attachment N). As described in the revised MND, although parcel legalization would not result in the construction of any structures, it would involve the construction of below-ground improvements required by the Subdivision Regulations, specifically the installation of a septic system and a water line.

The revised MND was not re-circulated. Per Section 15073.5 of the CEQA Guidelines, re-circulation of a negative declaration is only required when a new, avoidable significant effect is identified or when a lead agency has determined that the proposed mitigation measures will not reduce potential effects to less than significance and new mitigation measures or project revision is required. Reducing the scope of the project by eliminating the proposed single-family residence will not increase but decrease the project's environmental impact. Therefore, re-circulation of the revised Initial Study and Mitigated Negative Declaration is not required by CEQA.

C. ALTERNATIVE

Based on the information discussed and presented in this report and at the public hearing, the Board of Supervisors can choose to grant the appeal and approve the project as proposed (both parcel legalization and the proposed residence), subject to the findings and conditions in Attachment B. In order to meet the requirements of CEQA, the Board could certify the Mitigated Negative Declaration (MND) as originally published. As discussed previously, a MND pursuant to the CEQA was published on October 27, 2008. The public review period ended on November 17, 2008. A summary of comments received from the public and responses from staff are provided in the table in Attachment P. Specifically, the Board would make the findings in Attachment B, finding that potential visual impacts related to the construction of a single-family residence are adequately mitigated through mitigation measures in the MND and conditions of approval and that the project would not result in significant impact to groundwater resources.

D. REVIEWING AGENCIES

Building Inspection Section
California Department of Fish and Game

California Coastal Commission
Environmental Health Division
Coastside Fire Protection District
Planning and Building Department Geotechnical Section
Granada Sanitary District
Midcoast Community Council
Coastside County Water Department
Committee for Green Foothills
Department of Public Works

FISCAL IMPACT

Nominal cost to Planning and Building Department to monitor compliance with conditions of approval for the Certificate of Compliance, Type B.

ATTACHMENTS

- A. Findings for Approval of Certificate of Compliance for Parcel Legalization and Denial of Single-Family Residence
- B. Findings and Conditions of Approval for Alternative
- C. Vicinity Map
- D. Application for Appeal, submitted March 30, 2009
- E. Planning Commission Decision Letter, dated March 30, 2009
- F. Site Plan, Floor Plan, and Elevations, received June 6, 2006
- G. Septic Plan, received August 8, 2005
- H. Civil Engineer's Estimate of Grading for Proposed Project, dated October 20, 2008
- I. Illustration of House Location B
- J. Grading Plan for House Location B, dated January 16, 2009
- K. Grant Deed, recorded July 8, 1949
- L. Coastal Development Policy Checklist
- M. Staff Report for Planning Commission Public Hearing, dated March 25, 2009
- N. REVISED Mitigated Negative Declaration, dated July 14, 2009
- O. Mitigated Negative Declaration (Original), dated October 27, 2008
- P. Summary Comments on Mitigated Negative Declaration and Staff's Response
- Q. Representation of the original "Strip" by Daniel Burnham (Source: "Granada, A Synonym for Paradise: The Ocean Shore Railroad Years," Barbara VanderWerf, 1992)
- R. COSC Zoning Regulations
- S. El Granada Gateway (EG) Ordinance (not effective until 30 days after certification by the Coastal Commission)

COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

**RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL OF THE
PERMITS FOR THE CERTIFICATE OF COMPLIANCE (TYPE B) FOR PARCEL
LEGALIZATION AND DENIAL OF THE SINGLE-FAMILY RESIDENCE**

Permit File Number: PLN 1999-00082

Board Meeting Date: July 14, 2009

Prepared By: Camille Leung

For Adoption By: Board of Supervisors

**RECOMMENDED FINDINGS FOR APPROVAL OF THE PERMITS FOR THE
CERTIFICATE OF COMPLIANCE (TYPE B) FOR PARCEL LEGALIZATION**

Regarding the Revised Mitigated Negative Declaration, Find:

1. That the Mitigated Negative Declaration (MND) is complete, correct and adequate and prepared in accordance with the California Environmental Quality Act and applicable State and County Guidelines. An Initial Study and a Mitigated Negative Declaration were prepared and issued with a public review period from October 27, 2008 to November 17, 2008, per the provisions of the California Environmental Quality Act (CEQA). Planning staff revised the MND (Attachment N) to remove the proposed single-family residence from the scope of the project. The revision results in a decrease of the project's environmental impact and does not require re-circulation of the revised Initial Study and revised Mitigated Negative Declaration.
2. That, on the basis of the Initial Study and comments received hereto, and testimony presented and considered at the public hearing, there is no substantial evidence that the project, if subject to the mitigation measures contained in the Mitigated Negative Declaration, will have a significant effect on the environment. The mitigation measures contained in the revised Mitigated 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 revised Mitigated 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 mitigation measures contained in the revised Mitigated Negative Declaration. In addition, applicable mitigation measures have been incorporated as conditions of approval for this project.

4. That the revised Mitigated Negative Declaration reflects the independent judgment of San Mateo County.

Regarding the Certificate of Compliance (Type B), Find:

5. That the processing of the Certificate of Compliance is in full conformance with Section 7134(2) of the County Subdivision Regulations. Processing of the Certificate of Compliance has followed the procedure as outlined in the Subdivision Regulations Section 7134(2) of the County Subdivision Regulations.

Regarding the Coastal Development Permit for the Parcel Legalization, Find:

6. That the project, as described in the application and accompanying materials required by Section 6328.7 of the Zoning Regulations (*Application Requirements*) and as conditioned in accordance with Section 6328.14 (*Conditions*), conforms with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program. LCP Policy 1.29(d) requires that the Coastal Development Permit (CDP) be conditioned to maximize consistency with the LCP resource protection policies and requires a separate CDP, subject to all applicable Local Coastal Program requirements, for any development of the parcel. Staff finds that there are no applicable resource protection policies other than the visual issues related to the proposed development. The proposal includes a request for a separate CDP for development of the parcel.
7. 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.

**RECOMMENDED CONDITIONS OF APPROVAL OF THE PERMITS FOR THE
CERTIFICATE OF COMPLIANCE (TYPE B) FOR PARCEL LEGALIZATION**

Current Planning Section – Certificate of Compliance (Type B)

1. The Coastal Development Permit for the parcel legalization shall be valid for one (1) year from the date of approval. Any extension of this permit shall require submittal of a request for permit extension and payment of applicable extension fees, no less than 60 days prior to expiration.
2. The property owner(s) shall submit a legal, written description of the subject property for review, approval and inclusion in the Certificate of Compliance (Type B) document. Once this document is submitted, the Current Planning Section will record the Certificate of Compliance (Type B) with the County Recorder. The

Certificate of Compliance shall be recorded prior to the issuance of a building permit on this property.

Condition Nos. 3 through 6 are mitigation measures from the REVISED Mitigated Negative Declaration, dated July 14, 2009 (a revised version of the Mitigated Negative Declaration made available to the public on October 27, 2008):

3. Mitigation Measure 1: The applicant is responsible for ensuring that all contractors minimize the transport and discharge of pollutants from the project site into local drainage systems and water bodies by adhering to the San Mateo Countywide Water Pollution Prevention Program's "General Construction and Site Supervision Guidelines," including:
- a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15. Stabilizing shall include both proactive measures, such as the placement of straw bales or coir netting, and passive measures, such as revegetating disturbed areas with vegetation that is compatible with the surrounding environment.
 - b. Storing, handling, and disposing of construction materials and wastes properly, so as to prevent their contact with stormwater.
 - c. Controlling and preventing the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
 - d. Using sediment controls or filtration to remove sediment when dewatering site and obtaining all necessary permits.
 - e. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
 - f. Delineating with field markers clearing limits, setbacks, and drainage courses.
 - g. Protecting adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
 - h. Performing clearing and earth-moving activities only during dry weather.
 - i. Limiting and timing applications of pesticides and fertilizers to prevent polluted runoff.
 - j. Limiting construction access routes and stabilizing designated access points.

- k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
 - l. The contractor shall train and provide instruction to all employees and subcontractors regarding the construction best management practices (as listed above).
4. Mitigation Measure 2: Construction activities shall be limited from the hours of 7:00 a.m. until 6:00 p.m., Monday through Friday, and Saturdays from 9:00 a.m. until 5:00 p.m. Construction is not permitted on Sundays, Thanksgiving, or Christmas.
5. Mitigation Measure 3: Prior to commencement of project activities at the site, the applicant shall arrange for the completion of a study by a qualified archaeologist of the project area (including all areas to be excavated) and submit a copy of the study to the Current Planning Section. All identified archaeological sites should be evaluated using the California Register of Historical Resources (Cal Register) criteria.
6. Mitigation Measure 4: The applicant and contractors must be prepared to carry out the requirements of California State law with regard to the discovery of human remains during grading and construction, whether historic or prehistoric. In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately and the County coroner shall be notified immediately. If the coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within 24 hours. A qualified archaeologist, in consultation with the Native American Heritage Commission, shall recommend subsequent measures for disposition of the remains.

Department of Public Works – Certificate of Compliance (Type B)

7. The property owners shall submit a parcel map or record of survey to the Department of Public Works for review and recording.

RECOMMENDED FINDINGS FOR DENIAL OF THE PERMITS FOR THE SINGLE-FAMILY RESIDENCE

Regarding the Coastal Development Permit for the Single-Family Residence, Find:

1. That the project does not conform to policies of the Visual Resources Chapter of the San Mateo County Local Coastal Program, including Policy 8.15 (*Coastal Views for Structural and Community Features*), requiring the protection of coastal views and the prohibition of development which substantially blocks views to or

along the shoreline from coastal roads, roadside rest areas, vista points, recreation areas, and beaches.

Regarding the Variance, Find:

2. That the parcel's location, size, shape, topography and/or other physical conditions do not vary substantially from those of other parcels in the same zoning district or vicinity. The wide and shallow parcel is similar to two other undeveloped parcels on the Strip.

Regarding the Use Permit, Find:

3. That the establishment, maintenance, and/or conducting of the proposed use would, under the circumstances of the particular case, result in a significant adverse impact to coastal resources, or be detrimental to the public welfare or injurious to property or improvements in the said neighborhood. The single-family residential use does not comply with LCP policies regarding protection of views from public lands.

COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

ALTERNATIVE
RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL OF THE PERMITS
FOR THE CERTIFICATE OF COMPLIANCE (TYPE B) FOR PARCEL
LEGALIZATION AND SINGLE-FAMILY RESIDENCE

Permit File Number: PLN 2003-00226

Board Meeting Date: July 14, 2009

Prepared By: Camille Leung

For Adoption By: Board of Supervisors

RECOMMENDED FINDINGS

Regarding the Mitigated Negative Declaration, Find:

1. That the Mitigated Negative Declaration is complete, correct and adequate and prepared in accordance with the California Environmental Quality Act and applicable State and County Guidelines. An Initial Study and a Mitigated Negative Declaration (Attachment O) were prepared and issued with a public review period from October 27, 2008 to November 17, 2008, per the provisions of the California Environmental Quality Act (CEQA).
2. That, on the basis of the Initial Study and comments received hereto, and testimony presented and considered at the public hearing, there is no substantial evidence that the project, if subject to the mitigation measures contained in the Mitigated Negative Declaration, will have a significant effect on the environment. The mitigation measures contained in the Mitigated 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 Mitigated 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 mitigation measures contained in the Mitigated Negative Declaration. In addition, applicable mitigation measures have been incorporated as conditions of approval for this project.
4. That the Mitigated Negative Declaration reflects the independent judgment of San Mateo County.

000023

Regarding the Certificate of Compliance (Type B), Find:

5. That the processing of the Certificate of Compliance (Type B) is in full conformance with Section 7134(2) of the County Subdivision Regulations. Processing of the Certificate of Compliance has followed the procedure as outlined in the Subdivision Regulations Section 7134(2) of the County Subdivision Regulations.

Regarding the Coastal Development Permit for the Parcel Legalization, Find:

6. That the project, as described in the application and accompanying materials required by Section 6328.7 of the Zoning Regulations (*Application Requirements*) and as conditioned in accordance with Section 6328.14 (*Conditions*), conforms with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program. LCP Policy 1.29(d) requires that the Coastal Development Permit (CDP) be conditioned to maximize consistency with the LCP resource protection policies and requires a separate CDP, subject to all applicable Local Coastal Program requirements, for any development of the parcel. Staff finds that there are no applicable resource protection policies other than the visual issues related to the proposed development. The proposal includes a request for a separate CDP for development of the parcel.
7. 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.

Regarding the Use Permit, Find:

8. That the establishment, maintenance, and/or conducting of the proposed use will not, under the circumstances of the particular case, result in a significant adverse impact to coastal resources, or be detrimental to the public welfare or injurious to property or improvements in the said neighborhood. The proposed use is for a single-family residential development and is one of the uses permitted with a use permit within the COSC Zoning District. As discussed in the Mitigated Negative Declaration, the project, as proposed and mitigated, will not result in any significant environmental impacts.

Regarding the Coastal Development Permit for the Single-Family Residence, Find:

9. That the project, as described in the application and accompanying materials required by Section 6328.7 of the Zoning Regulations (*Application Requirements*) and as conditioned in accordance with Section 6328.14 (*Conditions*), 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 policies of the LCP. Specifically, Planning staff has added Condition No. 7 to require the property owners to shift the location of the house to House Location B in order to preserve the visual and open space qualities of the parcel to the extent feasible, Condition No. 15 to require the property owners to incorporate low-height landscaping that would help to blend the structure into the existing landscape, and Condition Nos. 11, 12, 21 and 23 to minimize impacts associated with the proposed grading.

10. 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.

Regarding the Design Review, Find:

11. That this project has been reviewed under and found to be in compliance with the Standards of Review Criteria as stipulated in Chapter 28.1 of the San Mateo County Zoning Regulations. The project, as proposed and conditioned, complies with applicable Design Review policies. Specifically, the residence would employ color and materials to match the surrounding environment. Staff has added Condition Nos. 8, 10 and 15, to construct the driveway and walkway using a pervious material in order to maximize surface water infiltration, replace vegetation removed during construction, and require the property owners to incorporate low-height landscaping that would help to blend the structure into the existing landscape, respectively.

Regarding the Variance, Find:

12. That 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. The subject parcel is both unique in the process of its creation and its resulting size and shape. The State's acquisition of the area of the Cabrillo Highway in 1949 reduced the parcels on the Strip to their current size, resulting in the creation of the subject parcel, which varies substantially in parcel depth from most parcels on the Strip, which do not require a variance to accommodate development. Application of the 50-foot minimum front and rear yard setbacks would largely prohibit development of the site.
13. 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. The COSC Zoning District allows for single-family residential uses with the issuance of a use permit. A single-family residence already exists on the Strip. Due to the shallow depth of the subject parcel, application of the 50-foot minimum front and rear yard setbacks would largely prohibit development of the site. A variance is

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required to allow the property owners the same rights as other property owners on the Strip.

14. That 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. A variance to front and rear yard setbacks would be necessary for the construction of any structure on the parcel. Denial of a variance would prohibit the property owners the right to develop the parcel and unduly restrict use of the parcel beyond the restrictions of the COSC Zoning District.
15. That the variance authorizes only uses or activities which are permitted by the zoning district. The COSC Zoning District allows for single-family residential uses with the issuance of a use permit.
16. That the variance is consistent with the objectives of the General Plan, the Local Coastal Program (LCP) and the Zoning Regulations. The variance would allow development as permitted by the COSC Zoning District on the subject parcel. As proposed and conditioned, the project complies with applicable policies of the General Plan, Local Coastal Program and Zoning Regulations.

Regarding the Grading Permit, Find:

17. That the project will not have a significant adverse effect on the environment. Grading associated with construction of proposed improvements will cause some minor erosion and siltation. Staff has added Condition Nos. 11 and 12 to require the issuance of a building permit prior to the start of grading activities in order to minimize the duration of ground disturbance and the potential for erosion, as well as project compliance with the San Mateo Countywide Water Pollution Prevention Program's "General Construction and Site Supervision Guidelines" and the approved erosion and sediment control plan during grading and construction activities. As discussed in the Mitigated Negative Declaration, the project as proposed and conditioned, would not result in a significant adverse effect on the environment.
18. That the project conforms to the criteria of Chapter 8, Division VII, San Mateo County Code (Grading Regulations), including the standards referenced in Section 8605. The project has been reviewed by the County's Department of Public Works and the Planning and Building Department's Geotechnical Engineer. Applicable requirements of these agencies have been incorporated as conditions of approval, including those regulating the timing of grading activity, erosion and sediment control, and dust control.
19. That the project is consistent with the General Plan. As proposed and conditioned, the project complies with applicable policies of the General Plan.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section – Certificate of Compliance (Type B)

1. The Coastal Development Permit for the parcel legalization shall be valid for one (1) year from the date of approval. Any extension of this permit shall require submittal of a request for permit extension and payment of applicable extension fees, no less than 60 days prior to expiration.
2. The property owner(s) shall submit a legal, written description of the subject property for review, approval and inclusion in the Certificate of Compliance (Type B) document. Once this document is submitted, the Current Planning Section will record the Certificate of Compliance (Type B) with the County Recorder. The Certificate of Compliance shall be recorded prior to the issuance of a building permit on this property.
3. Prior to the issuance of the grading permit hard card, the property owners shall submit, to the satisfaction of the Geotechnical Section, an updated geotechnical report.

Current Planning Section – Single-Family Residence

4. This approval applies only to the proposal as described in this report and plans dated May 18, 2006 and January 16, 2009. Minor adjustments to the project in the course of applying for building permits may be approved by the Community Development Director if they are consistent with the intent of and in substantial conformance with this approval.
5. The property owners shall obtain a building permit and develop in accordance with the approved plans and conditions of approval.
6. No site disturbance shall occur, including any grading, until a valid building permit has been issued.
7. In order to preserve open space at the end of this view corridor, the property owners shall shift the location of the house to House Location B, approximately 22 feet to the south (left when facing the parcel from Avenue Alhambra) such that the residence would be located at the minimum 20-foot side setback, as shown in approved plans dated January 16, 2009. The property owners shall demonstrate compliance with this condition prior to the Building Inspection Section's issuance of a building permit for the residence.

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8. The proposed driveway and walkway shall be constructed of a pervious material in order to maximize surface water infiltration. This requirement shall be illustrated on the required building plans prior to the issuance of the Certificate of Occupancy for the residence. Construction of the driveway and walkway with the approved materials shall be confirmed by Planning and Building Department staff.
9. The property owner(s) shall record the following deed restrictions and provide evidence of compliance with this condition prior to the Building Inspection Section's issuance of the Certificate of Occupancy for the residence:
 - a. The planting of trees is prohibited at the subject property for as long as a single-family residential use exists at the property.
 - b. Additional structures (over 18 inches in height) are prohibited at the subject property. As the proposed development has maximized the permitted lot coverage, no further structures shall be built or placed on this property.
 - c. Shrubs shall be maintained at a maximum height of 4 feet.
10. The applicant shall comply with LCP Policy 8.10, which requires the applicant to minimize vegetation removal and replace vegetation removed during construction. Replacement plant materials (trees, shrubs, groundcover) shall be compatible with surrounding vegetation and shall be suitable to the climate, soil, and ecological characteristics of the area. The property owners shall utilize native, non-invasive plant species when replanting.

Condition Nos. 11 through 21 are mitigation measures from the Mitigated Negative Declaration made available on October 27, 2008 (please note that Mitigation Measure 5 was revised in order to reduce visual impacts):

11. Mitigation Measure 1: No grading activities shall commence until the applicant has been issued the following: (1) a building permit for the proposed residence by the Building Inspection Section and (2) a grading permit (issued as the "hard card" with all necessary information filled out and signatures obtained) by the Current Planning Section.
12. Mitigation Measure 2: Prior to the issuance of the grading permit "hard card," the applicant shall schedule an erosion control inspection by Current Planning Section staff to demonstrate that the approved erosion control plan has been implemented. The applicant is responsible for ensuring that all contractors minimize the transport and discharge of pollutants from the project site into local drainage systems and water bodies by adhering to the San Mateo Countywide Water Pollution Prevention Program's "General Construction and Site Supervision Guidelines," including:
 - a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15. Stabilizing shall include both

proactive measures, such as the placement of straw bales or coir netting, and passive measures, such as minimizing vegetation removal and revegetating disturbed areas with vegetation that is compatible with the surrounding environment.

- b. Storing, handling, and disposing of construction materials and wastes properly, so as to prevent their contact with stormwater.
 - c. Controlling and preventing the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
 - d. Using sediment controls or filtration to remove sediment when dewatering site and obtaining all necessary permits.
 - e. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
 - f. Delineating with field markers clearing limits, setbacks, and drainage courses.
 - g. Protecting adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate
 - h. Performing clearing and earth-moving activities only during dry weather.
 - i. Limiting and timing applications of pesticides and fertilizers to prevent polluted runoff.
 - j. Limiting construction access routes and stabilizing designated access points.
 - k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
 - l. The contractor shall train and provide instruction to all employees and subcontractors regarding the construction best management practices (as listed above).
13. Mitigation Measure 3: The applicant shall indicate the use of solid core exterior doors, double pane windows, and weather-stripping on the construction set of plans. The applicant shall demonstrate use of these noise mitigation features prior to the Building Inspection Section's issuance of a building permit.

14. Mitigation Measure 4: Construction activities shall be limited from the hours of 7:00 a.m. until 6:00 p.m., Monday through Friday, and Saturdays from 9:00 a.m. until 5:00 p.m. Construction is not permitted on Sundays, Thanksgiving, or Christmas.
15. Mitigation Measure 5 (Revised): The applicant shall submit a landscape plan prepared by a landscape architect or certified arborist for review and approval by the Current Planning Section. The approved landscaping plan shall be implemented prior to the Current Planning Section gives a final approval on the building permit and prior to the Building Inspection Section's issuance of the Certificate of Occupancy. The landscaped areas shall be designed to be water efficient, require minimal use of fertilizers, herbicides and pesticides, soften and screen the west and east building elevations, and avoid obstruction of coastal views. Specifically, the plan shall comply with the following requirements:
- a. The plan shall include a minimum of fifteen (15) low-height shrubs (minimum one gallon), including six (6) at the front (Avenue Alhambra side) and nine (9) at the rear (Cabrillo Highway side) of the property, to soften view impacts of the residence from these viewing locations and minimize the obstruction of coastal views. Shrubs shall be maintained at a maximum height of 4 feet.
 - b. All exposed soil areas that do not contain trees or shrubs shall be covered with a combination of turf or groundcover and/or a minimum of 2 inches of mulch.
 - c. An irrigation plan shall be submitted with the planting plan. All landscaping shall be properly maintained and shall be designed with efficient irrigation practices to reduce runoff and promote surface filtration.
 - d. The property owners shall utilize native, non-invasive plant species when replanting.
16. Mitigation Measure 6: The exterior colors and materials of the house shall blend with the surrounding vegetation in this area. Prior to the issuance of a Certificate of Occupancy for this project, the applicant shall provide photographs to the Current Planning Section staff to demonstrate utilization of the approved color and materials. Materials and colors shall not be highly reflective.
17. Mitigation Measure 7: 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 property line. The applicant shall provide a note on the construction plans to reflect this condition.
18. Mitigation Measure 8: All proposed exterior lighting should be the minimum required to illuminate that area of the house exterior for safety purposes. Exterior lighting shall employ warm colors rather than cool tones and shield the scenic

corridor from glare. The applicant shall submit the manufacturer's "cut sheets" for review by the Current Planning Section prior to the issuance of a building permit.

19. Mitigation Measure 9: In order to ensure the height of the house does not exceed the maximum height permitted, staff requires the applicant to adhere to the following height verification procedure during the building permit process:
- a. The applicant shall provide "finished floor elevation verification" to certify that the structure is actually constructed at the height shown on the submitted plans. The applicant shall have a licensed land surveyor or engineer establish a baseline elevation datum point in the vicinity of the construction site.
 - b. The applicant shall maintain the datum point so that it will not be disturbed by the proposed construction activities until final approval of the building permit.
 - c. This datum point and its elevation shall be shown on the submitted site plan. This datum point shall be used during construction to verify the elevation of the finished floors relative to the existing natural or to the grade of the site (finished grade).
 - d. Prior to Planning approval of the building permit application, the applicant shall also have the licensed land surveyor or engineer indicate on the construction plans: (1) the natural grade elevations at the significant corners (at least four) of the footprint of the proposed structure on the submitted site plan, and (2) the elevations of proposed finished grades.
 - e. In addition, (1) the natural grade elevations at the significant corners of the proposed structure, (2) the finished floor elevations, (3) the topmost elevation of the roof and (4) garage slab elevation must be shown on the plan, elevations, and cross-section (if one is provided).
 - f. Once the building is under construction, prior to the below floor framing inspection or the pouring of the concrete slab (as the case may be) for the lowest floor(s), the applicant shall provide to the Building Inspection Section a letter from the licensed land surveyor or engineer certifying that the lowest floor height--as constructed--is equal to the elevation specified for that floor in the approved plans. Similarly, certifications on the garage slab and the topmost elevation of the roof are required.
 - g. If the actual floor height, garage slab, or roof height--as constructed--is different than the elevation specified in the plans, then the applicant shall cease all construction and no additional inspections shall be approved until a revised set of plans is submitted to and subsequently approved by both the Building Official and Community Development Director.

20. Mitigation Measure 10: Prior to the issuance of a grading permit "hard card" for the commencement of grading operations at the site, the applicant shall arrange for the completion of a study by a qualified archaeologist of the project area (including all areas to be excavated) and submit a copy of the study to the Current Planning Section. All identified archaeological sites should be evaluated using the California Register of Historical Resources (Cal Register) criteria.
21. Mitigation Measure 11: The applicant and contractors must be prepared to carry out the requirements of California State law with regard to the discovery of human remains during grading and construction, whether historic or prehistoric. In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately and the County coroner shall be notified immediately. If the coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within 24 hours. A qualified archaeologist, in consultation with the Native American Heritage Commission, shall recommend subsequent measures for disposition of the remains.
22. Upon the start of grading activities and through to the completion of the project, the applicant shall be responsible for ensuring that the following dust control guidelines are implemented:
- a. All graded surfaces and materials, whether filled, excavated, transported or stockpiled, shall be wetted, protected or contained in such a manner as to prevent any significant nuisance from dust, or spillage upon adjoining water body, property, or streets. Equipment and materials on the site shall be used in such a manner as to avoid excessive dust. A dust control plan may be required at anytime during the course of the project.
 - b. A dust palliative shall be applied to the site when required by the County. The type and rate of application shall be recommended by the soils engineer and approved by the Department of Public Works, the Planning and Building Department's Geotechnical Engineer, and the Regional Water Quality Control Board.
23. During construction activities, the applicant shall be required to implement the following erosion and sediment control practices:
- a. No construction activities shall commence until the applicant has been issued a building permit by the Building Inspection Section of the County of San Mateo.
 - b. Prior to commencement of construction, the applicant shall install the approved erosion and sediment control plan. During construction, it shall be the responsibility of the applicant to regularly inspect the erosion control measures and determine that they are functioning as designed and that the

proper maintenance is being performed. Deficiencies shall be immediately corrected.

- c. No grading shall be allowed during the winter season (October 15 to April 15) to avoid potential soil erosion unless approved, in writing, by the Community Development Director. The property owners shall submit a letter to the Current Planning Section, at least two weeks prior to commencement of grading, stating the date when grading will begin.
 - d. While the applicant must adhere to the approved erosion and sediment control plan, it is the responsibility of the civil engineer and/or construction manager to implement the Best Management Practices (BMPs) that are best suited for this project site. If site conditions require additional measures in order to comply with the SMCWPPP and prevent erosion and sediment discharges, said measures shall be installed immediately under the direction of the project engineer. If additional measures are necessary, the erosion and sediment control plan shall be updated to reflect those changes and shall be resubmitted to the Planning and Building Department for review. The County reserves the right to require additional (or entirely different) erosion and sediment control measures during grading and/or construction if the approved plan proves to be inadequate for the unique characteristics of each job site.
24. Where subsurface conditions allow, the roof downspout systems from all structures shall be designed to drain into a designated, effective infiltration area or structure (refer to BMPs Handbook for infiltration system designs and requirements).
25. The applicant shall pay the environmental filing fee (currently \$1,993.00), as required under Fish and Game Code Section 711.4(d), plus a \$50.00 County Recorder filing fee to the San Mateo County Clerk within four (4) working days of the final approval date of the Coastal Development Permit.

Building Inspection Section

26. Prior to pouring any concrete for foundations, written verification from a licensed surveyor will be required confirming that the required setbacks as shown on the approved plans have been maintained.
27. An automatic fire sprinkler system will be required. This permit must be issued prior to or in conjunction with the building permit.
28. 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 which will ensure the work will be completed prior to finalizing the building permit.

29. Sediment and erosion control measures must be installed prior to beginning any site work and maintained throughout the project. 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.

Department of Public Works – Certificate of Compliance (Type B)

30. The property owners shall submit a parcel map or record of survey to the Department of Public Works for review and recording.

Department of Public Works – Single-Family Residence

31. Prior to final approval of the subdivision improvements, the applicant shall have prepared by a registered civil engineer a drainage analysis of the proposed improvements for submittal to the Department of Public Works in compliance with the San Mateo County Drainage Guidelines for review and approval. The drainage analysis shall consist of a written narrative and a plan. The plan shall detail the flow of the stormwater onto, over, and off the property being subdivided and shall include adjacent lands as appropriate to clearly depict the pattern of flow. The analysis shall detail the measures necessary to certify adequate drainage. Post-development volumes and velocities shall not exceed those that existed in the pre-developed state. Recommended measures shall be designed and included in the street improvement plans and submitted to the Department of Public Works for review and approval.
32. a. 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 residence per Ordinance No. 3277.
- b. Prior to the issuance of a final approval, the applicant must repair damaged roadway areas caused by construction as directed by Public Works.
33. The applicant shall submit a plan to the Department of Public Works, showing driveway access to residence complying with County standards for driveway slopes from the property line to the garage slab not exceeding a 20% slope and the driveway elevation, at the property line, being the same elevation as the center of the access roadway (Alhambra Avenue).
34. No construction work within the County right-of-way shall begin until Public Works requirements for the issuance of an encroachment permit, including review of applicable plans, have been met and an encroachment permit issued by Public Works.

Environmental Health Division

35. At the building application stage, the applicant shall submit septic application and septic design plans to the Environmental Health Division for review and approval.

Coastside Fire Protection District

36. Occupancy Separation: As per the 2007 CBC, Section 406.1.4, a one-hour occupancy separation wall shall be installed with a solid core, 20-minute fire rated, self-closing door assembly with smoke gasket between the garage and the residence.
37. Fire Hydrant: As per 2007 CFC, Appendix B and C, 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 2007 CFC, Appendix B, 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.
38. Automatic Fire Sprinkler System: As per San Mateo County Building Standards and Coastside Fire District Ordinance 2007-01, the applicant is required to install an automatic fire sprinkler system throughout the proposed or improved dwelling and garage. All attic access locations will be provided with a pilot head on a metal upright. All areas that are accessible for storage purposes shall be equipped with fire sprinklers including closets and bathrooms. The only exception is small linen closets less than 24 sq. ft. with full depth shelving. The plans for this system must be submitted to the San Mateo County Planning and Building Department. A building permit will not be issued until plans are received, reviewed and approved. Upon submission of plans, the County will forward a complete set to the Coastside Fire District for review. The fee schedule for automatic fire sprinkler systems shall be in accordance with Half Moon Bay Ordinance 2006-01. Fees shall be paid prior to plan review. Installation of underground sprinkler pipe shall be visually inspected and flushed by Fire District prior to hookup to riser. Any soldered fittings must be pressure tested with trench open.
39. Exterior bell and interior horn/strobe are required to be wired into the required 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.
40. Smoke Detectors which are Hardwired: As per the California Building Code, State Fire Marshal regulations, and Coastside Fire District Ordinance 2007-01, 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.

41. **Address Numbers:** As per Coastsides Fire District Ordinance 2007-01, 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 4 inches in height with a minimum 3/4-inch stroke. Such letters/numerals shall be internally illuminated and facing the direction of access. Finished height of bottom of address light unit shall be greater than or equal to 6 feet from finished grade. When the building is served by a long driveway or is otherwise obscured, a reflectorized address sign shall be placed at the entrance from the nearest public roadway. See Fire Ordinance for standard sign.
42. **Roof Covering:** As per Coastsides Fire District Ordinance 2007-01, 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.
43. **Solar Photovoltaic Systems:** These systems shall meet the requirements of the Coastsides Fire Protection District as outlined in Standard Detail DI-007 Solar Photovoltaic Systems.
44. **Vegetation Management:** The Coastsides Fire District Ordinance 2007-01, the 2007 California Fire Code and Public Resources Code 4291 require a minimum clearance of 100 feet, or to the property line of all flammable vegetation to be maintained around all structures by the property owner. This does not include individual species of ornamental shrubs and landscaping.

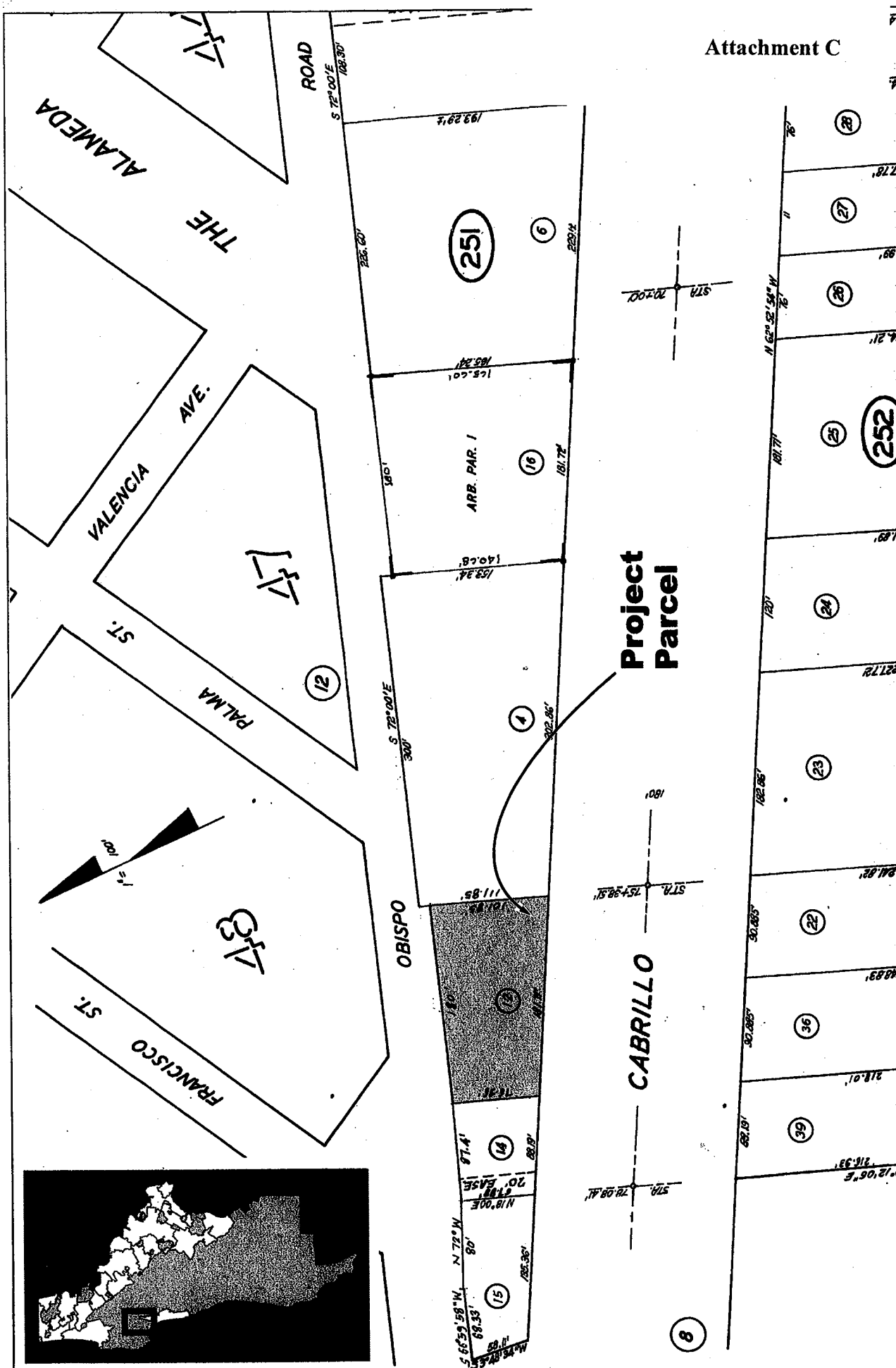
San Mateo County Board of Supervisors' Meeting

Applicant: **JIM IRIZARRY**

File Numbers: PLN 2003-00226

000037

Attachment C



Application for Appeal

Planning and Building Division

☐ To the Planning Commission☒ To the Board of Supervisors

RECEIVED

MAR 30 2009

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

1. Appellant Information

Name: Jim IrizarryAddress: 1200 BEAR GULCH RDWOODSIDE, CA 94062Phone, W: 650-851-7300 H: 650-404-1117Zip: 94062

2. Appeal Information

Permit Numbers involved:

PLN 2003-00226APN # 047-251-120

I hereby appeal the decision of the:

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

made on MARCH 25, 2009 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:

Jim Irizarry

Date:

3-30-09

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?

1. THE PLANNING COMMISSION ACTION DID NOT FOLLOW/
OR PROCEED IN A MANNER AS PRESCRIBED BY LAW,
PURSUANT TO CCP 1094.5.

2. THE FINDINGS WERE NOT SUPPORTED BY
THE EVIDENCE.

000038

Attachment D

From: "Michael D. McCracken" <mac@landuselaw.com>
To: "Camille Leung" <CLEung@co.sanmateo.ca.us>
CC: <jim@terracehomes.net>
Date: 5/12/2009 2:38 PM
Subject: RE: Caron Appeal Staff Report

Hi Camille;

This follows up our phone discussion moments ago.

Our general ground of appeal is that the Planning Commission prejudicially abused the discretion vested in it, in that the findings it rendered in support of its decision are not supported by the evidence. This ground for appeal tracks the language of CCP 1094.5 (b) and (c). This is the standard in all California cases involving challenges to local land use decisions. (Do not take my word on this; check with your County Counsel.)

The staff report to the Commission correctly and fully addressed each land use issue, and recommended approval accordingly. We will incorporate the staff's findings and recommendations in our appeal to the Board.

However, per your request, I will single out three findings for brief comment:

1. Certificate of Compliance: The staff report correctly notes that this is a legal issue, and references the opinion of the County Counsel that because this parcel was created prior to 1981, the COSC prohibition against residential use on parcels created after that date does not come into play. Bottom line: the parcel is legal, and a residential structure is permitted under applicable County zoning.
2. View Corridor: This is a one story home - exactly the same as adjoining residences. The staff report correctly concludes that the location of the residence, as mitigated, results in minimal impacts on the view corridor of the travelling public on Sonora Avenue and Francisco Street. Impacts on public views from the Highway 1 Scenic Corridor are non-existent.
3. Variance: Each of the adjoining parcels was granted set back exceptions, based on findings that the size and shape of these parcels warranted exceptions to the strict application of the governing zoning requirements. This owner is entitled to the same considerations and treatment. Again, the staff report presents the requisite facts to support a variance, and correctly recommends the granting of it.

000039

Thank you for the opportunity to present our position on appeal. If you request, I can follow this up with a more detail appeal brief.

Mike M

Michael D. McCracken, Esq.

McCRACKEN & BYERS LLP

1920 Leslie Street

San Mateo, CA 94403-1325

Phone: (650) 377-4890

Fax: (650) 377-4895

mac@landuselaw.com

-----Original Message-----

From: Camille Leung [mailto:CLEung@co.sanmateo.ca.us]

Sent: Monday, May 11, 2009 1:11 PM

To: Michael D. McCracken

Cc: jim@terracehomes.net

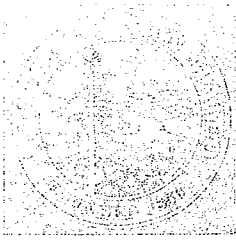
Subject: Fwd: Caron Appeal Staff Report

Hi Mike,

I received your voicemail. It shouldn't hold my staff report up if you can give me more details by tomorrow. The appeal is acceptable, just need some more details to discuss your position in my staff report.

Thanks

000040



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: **Camille Leung**
(650) 363-1826

March 30, 2009

Mr. Jim Irizarry
Terrace Homes
926 Woodside Road
Redwood City, CA 94061

PROJECT FILE

Dear Mr. Irizarry:

SUBJECT: Letter of Decision - File Number PLN2003-00226

Location: West side of Avenue Alhambra, between Palma Avenue
Francisco Street, El Granada

APN: 047-251-120

On March 25, 2009, the San Mateo County Planning Commission considered the following:

1) A Coastal Development Permit and Certificate of Compliance Type B to legalize a 17,900 sq. ft. parcel, pursuant to Section 6328.4 of the County Zoning Regulations and Section 7134 of the County Subdivision Regulations; 2) a Use Permit, Coastal Development Permit, and Design Review Permit to construct a new single-family residence and septic system, pursuant to Sections 6227.b.5, 6328.4, and 6565.3 of the County Zoning Regulations, 3) a Variance to allow a 20-foot front yard setback and 35-foot rear yard setback where 50 feet is required for each, pursuant to Section 6531 of the County Zoning Regulations, and 4) a Grading Permit to perform approximately 175 cubic yards of fill and approximately 13 cubic yards of excavation, pursuant to Section 8602.1 of the San Mateo County Ordinance Code, on a parcel located within the Community Open Space Conservation (COSC) Zoning District on the west side of Avenue Alhambra, between Palma Avenue and Francisco Street, in the unincorporated El Granada area of San Mateo County. This project is appealable to the California Coastal Commission.

Based on evidence and statements presented at the hearing, the Planning Commission (3-1-0-1) denied the Certification of the Mitigated Negative Declaration, a Certificate of Compliance and Coastal Development Permit for parcel legalization, and a Coastal Development Permit, Use Permit, and Variance for a new single-family residence and found in favor of the Design Review for a new single-family residence, based on the following findings:

Attachment E

000041

Mr. Jim Irizarry
Terrace Homes
March 30, 2009
Page 2

Regarding the Mitigated Negative Declaration, Found:

1. That, on the basis of the Initial Study and comments received hereto, and testimony presented and considered at the public hearing, there is substantial evidence that the project will have a significant effect on the environment. The mitigation measures contained in the Mitigated Negative Declaration do not adequately mitigate the following potential significant effects:
 - a. The proposed single-family residence would result in significant obstruction to scenic views from existing residential areas, public lands, public water body, or roads.
 - b. The proposed single-family residence would result in significant visual intrusion into an area having natural scenic qualities.
 - c. The proposed installation of a septic tank/leachfield sewage disposal system may result in a potential significant impact to groundwater resources.

Regarding the Certificate of Compliance, Found:

2. That the parcel legalization does not meet the required finding for the issuance of a Coastal Development Permit, as the project does not maximize consistency with the San Mateo County Local Coastal Program (LCP) resource protection policies, specifically policies of the Visual Resources Chapter. As the Coastal Development Permit required for parcel legalization was denied, the Certificate of Compliance cannot be granted.

Regarding the Coastal Development Permit for the Parcel Legalization, Found

3. That the legalization of the parcel does not maximize consistency with LCP resource protection policies, including policies of the Visual Resources Chapter, specifically Policy 8.15 (*Coastal Views for Structural and Community Features*), requiring the protection of coastal views and the prohibition of development which substantially blocks views to or along the shoreline from coastal roads, roadside rest areas, vista points, recreation areas, and beaches.

Regarding the Coastal Development Permit for the Single-Family Residence, Found:

4. That the project does not conform to policies of the Visual Resources Chapter of the San Mateo County Local Coastal Program, including Policy 8.15 (*Coastal Views for Structural and Community Features*), requiring the protection of coastal views and the prohibition of

Mr. Jim Irizarry
Terrace Homes
March 30, 2009
Page 3

development which substantially blocks views to or along the shoreline from coastal roads, roadside rest areas, vista points, recreation areas, and beaches.

Regarding the Use Permit, Found:

5. That the establishment, maintenance, and/or conducting of the proposed use would, under the circumstances of the particular case, result in a significant adverse impact to coastal resources, or be detrimental to the public welfare or injurious to property or improvements in the said neighborhood. The single-family residential use may not comply with LCP policies regarding protection of views from public lands and the requirements of the COSC Zoning District, which regulates division of land and specifically prohibits residential use on a parcel recorded after December 1, 1981.

Regarding the Variance, Found:

6. That the parcel's location, size, shape, topography and/or other physical conditions do not vary substantially from those of other parcels in the same zoning district or vicinity. The wide and shallow parcel is similar to two other undeveloped parcels on the strip.\

Regarding the Design Review, Found:

7. That this project has been reviewed under and found to be in compliance with the Standards of Review Criteria as stipulated in Chapter 28.1 of the San Mateo County Zoning Regulations. As discussed in Section A.2.b, the project, as proposed and conditioned, complies with applicable Design Review policies. Specifically, the residence would employ color and materials to match the surrounding environment. Staff has added Condition Nos. 8, 10 and 15, to construct the driveway and walkway using a pervious material in order to maximize surface water infiltration, replace vegetation removed during construction, and require the property owners to incorporate low-height landscaping that would help to blend the structure into the existing landscape, respectively

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 8, 2009.**

Mr. Jim Irizarry
Terrace Homes
March 30, 2009
Page 4

A Planning Commission 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 Planning Commission 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 above.

Sincerely,

A handwritten signature in cursive script that reads "Rosario Fernandez". The signature is written in dark ink and is positioned above the typed name.

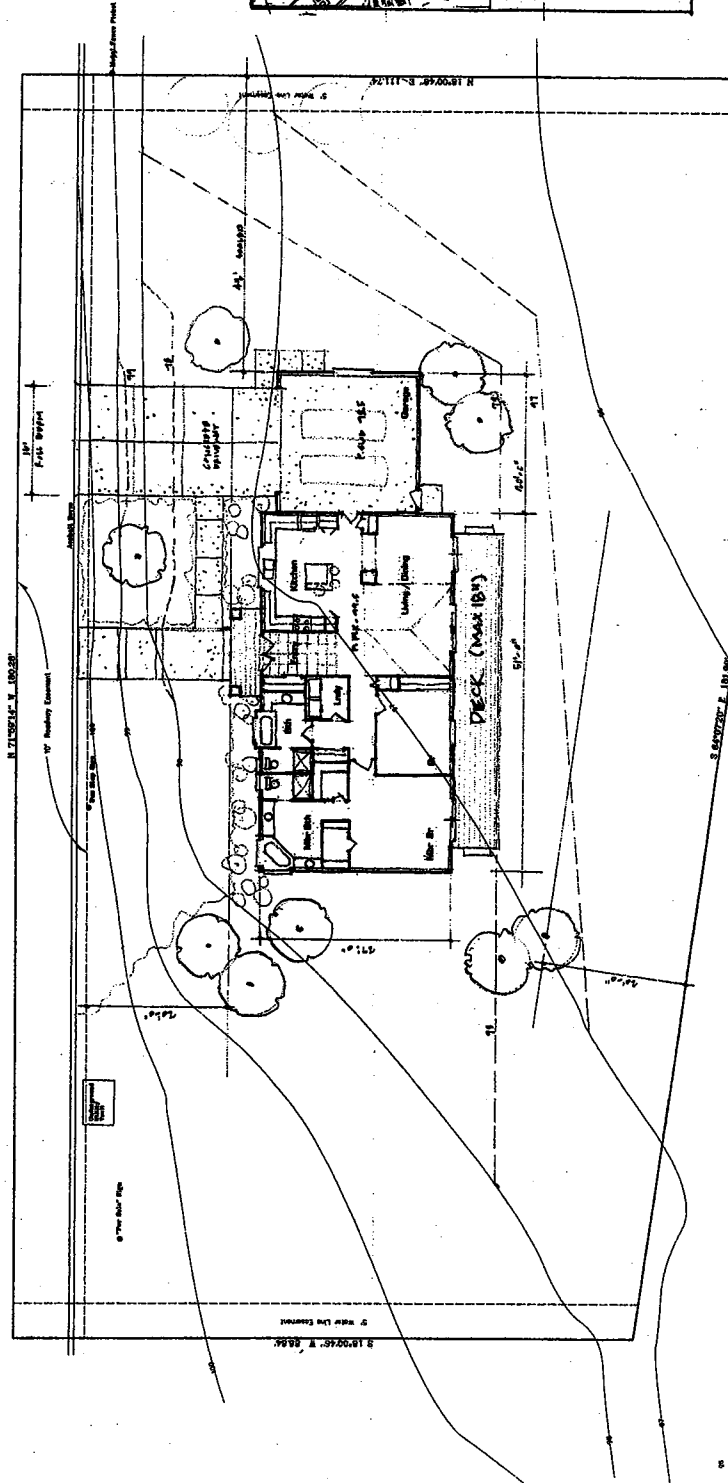
Rosario Fernandez
Planning Commission Secretary
Pcd0325T_rf_Irizarry(denied)

CL:cdn/pac – CMLT0283WWCJ-d

cc: Department of Public Works
Building Inspection Section
Environmental Health Division
Cal-Fire
County Assessor
Lennie Roberts
Len Erickson
Leni Schultz
Joel Farbstein
Craig and Deborah Caron

Merrill Bobele
Steve Conran
Charles Viso
Paul Perkovic
Leonard Warren
Jamie McEachen
Janet Cochrane
Kathryn Slater-Carter
Morris D. Bell

STREET NAME: Street dir is not needed with
classification as 1000 / assumed Country



NOTES:

- 1.) Survey shows existing site conditions at the time of the survey. Any Site Plan or Grading Plan has been done by others.
- 2.) Elevations shown are based on an assumed Datum.
- 3.) Boundary shown herein is from evidence found from Record of Survey Volume 16, pg. 47

SURVEY FOR:
Coron

D

RECEIVED

JUN 06 2006

**San Mateo County
Planning Division**

SURVEY OF:
Assessor's Parcel No. 047-251-120
Area = 17,500 sq. ft./-
SITE ADDRESS: Vacant Property on

SURVEY FOR:
Coron

Sanitary Sewer Man Hole

TOPOGRAPHY MAP

Prepared By:
Pat McNulty
Professional Land Surveyor
 501 Seaport Court, Suite 105
 Redwood City, California 94063
 650-369-8393 Fax: 650-369-0505
 DATE: October 2002 JOB NO.: 46-02

Plm 2003-

000045

000046

LAND USE INSPECTION

Project: *See Site Plan for current house design*

Inspector: *Pat McNulty*

Date: *10/10/02*

Site: *See Site Plan for current house design*

Comments: *See Site Plan for current house design*

GENERAL INSTALLATION AND CONSTRUCTION NOTES

1. All work shall be in accordance with the latest edition of the California Building Code (CBC) and the latest edition of the California Plumbing Code (CPC).

2. All work shall be in accordance with the latest edition of the California Electrical Code (CEC) and the latest edition of the California Fire Code (CFC).

3. All work shall be in accordance with the latest edition of the California Mechanical Code (CMC) and the latest edition of the California Gas Code (CGC).

4. All work shall be in accordance with the latest edition of the California Landscape Code (CLC) and the latest edition of the California Tree Code (CTC).

5. All work shall be in accordance with the latest edition of the California Environmental Code (CEC) and the latest edition of the California Air Quality Code (CAQC).

INSTALLATION NOTES

1. All work shall be in accordance with the latest edition of the California Building Code (CBC) and the latest edition of the California Plumbing Code (CPC).

2. All work shall be in accordance with the latest edition of the California Electrical Code (CEC) and the latest edition of the California Fire Code (CFC).

3. All work shall be in accordance with the latest edition of the California Mechanical Code (CMC) and the latest edition of the California Gas Code (CGC).

4. All work shall be in accordance with the latest edition of the California Landscape Code (CLC) and the latest edition of the California Tree Code (CTC).

5. All work shall be in accordance with the latest edition of the California Environmental Code (CEC) and the latest edition of the California Air Quality Code (CAQC).

TOPOGRAPHY MAP

Prepared By: *Pat McNulty*

Professional Land Surveyor

501 Seaport Court, Suite 105

Redwood City, California 94063

850-369-8393 Fax: 850-369-0590

DATE: October 2002 JOB NO.: 45-02



TOPOGRAPHY MAP

Prepared By: *Pat McNulty*

Professional Land Surveyor

501 Seaport Court, Suite 105

Redwood City, California 94063

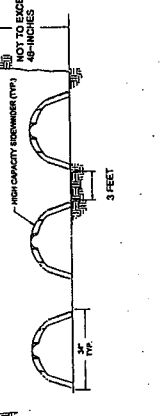
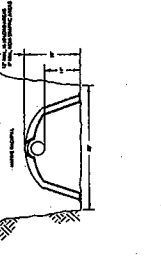
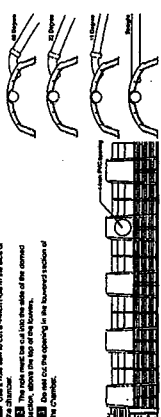
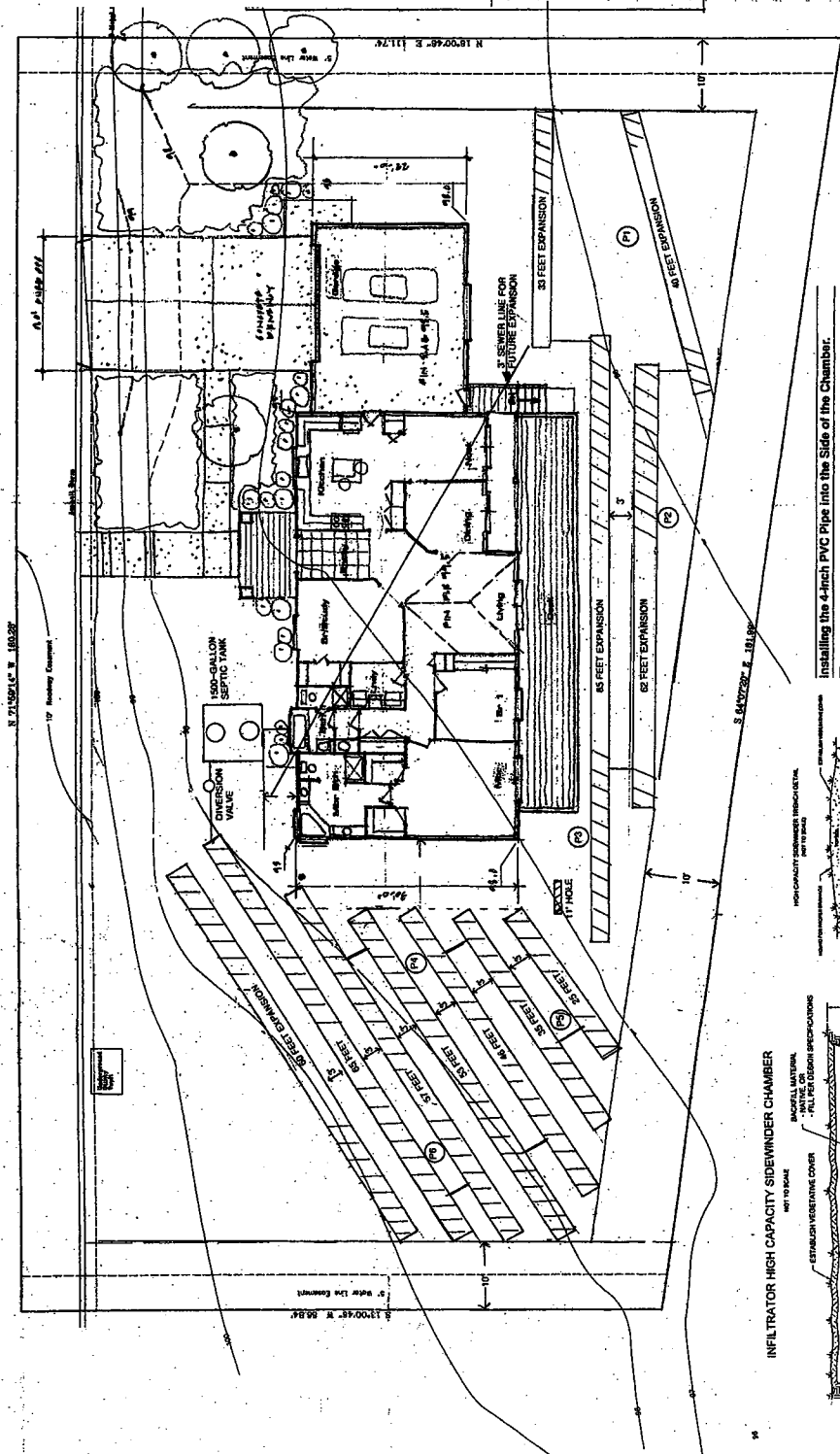
850-369-8393 Fax: 850-369-0590

DATE: October 2002 JOB NO.: 45-02

Attachment G

(Note: See Site Plan for current house design)

AVENUE ALHAMBRA



000047

EARTHWORK TABULATION 400 Alhambra Ave, El Granada

Scale 1" = 8 ft. Conversion 1.185 cu yd per sq in of dwg

10.20.08

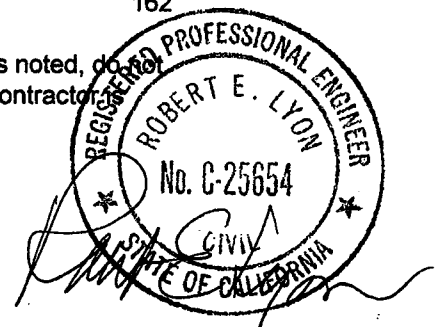
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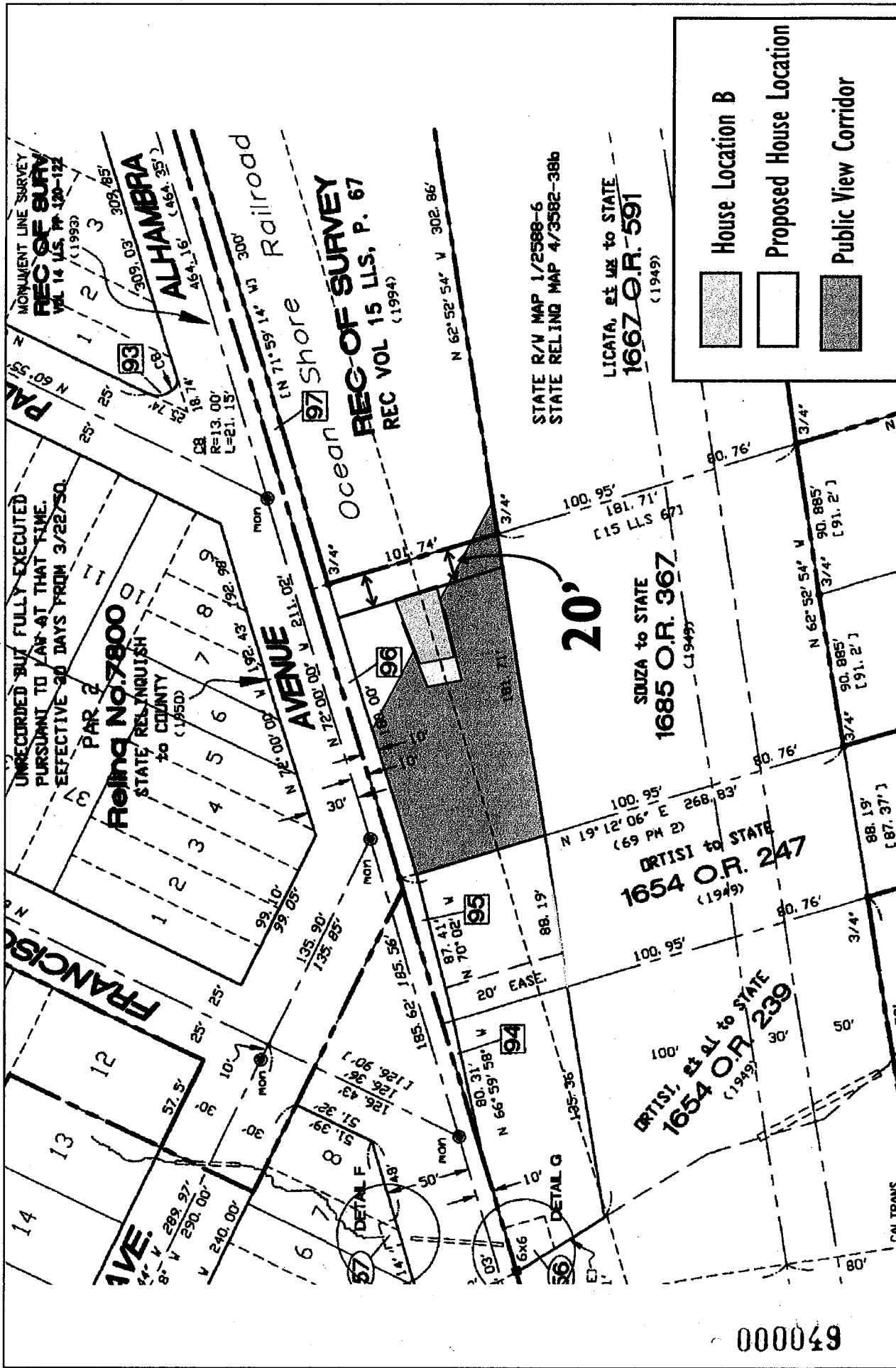
	FILL	
Contour	Area	Volume
Rear yard		
98.5	0.00	
98	56.06	33.22
97	33.64	106.31
96	0.00	39.87
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
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		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
Pvmt thick	Area	
4.5	4.70	-4.18

Total cu yds, Cut =	13
Swell 0.00%	0
Adjusted Total	13
Haul yds	0
Cut plus fill	189

Total cu yds, Fill =	175
Compaction 0.00%	0
Adjusted Total	175
Import yds	162

The quantities shown are the engineer's estimate of net yardage and, unless noted, do not include swell, over-cut at retaining walls, footings, or pavement subgrade. Contractor is responsible for estimating yardage for bid purposes.

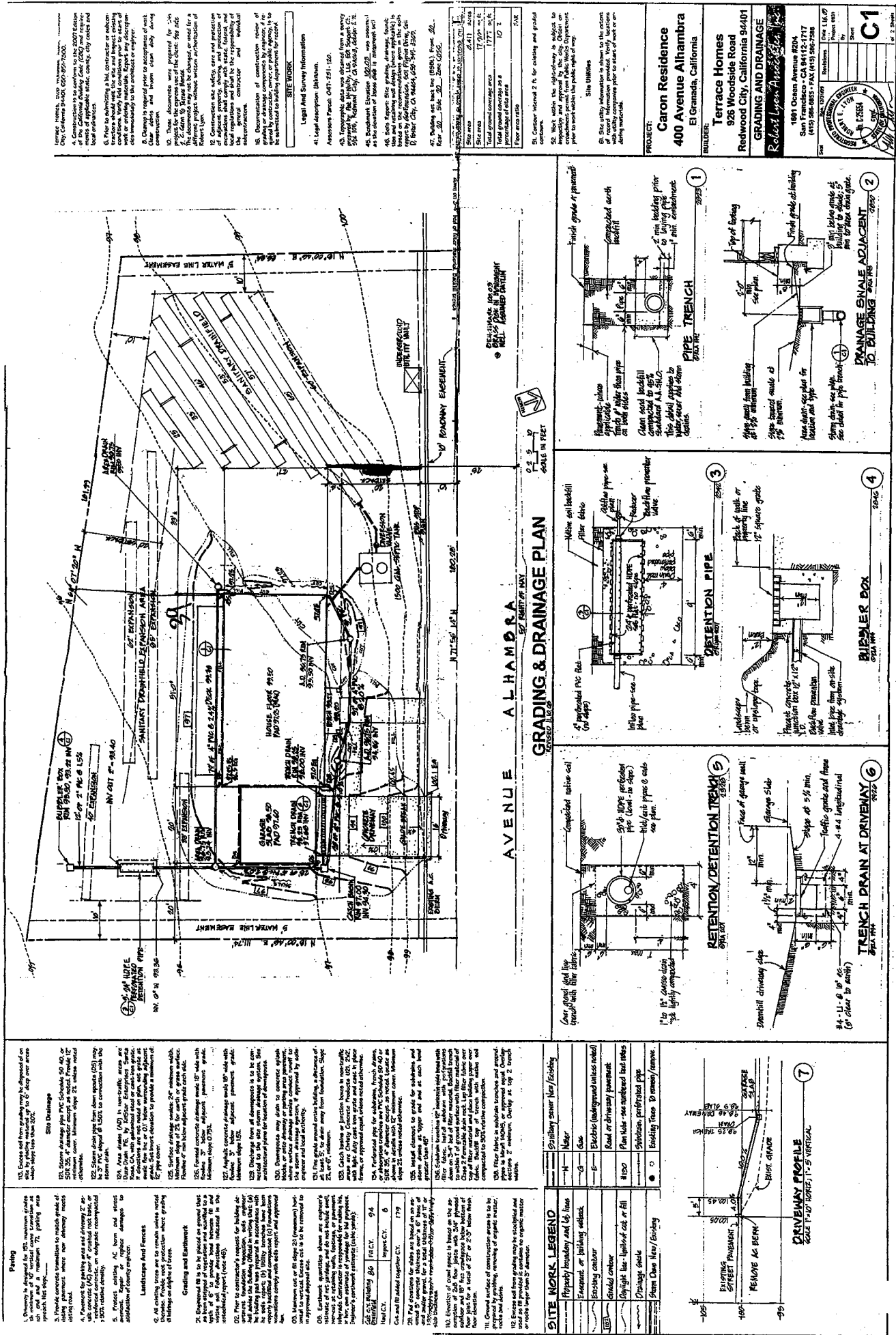


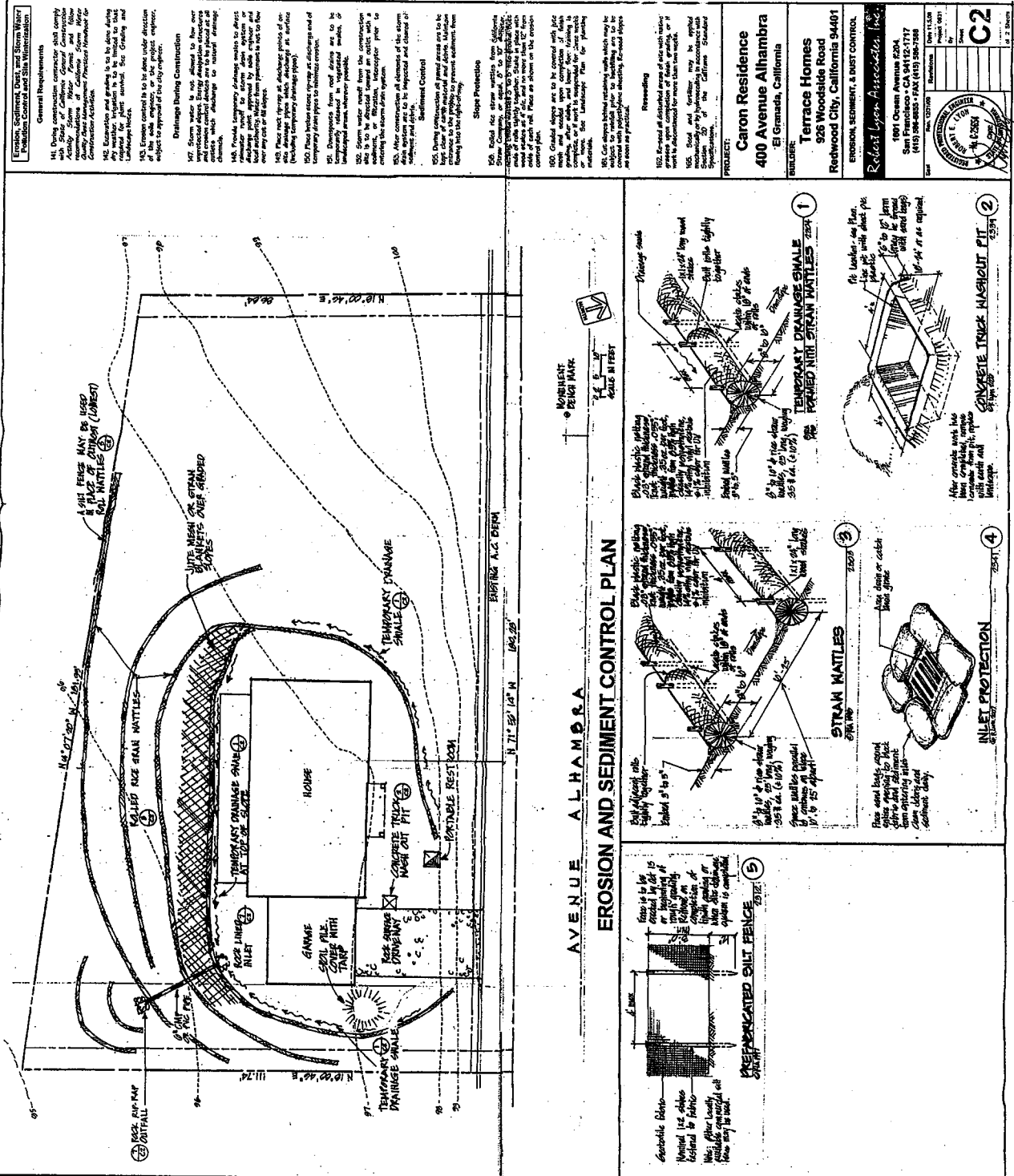


San Mateo County Planning Commission's Meeting

Applicant: JIM IRIZARRY

File Numbers: PLN 2003-00226





Deed No. 6614

DISTRICT	COUNTY	ROUTE	SECTION
IV	SM	56	D

Sta. "D₂" 176

FORM RV-6

WA 1685 ME 367

GRANT DEED (INDIVIDUAL)

I, LOUISE W. SOUZA

GRANT to the STATE OF CALIFORNIA, all that real property in the _____ County
of San Mateo, State of California, described as:

A portion of that certain 2.085 acre tract of land deeded to Louise W. Souza by Executor's Deed recorded July 23, 1947 in Book 1352, page 363 and by deed recorded July 23, 1947 in Book 1374, page 123, both Official Record of San Mateo County, said portion being described as follows:

Beginning for reference at the northwesterly corner of said 2.085 acre tract of land; thence along the property line common to the lands, now or formerly, of Louise W. Souza and of Francis Ortisi S. 18°00'13" W., 86.96 feet to the TRUE POINT OF COMMENCEMENT of the tract of land to be described; thence continuing along said common property line S. 18°00'13" W., 181.71 feet to a point distant S. 18°00'13" W., 80.76 feet from Engineer's Station "D₂" 77+20.22 on the centerline of the Department of Public Works' survey for the State Highway in San Mateo County, between Miramar and Farallone City, Road IV-BM-56-C,D; thence along a line parallel with and distant 80 feet, southwesterly at right angles from said "D₂" centerline, S. 64°07'20" E., 181.71 feet to the property line common to the lands, now or formerly, of Louise W. Souza and of Vincent A. Licata, etux; thence along said common property line N. 18°00'13" E., 181.71 feet to a line parallel with and distant 100 feet, northeasterly, at right angles, from said "D₂" centerline; thence along said parallel line N. 64°07'20" W., 181.71 feet to the TRUE POINT OF COMMENCEMENT.

Attachment K

000052

The above described parcel contains 0.751 of an acre,
more or less.

The grantor further understands that the present intention of the grantee is to construct and maintain a public highway on the lands hereby conveyed in fee and the grantor, for himself, his successors and assigns, hereby waives any claims

for any and all damages to grantor's remaining property contiguous to the property hereby conveyed by reason of the location, construction, landscaping or maintenance of said highway.

(As used above, the term "grantor" shall include the plural as well as the singular number and the words "himself" and "his" shall include the feminine gender as the case may be.)

Dated this

14th

day of

May

1949

Signed and delivered in the presence of

Richard M. Izumi
John L. L. L. L.

Louise W. Souza

ACKNOWLEDGMENT OF GRANTOR

Tammy H. H. H.
STATE OF CALIFORNIA

CITY OF HONOLULU, COUNTY OF HONOLULU

On this 14 day of May, in the year one thousand nine hundred and forty nine, before me, *Richard M. Izumi*, a Notary Public in and for said county and State, residing therein, duly commissioned and sworn, personally appeared *LOUISE W. SOUZA*

known to me to be the person described in and whose name *LOUISE W. SOUZA* subscribed to the within instrument, and she acknowledged to me that she executed the same

In WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

My commission expires

June 30, 1949

Richard M. Izumi
Notary Public, First Judicial Circuit, Territory of Hawaii

ACKNOWLEDGMENT OF SUBSCRIBING WITNESS

CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII
STATE OF CALIFORNIA

On this 14 day of May, in the year one thousand nine hundred and forty-nine, before me, *Richard M. Izumi*, a Notary Public in and for said county and State, residing therein, duly commissioned and sworn, personally appeared *JOHN C. CLUNEY*

known to me to be the person whose name is subscribed to the within instrument as a subscribing witness thereto, who, being by me duly sworn, deposed and said: that he resides in the Honolulu City and County of Honolulu, T.H., that he was present and saw *LOUISE W. SOUZA*

personally known to him to be the person described in, and who executed the said within instrument as first therein, sign and execute the same; that he, the affiant, then and there, at the request of said person, subscribed his name as a witness thereon.

In WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

My commission expires

June 30, 1949

Richard M. Izumi
Notary Public, First Judicial Circuit, Territory of Hawaii

000054

W. H. Tilley

Clerk of the Circuit Court
of the First Judicial Circuit, Territory of Hawaii, the same being a Court of Record and having

Ethel M. Izumi

a seal, do hereby certify that
before whom the foregoing acknowledgment was taken, was at the time of taking the same
A NOTARY PUBLIC duly commissioned and sworn for the First Judicial Circuit of the
Territory of Hawaii and duly authorized by the laws of said Territory to take and certify
acknowledgments of deeds of land, etc., in said Territory in the manner aforesaid,
that I am well acquainted with the handwriting of said

Ethel M. Izumi

and verily believe that the signature to said certificate of acknowledgment is genuine.
And further, that said acknowledgment was taken in accordance with the laws of the
Territory of Hawaii; that I have compared the impression of the seal affixed thereto
with a specimen impression thereof deposited in my office and that I believe the impression
of the seal upon the original certificate is genuine.

IN TESTIMONY whereof I have hereunto set my hand and affixed the seal of said
court at Honolulu aforesaid this 14th day of May 1949

W. H. Tilley

Clerk, Circuit Court

First Judicial Circuit, Territory of Hawaii

GOVT. CODE 27281

(CERTIFICATE OF ACCEPTANCE, ~~EXTRAORDINARY~~)

THINK TO CALIFORNIA, That the State of California, grantee herein, acting by and through the Department of Public
Works, Division of Highways, hereby accepts for public purposes the real property, or interest therein, conveyed by the within
deed and consents to the recordation thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this 17th day of June 1949

C. H. PURCELL

Director of Public Works

Assistant State Highway Engineer and Attorney in Fact

000055

9877911

Dist.	County	Rte.	Sec.	No.
1V	SN	56	D	6614

Station "D2" 76 to

C. O. Schedule No.

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF HIGHWAYS

GRANT DEED
(INDIVIDUAL)

SOUTHERN

TO

STATE OF CALIFORNIA

Recorded at request of

on _____ 19____
at _____ min. past _____
o'clock M., in Vol. _____
of _____ Page _____

County records.

By _____ Recorder

Deputy Recorder
(No fee for recording—Government Code, Sec. 8101)

When recorded return to

DIV. OF HIGHWAYS
2001 VAN NESS AVE.

Filed _____ By _____

GET 0104 07000 00 00 000 STATE PRINTING OFFICE

VOL 1685 PAGE 367

9877911

RECORDED AT REQUEST OF
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VOL. _____ OFFICIAL PAGE _____
SAN MATEO COUNTY RECORDS

May E. Morrison
DEPUTY RECORDER 10

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COASTAL DEVELOPMENT POLICY CHECKLIST

Based on Local Coastal Program as Adopted by
Board of Supervisors December 2, 1980
and as Last Amended in August 1992

GENERAL INFORMATION

1. File No.: PLN 2003-00226 Planner: Camille Leung
2. Owner: Caron Applicant: Irizarry
3. Project Description: ① CDP + COC for legalization of parcel ② UP, CDP + DR for single family residence ③ CDP for septic system ④ grading permit ⑤ Variance to front/rear setbacks
4. Project Address: APN 047-251-120
5. APN(s): "
6. General Plan: Open Space Zoning: COSC/DR/EO
7. Plan Checklist is completed and attached (initial) _____

LCP POLICIES (Answer Each Item - References are to LCP Policy Numbers).

	Not Applicable	Project Complies	Does Not Comply	Condition Required
PLANNING AND LOCATING DEVELOPMENT				
1.2 Does this project meet the definition of development?		✓		
1.9 If this is a land division in an area with a General Plan designation of Open Space, will dedication of a conservation/open space easement be required?	✓			
1.22 If this is a residential development in a Mid-Coast area without Phase 1 sewer and new water facilities, does it exceed the 125 building permit limit in one calendar year?		✓		
1.23 If this is a residential development in a South Coast area without Phase 1 sewer and new water facilities, does it exceed the 125 building permit limit in one calendar year?	✓			

000057

		Not Applicable	Project Complies	Does Not Comply	Condition Required
1.24	Is this development in an area which may contain sensitive archaeological/paleontological resources as noted on the County Sensitivity Maps?		✓		
1.24	Will this project trigger an archaeological/paleontological mitigation plan?	✓			
1.27	Does this development warrant a Certificate of Compliance to confirm the legal existence of parcels?		✓		
1.29	Does this development meet the standards of review for legalizing parcels?		✓		
PUBLIC WORKS					
2.1	If this development involves a Public Works project, does it meet the criteria of the Public Works Component of the LCP? (See Appendix Sheet for Public Works Projects)	✓			
HOUSING					
3.13	Will this development involve demolition of structures providing affordable housing?	✓			
3.17	If this development proposes affordable housing, is it compatible with the community character?	✓			
3.19	Will this development involve construction in designated affordable housing sites?	✓			
3.20	If this development is in a designated affordable housing site, does it exceed the 60 building permit limit in one calendar year?	✓			
3.22	If this development involves placement of a mobile home on the site, does it meet all of the criteria for the appropriate zone?	✓			
3.23	If this development involves the placement of multi-family residential units in the R-3 and C-1 zoning districts, are 20% of the units reserved for low or moderate income households?	✓			
3.24	If this project involves placement of a second unit in the Mid-Coast R-1 District, does it meet the building permit limits and square footage limits as noted in the LCP?	✓			

	Not Applicable	Project Complies	Does Not Comply	Condition Required
3.25 Is the applicant seeking a 33% density bonus in R-1/S-17 Mid-Coast area after meeting all of the criteria in this Section?	✓			
3.26 If this project involves land divisions in rural areas of the South Coast, are 20% of the lots being optioned to the County for affordable housing?	✓			
3.27 Does this development meet the criteria for qualifying for the option of 40 additional dwelling units in the rural area of the South Coast?	✓			
3.28 Does the affordable housing developer accept the income, rent and cost controls of the County?	✓			
3.29 Does the affordable housing developer accept the conditions to guarantee the continued availability of affordable housing units?	✓			
ENERGY				
If this project involves energy facilities (oil and gas wells, onshore facilities for offshore oil, pipelines, transmission lines), complete and attach a separate analysis of compliance with LCP Energy Component and enter results here.	✓			
AGRICULTURE				
5.1 These policies are addressed by Planned Agricultural District. A Planned Agricultural Permit (is)/(is not) required.	✓			
5.18 Is any soil dependent floriculture located on prime soils while non-soil dependent floriculture is located on non-prime soils?	✓			
5.19 Does this development meet these floricultural development standards?	✓			
5.20 Does this development meet the Agricultural Management Policies? <i>(for Agricultural production)</i>	✓			
5.21 Does this development avoid endangering sensitive habitats?	✓			
5.25 If an on-stream dam is proposed, does it meet all of this Chapter criteria?	✓			

	Not Applicable	Project Complies	Does Not Comply	Condition Required
5.27 Is the allocation of future Mid-Coast water supplies to floriculture in accordance with the policies of the Public Works Component?	✓			
5.29 Does this development require a grading permit for water impoundments according to County Ordinance?	✓			
5.30 If this development involves land under Williamson Act contract, has conforming with zoning, the General Plan and the LCP been established?	✓			
5.30 Have Williamson Act Notices of Non-Renewal been filed for those properties not in conformance with State Code and County Policies?	✓			
5.33 Has the State explored the option of leasing prime agricultural land as a Condition of Permit Approval?	✓			
AQUACULTURE				
6.1 If this development involves aquaculture as defined in LCP Policy 6.1, complete and attach a separate analysis of compliance with LCP Aquaculture Component and enter here.	✓			
SENSITIVE HABITATS				
7.5 A biological report has been prepared in accordance with LCP Policies. Applicability of various Sensitive Habitats Policies was determined on the basis of: <input checked="" type="checkbox"/> Coastal Development Permit Application. <input checked="" type="checkbox"/> Environmental Information Form. <input checked="" type="checkbox"/> LCP Sensitive Habitats Component Text. <input checked="" type="checkbox"/> LCP Sensitive Habitat Maps. <input checked="" type="checkbox"/> Site inspection.		NO Bio report was submitted ✓ NO sensitive habitat on-site		
7.5 Will the restoration of damaged habitat be a condition of approval for this project?	✓			
7.10 Does this development minimize removal of vegetation and/or minimize construction/protect vegetation during or after construction?				✓ Conditions 9 H2A.

		Not Applicable	Project Complies	Does Not Comply	Condition Required
7.10	Does this project use only native or non-invasive plant species when replanting?				✓ Conditions 945
7.10	Does this project adhere to State Department of Fish and Game provisions for fish passage?	✓			
7.10	Does this project minimize adverse effects of wastewater discharge?		✓		
7.10	Does this project prevent depletion of groundwater supplies and waterflows and encourage wastewater reclamation?	✓			
7.10	Does this project maintain natural vegetation buffer areas that protect habitats and minimize alteration of natural streams?	✓			
7.11	Are appropriate buffer zones established along sensitive habitats?	✓			
7.17	Will this project be required to construct catwalks so as not to impede movement of water?	✓			
7.17	Will all construction take place during daylight hours, utilize a minimum amount of lighting and use low decibel motorized machinery?	✓			
7.17	Will any construction-induced alteration to the wetlands require replanting of vegetation or the natural re-establishment of vegetation?	✓			
7.17	Does this project avoid utilizing herbicides unless approved by the Agriculture Commissioner and the Fish and Game Department? (wetlands only)	✓			
7.17	Was this project reviewed by the State Department of Fish and Game and the State Water Quality Control Board?		✓		
7.20	If this project is in the Pillar Point Marsh, will groundwater extraction from an aquifer occur?	✓			
7.21	If this project is in the Pescadero Marsh, will a State Parks and Recreation management plan be required or will this project involve development or dredging of the marsh?	✓			

		Not Applicable	Project Complies	Does Not Comply	Condition Required
7.22	Is this project a permitted use in a marine and/or estuarine habitat? (Fitzgerald Marine Reserve, San Gregorio Estuary, Pescadero Marsh, Pigeon Point, Franklin Point, Año Nuevo Island)	✓			
7.25- 7.31	Does this project comply with use and development standards for sand dunes and sea cliffs?	✓			
7.32	Will this project impact habitats of rare or endangered animal species as noted on the County Sensitive Habitat Maps or will a special biological report be required?	✓			
7.42	Will this project permit development within 50 feet of rare plant habitats as noted on County Sensitive Habitat Maps?	✓			
7.43	Will this project impact habitats of unique species, such as the Elephant Seal, Monterey Pine, California Wild Strawberry, etc., or will a special biological report be required?	✓			
7.51	Will this project involve removal or nursery sales of Pampas Grass or the eradication of Weedy Thistle?	✓			
VISUAL RESOURCES					
8.2	Does this project avoid development on beaches, sand dunes, ocean cliffs, bluffs and bluffs?	✓			
8.5	If this project is in a coastal terrace, is clustering encouraged along with limitation of structures in open fields and grasslands?	✓			
8.6	Does this project avoid development and meet setbacks for streams, wetlands and estuaries?	✓			
8.7	Does this project avoid development on ridgetops and removal of ridgeline trees?	✓			
8.7	Does this project avoid land divisions which encourage building on a ridgeline?	✓			
8.7	Does this project comply with the limitations on structure height below the ridgeline?	✓			
8.9	Is this project designed to minimize tree removal or will this project require replacement of removed vegetation?				Condition 9

	Not Applicable	Project Complies	Does Not Comply	Condition Required
8.12- 8.15 If this project is in an urban area, will it meet Design Review Criteria including special guidelines for coastal communities and the protection of ocean views?				Condition [✓] 7, 9, 15
8.16 Will this project meet landscaping requirements for rural areas?	✓			
8.17 Will this project protect natural landforms in rural areas?	✓			
8.18 Is this project designed to minimize visual disruption through the use of colors that blend in with surroundings, properly scaled structures, and non-reflective surfaces?		✓		
8.21 Does this project meet the criteria for the placement of signs?	✓			
8.22 Does this project include underground utilities in State and County Scenic Corridors?				Condition [✓] 17
8.24 If this project involves large agricultural structures, is their visual impact limited by the use of blending colors or landscaping screening?	✓			
8.25 If this project is listed as an Official County or State Historical Landmark, are the regulations of the Historical/Cultural Preservation Ordinance being followed? <i>Currently, El Granada is not an official landmark.</i>	✓			
8.28 If this project is in a State/County Scenic Road Corridor, does it meet development regulations such as setback requirements, limits on timber harvesting and exemptions? <i>for rural areas</i>		✓		
8.33 Is this project exempt from Planning Commission architectural and site review because any structures would not be visible from the roadway? <i>in County Sc.</i>	✓			
8.34 If this project is in a designated Historic Structure/District, is the project a permitted use? <i>Currently, El Granada is not a Historic District. SFR permitted w/ a UP.</i>		✓		
HAZARDS				
9.3 If this project is in a Geologic Hazard Area as shown in the LCP, does it meet development regulations or requirements for a geotechnical report?	✓			
9.6 If this project is in a High Fire Risk area, does it meet development criteria?	✓			

		Not Applicable	Project Complies	Does Not Comply	Condition Required
9.8	If this project involves blufftop development, does it meet design, geotechnical, setback and land division requirements?	✓			
9.9	If this area is subject to flooding as noted in the LCP Hazards Maps, will the project meet development regulations for flood-prone areas?	✓			
9.11	Does this project limit development to where beach erosion hazards are minimal?	✓			
9.12	Will this development allow the construction of shoreline structures only for the protection of existing roadways or structures?	✓			
9.13	Will this project avoid the need for future protective devices which could impact sand movement?	✓			
9.18	If this site has a slope of 30% or greater, does it meet the slope development regulations?	✓			
SHORELINE ACCESS					
NOTE: Use Coastal Access Checklist as a supplement to this Policy Checklist when determining access requirements.		<i>for properties between the sea + nearest road.</i>			
10.1	Does this project meet the requirements for provisions of shoreline access or in-lieu fees as a condition for development?	✓			
10.8	Does this project meet Public Safety Locational Criteria?	✓			
10.10	Does this project meet Sensitive Habitat Locational Criteria?	✓			
10.11	Does this project meet Agricultural Area Locational Criteria?	✓			
10.12	Does this project meet Residential Area Locational Criteria?	✓			
10.13	Does this project meet Commercial/Industrial Locational Criteria?	✓			
10.16	Does this project provide appropriate vertical/lateral access to the shoreline?	✓			
10.17	Does this project meet development standards for blufftop/non-blufftop lateral access?	✓			

	Not Applicable	Project Complies	Does Not Comply	Condition Required
10.19 Will this project provide for maintenance and posting for public access areas?	✓			
10.21 Where topography permits, does this project provide handicapped access to the shore?	✓			
10.22 Does this project meet all parking regulations for coastal access?	✓			
10.23- Does this project meet development standards for 10.29 protecting public safety, fragile resources and adjacent land uses?	✓			
RECREATION/VISITOR SERVING FACILITIES <i>project does not meet this definition</i>				
11.4 Does this project meet General Locational Criteria?	✓			
11.7 Does this project meet Urban Area Locational Criteria?	✓			
11.8 Does this project meet Rural Area Locational Criteria?	✓			
11.9 Does this project meet Oceanfront Area Locational Criteria?	✓			
11.10 Does this project meet Upland Area Locational Criteria?	✓			
11.11 Does this project meet Agricultural Area Locational Criteria?	✓			
11.12 Does this project meet Sensitive Habitat Locational Criteria?	✓			
11.14 Does this project meet development standards for public recreation facilities?	✓			
11.15 Does this project meet development standards for private recreation facilities?	✓			
11.16 Are directional/informational signs required as a condition of approval for recreational facilities and/or road projects?	✓			
11.17 Does this project meet all parking development standards?	✓			
11.18 Does this project meet development standards for protection of sensitive habitats?	✓			

000065

	Not Applicable	Project Complies	Does Not Comply	Condition Required
11.19 Does this project meet development standards for protection of agricultural lands?	✓			
11.20 Does this project meet development standards for sewer/water connections, access and public conveniences?	✓			
11.22 Does this project meet recreational vehicle parking restrictions?	✓			
11.25 Has the State Department of Parks and Recreation submitted a long-range plan for any park unit proposed for improvement?	✓			
11.26 Does this project require trail dedication or in-lieu fees as a condition of public agency projects or any land division?	✓			
COMMERCIAL FISHING/RECREATIONAL BOATING				
If project involves facilities for commercial fishing or recreational boating, complete and attach a separate analysis of compliance with LCP Commercial Fishing/Recreational Boating Component and enter results here.	✓			

RECOMMENDATION

1. Recommended Findings (see Zoning Ordinance 6328.15):

cl That this project, as described in the application and accompanying materials required by Section 6328.7 and as conditioned in accordance with Section 6328.14, ✓ does does not conform with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program.

N/A (Where the project is located between the nearest public road and the sea, or the shoreline of Pescadero Marsh.) That this project does does not conform 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).

 That this project ✓ does does not conform to specific findings required by Policies of the San Mateo County Local Coastal Program. Specific findings recommended are:

RECOMMENDATION (continued)

(Where the project involves construction of new residences other than affordable housing.) That the number of building permits for construction of new residences other than for affordable housing issued in the current calendar year _____ does _____ does not exceed the limitations of LCP Policies 1.22 and 1.23.

2. Recommended Action:

 Approve

✓ Approve with Conditions (Attachment B)

Deny

3. Recommended Conditions or Reasons for Denial (attach on separate sheet if more convenient):

<u>Policy</u>	<u>Recommended Condition/Reason for Denial</u>
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This image shows a single page of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. On the left side, there are several short vertical segments, possibly from a binder or staple. The paper appears slightly aged or off-white.

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

DATE: March 25, 2009

TO: Planning Commission

FROM: Planning Staff

SUBJECT: EXECUTIVE SUMMARY: Consideration of (1) a Coastal Development Permit and Certificate of Compliance Type B to legalize a 17,900 sq. ft. parcel; (2) a Use Permit, Coastal Development Permit, and Design Review Permit to construct a new single-family residence and septic system; (3) a Variance to allow a 20-foot front yard setback and 35-foot rear yard setback where 50 feet is required for each; and (4) a Grading Permit to perform approximately 175 cubic yards of fill and approximately 13 cubic yards of excavation, on a parcel located within the Community Open Space Conservation (COSC) Zoning District on the west side of Avenue Alhambra, between Palma Avenue and Francisco Street, in the unincorporated El Granada area of San Mateo County. This project is appealable to the California Coastal Commission.

PROPOSAL

The applicant proposes to legalize a 17,900 sq. ft. parcel in order to construct a new 1,777 sq. ft. single-family residence and new septic system. The applicant seeks a variance from the minimum 50-foot front and rear yard setback requirement of the Community Open Space Conservation (COSC) District. As the subject parcel is wide and shallow, application of minimum front and rear yard setbacks would largely prohibit development of the site. The proposed single-family residence would be set back 20 feet from the edge of the roadway easement along the front property line (Avenue Alhambra) and 35 feet from the rear property line (Cabrillo Highway). The project would involve approximately 175 cubic yards of fill and approximately 13 cubic yards of excavation. The project site is located within the Cabrillo Highway County Scenic Corridor. This project is appealable to the California Coastal Commission.

RECOMMENDATION

Certify the Mitigated Negative Declaration by making the required findings in Attachment A of this report; consider and act upon the Coastal Development Permit and Certificate of Compliance legalizing the parcel, by making the required findings and adopting the conditions of approval listed in Attachment A; and consider and act upon the Use Permit, Coastal Development Permit, Design Review Permit and Variance for the construction of a new single-family residence in House Location B, new septic system, and associated grading activities, by making the required findings and adopting the conditions of approval listed in Attachment A.

BACKGROUND/DISCUSSION

The project site is located on a strip of land, known locally as the "Burnham Strip," referencing landscape architect Daniel Burnham's 1906 Plan for the original town site (originally named "Balboa"). However, the current-day strip is only a remnant of the actual strip illustrated in

Burnham's Plan. The subject parcel was created in 1949 when the State of California acquired a portion of the original strip to construct Highway 1, effectively subdividing the parent parcel and creating the project parcel. However, such action was not done in accordance with the County's Subdivision Regulations. Therefore, development of the parcel requires a Certificate of Compliance, Type B. The proposed single-family residential use is a conditionally permitted use in the COSC zoning district and requires a use permit. The subject parcel is one of ten parcels on the strip, two of which are already developed, including a single-family residence and a pre-school.

It should be noted that the "El Granada Gateway" (EG) zoning ordinance approved by the Board of Supervisors prohibits single-family residential uses on the strip. As the ordinance has not yet been certified by the Coastal Commission, it has not taken effect and the project is subject to the existing COSC zoning.

The residence, as currently proposed, would be in a prominent location and could obstruct ocean views along the Sonora Avenue and Francisco Street view corridor from viewing locations to the east. To reduce view impacts, staff has proposed Condition No. 7 which requires the property owners to shift the location of the house approximately 22 feet south of the proposed location, to be located at the minimum 20-foot left side setback. This shift in the house location would move approximately one-third of the house outside of the Sonora Avenue view corridor, preserve a majority of the parcel as open space, and allow for clustering opportunities for future development on the adjoining parcel. Staff has also added Condition No. 15 in Attachment A of the staff report to require the property owners to plant a minimum of fifteen (15) 1-gallon shrubs (including six at the front and nine at the rear of the property) to help to soften views of the structure from adjoining streets. The recommended location would also result in a minor decrease in necessary grading.

The subject parcel is wide and shallow, with an approximate average depth of 99 feet. Application of the 50-foot minimum front and rear yard setbacks would largely prohibit development of the site. Therefore, the applicant seeks a variance from this requirement in order to accommodate the proposed residence. Although the recommended house location would still require a variance, the recommended location would be slightly closer to conformance with the setback requirements than the proposed house location.

The project includes the construction of a new on-site septic system. The San Mateo County General Plan states that sewerage systems are the appropriate method of wastewater management in urban areas. The project initially included sewer service but was revised to include a septic system when, in a comment letter from the Granada Sanitary District (GSD) received in 2004, GSD stated that extending sewer service to the parcel may not comply with GSD Ordinance Code (see Section E of the staff report for more information regarding GSD project review). The proposed septic system is subject to review by the County Environmental Health Division, which acknowledges a valid percolation test for the subject property. Staff has added Condition No. 35 to require Environmental Health Division approval of the septic plan during the building permit review stage for the residence.

CML:fc – CMLT0151_WCU.DOC

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

DATE: March 25, 2009

TO: Planning Commission

FROM: Planning Staff

SUBJECT: Consideration of (1) a Coastal Development Permit and Certificate of Compliance Type B to legalize a 17,900 sq. ft. parcel, pursuant to Section 6328.4 of the County Zoning Regulations and Section 7134 of the County Subdivision Regulations, (2) a Use Permit, Coastal Development Permit, and Design Review Permit to construct a new single-family residence and septic system, pursuant to Sections 6227.b.5, 6328.4, and 6565.3 of the County Zoning Regulations, (3) a Variance to allow a 20-foot front yard setback and 35-foot rear yard setback where 50 feet is required for each, pursuant to Section 6531 of the County Zoning Regulations, and (4) a Grading Permit to perform approximately 175 cubic yards of fill and approximately 13 cubic yards of excavation, pursuant to Section 8602.1 of the San Mateo County Code, on a parcel located within the Community Open Space Conservation (COSC) Zoning District on the west side of Avenue Alhambra, between Palma Avenue and Francisco Street, in the unincorporated El Granada area of San Mateo County. This project is appealable to the California Coastal Commission.

County File Number: PLN 2003-00226 (Irizarry/Caron)

PROPOSAL

The applicant proposes to legalize a 17,900 sq. ft. parcel in order to construct a new manufactured 1,777 sq. ft. single-family residence and new septic system. The development standards of the Community Open Space Conservation District (COSC), the underlying zoning district, require development to maintain a minimum 50-foot front and rear yard setback. As the subject parcel is wide and shallow, with an approximate average depth of 99 feet, application of minimum front and rear yard setbacks would largely prohibit development of the site. Therefore, the applicant seeks a variance from these required setbacks. The proposed single-family residence would be set back 20 feet from the edge of the roadway easement along the front property line (at Avenue Alhambra), 35 feet from the rear property line (at Cabrillo Highway), and 66 feet and 42 feet from the north and south side property lines, respectively. The proposed project would involve approximately 175 cubic yards of fill and approximately 13 cubic yards of excavation. Access to the residence will be provided by a new driveway from Avenue Alhambra. The project site is located within the Cabrillo Highway County Scenic Corridor. This project is appealable to the California Coastal Commission as the proposed use is a conditionally permitted use in the COSC Zoning District and requires a use permit.

000070

RECOMMENDATION

1. Certify the Mitigated Negative Declaration by making the required findings in Attachment A of this report.
2. Consider and act upon the Coastal Development Permit and Certificate of Compliance legalizing the parcel, by making the required findings and adopting the conditions of approval listed in Attachment A.
3. Consider and act upon the Use Permit, Coastal Development Permit, Design Review Permit and Variance for the construction of a new single-family residence in House Location B, new septic system, and associated grading activities, by making the required findings and adopting the conditions of approval listed in Attachment A.

BACKGROUND

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

Applicant: Jim Irizarry

Owners: Craig and Deborah Caron

Location: West side of Avenue Alhambra, between Palma Avenue and Francisco Street

APN: 047-251-120

Size of Parcel: 17,900 sq. ft. (0.41-acre)

Existing Zoning: COSC/DR/CD (Community Open Space Conservation District/Design Review/Coastal Development)

General Plan Designation: Open Space

Sphere-of-Influence: City of Half Moon Bay

Existing Land Use: Vacant

Water Supply: The Coastside County Water District (CCWD) has assigned the parcel a 5/8" water connection, which will be granted at the time of payment of applicable fees.

Sewage Disposal: The applicant proposes to construct an on-site septic system.

Flood Zone: The project site is located in an area of minimal flooding (Zone C), per FEMA Panel 060311-0113B, effective date July 5, 1984.

Environmental Evaluation: An Initial Study and Mitigated Negative Declaration were issued with a public review period from October 27, 2008 to November 17, 2008. Comments received during the public review period are discussed in Section F of this report.

Setting: The project site is one of ten parcels located along a strip of land located between Avenue Alhambra and Cabrillo Highway in unincorporated El Granada (the strip). The site is rectangular in shape and consists of 17,900 sq. ft., with an average downward slope of 5% in a southwesterly direction from Avenue Alhambra. This site is currently unimproved and is covered with weeds and grasses. There are no trees on the site. Other than a residence and a pre-school located two and five parcels south of the project site, respectively, the rest of the strip is undeveloped. Commercial uses have been developed to the east (across Avenue Alhambra). Adjacent lands north, south and west (across Cabrillo Highway) of the site are vacant. Single-family residences are located further east of the site.

Chronology:

<u>Date</u>	<u>Action</u>
1906	- Completion of Daniel Burnham's Plan (Burnham Plan) for the town site of El Granada (originally named "Balboa"). The Burnham Plan was commissioned by the Shore Line Investment Company, who as owners of the Ocean Shore Railway, envisioned the town as a popular resort destination. The Burnham Plan designated the area of the strip for a casino, train station, and bathhouse uses. However, the plan did not include a detailed beachfront plan. The Burnham Plan was never formally adopted.
1949	- The current parcel was created when the parent parcel (originally 2.085 acres in size) was bifurcated to create the area of the Cabrillo Highway right-of-way and when the area was conveyed to the State of California, thereby resulting in two separate parcels.
April 17, 2003	- Application submitted. Subsequently, the project is deemed incomplete. Processing delayed due to applicant's revision of proposed waste water service and Planning Department staff turnover.
October 27, 2008	- Initial Study and Mitigated Negative Declaration Public Review Period begins.
November 17, 2008	- Initial Study and Mitigated Negative Declaration Public Review Period ends.
March 25, 2009	- Planning Commission public hearing.

DISCUSSION

A. KEY ISSUES

1. Parcel Legalization through a Certificate of Compliance, Type B

A Certificate of Compliance, Type B is a process required to legalize parcels that were created in violation of provisions of the County or State subdivision laws in effect at the time of a parcel's creation (Section 66499.35(b), San Mateo County Subdivision Regulations). This process is required for any illegally created parcel before new development can take place. Prior to the State of California's acquisition of land for Highway 1, the parcel was a part of a larger piece of land, then containing 2.085 acres, extending to the Pacific Ocean. In 1949, the State of California acquired a portion of the parent parcel to construct Highway 1. The action of the State effectively subdivided the parent parcel, thereby creating the project parcel. However, such action was not done in accordance with the County's Subdivision Regulations, which have been in effect since 1946. County Counsel has determined that a Certificate of Compliance, Type B, is the appropriate mechanism to legalize the 0.41-acre parcel. Compliance with policies governing legalization of parcels is discussed below.

a. Compliance with the General Plan

The project parcel is required by the current San Mateo County Subdivision Regulations (Section 7134.2.b(1)) to conform to the General Plan and zoning standards in effect at the time the parcel was created. The County did not adopt a General Plan (Master Plan) until 1960. Since the creation of the parcel predates this document, it is not applicable. Conformance with zoning standards is discussed below.

b. Conformance with the Local Coastal Program (LCP)

LCP Policy 1.28 (*Legalizing Parcel*) requires a Coastal Development Permit (CDP) when issuing a Certificate of Compliance to legalize parcels. LCP Policy 1.29(d) (*Coastal Development Permit Standards of Review for Legalizing Parcels*) also requires that the CDP be conditioned to maximize consistency with LCP resource protection policies and requires a separate CDP, subject to all applicable Local Coastal Program requirements, for any development of the parcel. Staff has reviewed all applicable LCP policies for the legalization of this parcel, which has been in the same configuration since 1949, and finds that there are no additional resource protection policies other than the visual issues related to the proposed development, which are discussed in Section A.2.b of this staff report. The proposal includes a request for two CDPs, one for parcel legalization and one for the development of the parcel.

c. Conformance with the Zoning Regulations

When the parcel was created in 1949, the subject parcel was located within the Limited Highway Frontage (H-1/S-3) Zoning District. The minimum lot size at that time was 5,000 sq. ft. The subject parcel consists of approximately 17,900 sq. ft. of land. Therefore, the subject parcel conformed to the H-1/S-3 zoning regulations in effect at the time it was created.

Section 6227.b.6 of the COSC District regulates division of land and specifically prohibits residential use on a parcel recorded after December 1, 1981. County Counsel has concluded that since this parcel was created in 1949, the parcel was not "recorded" after 1981, even though the Certificate of Compliance, Type B, is proposed at this time. County Counsel advises that the intent of the regulation is to prevent residential uses on parcels created after 1981. As the project would result in the establishment of a residential use on a parcel created before 1981, the issuing of a Certificate of Compliance, Type B, would not conflict with the intent of Section 6227.b.6 of the COSC Zoning District regulations.

d. Conformance with the Subdivision Regulations

This parcel may be legalized in accordance with the County Subdivision Regulations provided: (1) the parcel complied with the General Plan policies and Zoning Regulations in effect at the time the division occurred, and (2) a Conditional Certificate of Compliance is recorded. Staff has determined that the subject parcel complies with the applicable policies and regulations in effect at the time the parcel was created, as described above. If approved, the Certificate of Compliance, as conditioned in Attachment A, would be recorded in accordance with the County Subdivision Regulations.

2. Single-Family Residence

a. Conformance with General Plan Policies

The proposed 2-bedroom, 1,777 sq. ft. single-family residence is one-story, with an attached 2-car garage. The applicant has proposed finishing the exterior with earth-toned stucco walls and mission tile roofing. The overall height of the structure is proposed at 16 feet, which is the maximum allowed. The project complies with all applicable policies of the General Plan, with specific discussion of the following:

Policy 4.14.a (*Appearance of New Development*) regulates development to promote and enhance good design, site relationships and other aesthetic considerations. The design of the proposed residence complies with the development standards regulating scale and proportionality in the COSC Zoning District (i.e., lot coverage and height). The structure is well-articulated on all sides and is smaller in scale than other commercial and residential structures in the immediate area. Due to the lack of trees and adjoining development both

on- and off-site, the residence cannot be clustered with existing natural or man-made vertical elements.

Policy 4.21 (*Scenic Corridors*) calls for management of the location and appearance of structural development in order to protect and enhance the visual quality of scenic corridors. The project site is located within an urban area of the Cabrillo Highway County Scenic Corridor. The applicant has proposed employing colors and materials to match the surrounding environment with a light gray/green stucco exterior and dark green and off-white as accent and trim colors. The project would result in minimal impact to the Cabrillo Highway Scenic Corridor due to the distance of the project from lanes of travel (the rear of the residence would be approximately 100 feet from the edge of the paved portion of the highway) and, as required by Condition No. 15, the project would incorporate low-height landscaping to soften views of the residence from the Cabrillo Highway County Scenic Corridor. Project compliance with required design criteria is discussed later in this Section.

Policy 8.38 (*Regulation of Development in Urban Areas – Height, Bulk and Setbacks*) regulates height, bulk, and setbacks to ensure that the size and scale of development is compatible with parcel size. In the COSC Zoning District, the maximum height and lot coverage regulate the size and scale of development. The 1,777 sq. ft. proposed residence complies with the maximum height and maximum lot coverage requirements of this zoning district, with a proposed height of 16 feet and lot coverage of 10%. The applicant is requesting a variance to the required minimum front and rear setbacks of 50 feet, proposing setbacks of 20 feet from the edge of the road easement along the front property line and 35 feet from the rear property line. While these setbacks are not in compliance with the underlying zoning, the proposed setbacks are compatible with surrounding development. Staff has determined that the proposed project and staff's proposed alternative (discussed in Section 2.b, below) comply with this policy.

Policy 11.5 (*Wastewater Management in Urban Areas*) states that sewerage systems are the appropriate method of wastewater management in urban areas. The parcel is located within the boundaries of the Granada Sanitary District (GSD). In a comment letter received in 2004, GSD stated that extending sewer service to the parcel would not comply with GSD Ordinance Code and requires approval of a variance from the District Board (see Section E for more information regarding GSD project review). Therefore, the applicant proposes a septic system at the property. In addition, there is an approved and valid percolation test for the subject property. Staff has added Condition No. 32 to require Environmental Health Division approval of the septic plan during the building permit review stage for the residence.

b. Conformance with Local Coastal Program (LCP) and Design Review (DR) Policies

As proposed and conditioned, the project complies with all relevant LCP Policies. Staff has completed an LCP checklist, included as Attachment I. Staff has included specific discussion of the following relevant LCP policies:

Policy 8.5 (Location of Development) requires that new development be located on a portion of a parcel where the development: (1) is least visible from State and County Scenic Road, (2) is least likely to significantly impact views from public viewpoints, and (3) is consistent with all other LCP requirements, best preserves the visual and open space qualities of the parcel overall. Planning staff has analyzed the location of the proposed residence relative to both the Cabrillo Highway County Scenic Corridor and public viewpoints along radial streets to the east, such as Sonora Avenue and Francisco Street. As previously discussed, the property owners would be required to plant low-height shrubbery to soften views of the residence from the Cabrillo Highway Scenic Corridor. In addition, the rear of the residence would be approximately 100 feet from the edge of the paved portion of the highway. Therefore, the residence would result in a minimal impact to the scenic corridor. However, as proposed, the residence is in a prominent location with regard to public viewpoints along radial streets to the east, such as Sonora Avenue and Francisco Street. As illustrated in Attachment G, the proposed house is located directly at the end of the Sonora Avenue view corridor. In order to reduce impacts to the westerly view corridor of Sonora Avenue, staff has added Condition No. 7 which requires the property owners to shift the location of the house to House Location B. House Location B is approximately 22 feet south of the proposed location (left when facing the parcel from Avenue Alhambra) and located at the minimum 20-foot left side setback. This shift in the location of the house would move approximately one-third of the house outside of the Sonora Avenue view corridor, thereby preserving the visual and open space qualities of the parcel, to the extent feasible. In addition, the new location would move the residence outside of the Sonora Avenue and Francisco Street intersection view corridor further preserving views at this intersection, would result in an improved configuration of on-site open space, move the residence further from residential viewing locations to the northeast, and allow for clustering opportunities for future development on the adjoining parcel by moving the residence closer to the side property line.

Policy 8.12(a) (General Regulations) applies the Design Review (DR) Zoning overlay to properties within the urbanized areas of the Coastal Zone. The following DR Zoning District guidelines and standards are applicable to this project:

- (1) *Proposed structures are designed and situated so as to retain and blend with natural vegetation and landforms of the site and to ensure adequate space for light and air to itself and adjacent properties.*

Due to the lack of trees and adjoining development both on- and off-site, the residence could not be clustered with existing natural or man-made vertical elements. However, the applicant has proposed employing colors and materials to match the surrounding environment with a light gray/green stucco exterior and dark green and off-white as accent and trim colors. In addition, in accordance with proposed Condition No. 15, the project would incorporate low-height shrubbery that would help to blend the structure into the existing landscape.

- (2) *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.*

In either the house location as originally proposed or the staff recommended location (House Location B), there will be minimal grading necessary to construct the proposed residence as the parcel is generally flat. The recommended project location would involve approximately 94 cubic yards of fill and approximately 86 cubic yards of excavation. In the location originally proposed, construction of the house would involve 175 cubic yards of fill and 13 cubic yards of excavation. Grading will not involve any harsh cutting or terracing of the site. Staff proposes Condition Nos. 11 and 12 to minimize impacts associated with the proposed grading. To minimize impacts to drainage patterns, staff proposes Condition No. 31 to require the property owners to demonstrate project compliance with the San Mateo County Drainage Guidelines, prior to the issuance of a building permit for the proposed residence. The Guidelines require the post-development runoff and velocity to be less than or equal to pre-development peak flow and velocity and prohibits additional runoff, caused by development, to cross property lines. Project compliance with the requirements of the Grading Regulations is discussed in Section C of this report.

- (3) *Streams and other natural drainage systems are not altered so as to affect their character and thereby causing problems of drainage, erosion or flooding.*

No streams or natural drainage systems exist on the project site.

- (4) *Structures are located outside flood zones, drainage channels and other areas subject to inundation.*

The project site is located in Flood Zone "C," which is an area of minimal flooding. Additionally, the project site is not located within a drainage channel.

- (5) *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.

No trees need to be removed to construct the subject residence. Only minimal land cover will be removed within the proposed building envelope and driveway location. Staff proposes Condition No. 10 to require project compliance with LCP Policy 8.10, which requires the property owners to minimize vegetation removal and replace vegetation removed during construction with plant materials (shrubs and ground cover) that are compatible with surrounding vegetation and are suitable to the climate, soil, and ecological characteristics of the area. Staff also proposes Condition No. 12 to require project compliance with the San Mateo Countywide Water Pollution Prevention Program's "General Construction and Site Supervision Guidelines" during site preparation and construction, in order to minimize the transport and discharge of pollutants from the project site into local drainage systems and water bodies.

- (6) *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.*

As previously discussed, staff proposes Condition No. 15, which requires the property owners to plant low-height landscaping that is native, non-invasive and compatible with surrounding vegetation. The required landscaping will result in a smooth transition between the development and adjacent open areas.

- (7) *Views are protected by the height and location of structures and through the selective pruning or removal of trees and vegetative matter at the end of view corridors.*

The proposed residence conforms with the COSC Zoning District's height regulation which sets forth a maximum building height of 16 feet. The proposed residence cannot be clustered with existing man-made or natural vertical elements, due to a lack of trees or adjoining development both on- and off-site. It should be noted that Mitigation Measure 5 of the Mitigated Negative Declaration requires the planting of trees of a limited height at maturity at the front and rear of the proposed residence. However, during the public review period for the Mitigated Negative Declaration, staff received many statements of opposition from the public to this mitigation measure, as the new trees may obstruct coastal views from public viewing locations to the east. Staff recommends revising this mitigation measure and incorporated it as Condition No. 15 in Attachment A to require the property owners to plant a minimum of fifteen (15) 1-gallon shrubs (including six at the front and nine at the rear of the property) to help soften views of the structure. Additionally, proposed Condition No. 9

prohibits the planting of trees on the property in order to prevent further obstruction of views from viewing locations to the east.

- (8) *Construction on ridgelines blends with the existing silhouette by maintaining natural vegetative masses and landforms and does not extend above the height of the forest or tree canopy.*

No construction is proposed on ridgelines.

- (9) *Structures are set back from the edge of bluffs and cliffs to protect views from scenic areas below.*

The project site is located along the east side of Highway 1. No cliffs or bluffs exist on-site or in the immediate area.

- (10) *Public views to and along the shoreline from public roads and other public lands are protected.*

The project site is located approximately 350 feet east of the beach. The site is adjacent to the Cabrillo Highway, the nearest public road to the sea. As discussed in the Mitigated Negative Declaration, development on the parcel may obstruct public views to and along the shoreline from public roads and other public lands from viewing locations east of the project site. However, due to the low height of the residence and its distance from the ocean, the potential impact on views of the ocean will be minimal. In order to further minimize impacts to scenic views, staff proposes Condition No. 19 to require verification of building height with the approved height during project construction. Additionally, per Condition Nos. 15, 16, and 18, the proposed residence will incorporate low-height landscaping to soften views from both Cabrillo Highway and Avenue Alhambra viewing locations, the colors and materials of the residence shall match surrounding vegetation, and exterior lighting shall be minimized.

- (11) *Varying architectural styles are made compatible through the use of similar materials and colors which blend with the natural setting and surrounding neighborhoods.*

The scale and design of the proposed residence are suited to the area, which contains both commercial and residential structures. The proposed residence is smaller in scale than existing commercial structures located across Avenue Alhambra, which are generally single-story. The design of the proposed residence blends well with the only existing residence on the strip of land at 400 Avenue Alhambra, but is smaller in size and the proposed color scheme blends in better with the surrounding natural and built environment. The proposed residence is also smaller in size than the residences located east of the commercial structures, which are generally two-story. Therefore, the design of the proposed residence is compatible

with the surrounding natural and built environment because it is in scale with existing structures and the colors and materials blend with the natural environment.

- (12) *The design of the structure is appropriate to the use of the property and is in harmony with the shape, size and scale of adjacent buildings in the community.*

The design of the proposed residence is appropriate to the residential use of the property. Adjoining parcels are undeveloped. As stated above, the proposed residence is in scale with existing commercial and residential development and the proposed color scheme blends well with the surrounding natural and built environment.

- (13) *Overhead utility lines are placed underground where appropriate to reduce the visual impact in open and scenic areas.*

Staff proposes Condition No. 17 in Attachment A that requires new utility lines to be placed underground starting from the nearest existing utility pole.

- (14) *The number, location, size, design, lighting, materials, and use of colors in signs are compatible with the architectural style of the structure they identify and harmonize with their surroundings.*

The proposed project does not involve or require any signage.

- (15) *Paved areas are integrated into the site, relate to their structure, and are landscaped to reduce visual impact from residential areas and from roadways.*

The project includes a paved driveway and walkway to the front door. Staff proposes Condition No. 8 in Attachment A, requiring the driveway and walkway to be constructed of a pervious material in order to maximize surface water infiltration. Also, staff has incorporated Condition No. 15 requiring the property owners to plant a minimum of fifteen (15) shrubs at the project site.

Policy 8.12(b) (General Regulations – Community Design Manual) applies to the design criteria set forth in the Community Design Manual for all new development in urban areas. The criteria have also been adopted into the Zoning Regulations, Section 6565.7, regarding structures located within a designated DR District. The applicable guidelines and their applicability to the proposal are discussed above.

Policy 8.13(a) (Special Design Guidelines for Coastal Communities) stipulates that the following special guidelines shall supplement the design criteria in the Community Design Manual for the Montara-Moss Beach-El Granada area:

- (a) *Design structures which fit the topography of the site and do not require extensive cutting, grading or filling for construction.*

The subject parcel is relatively flat and will require only minimal grading (approximately 94 cubic yards of fill and approximately 86 cubic yards of excavation) for construction of the proposed single-family residence in the staff recommended House Location B. Compliance with Grading Permit findings is discussed in Section C of this report.

- (b) *Employ the use of natural materials and colors which blend with the vegetative cover of the site.*

The proposed residence will employ a light gray/green stucco exterior and dark green and off-white as accent and trim colors, and mission tile roofing, which will blend with the natural colors of the site and surrounding area.

- (c) *Use pitched, rather than flat, roofs which are surfaced with non-reflective materials except for the employment of solar energy devices.*

The proposed roof design incorporates a pitch. The proposed mission tile roofing is non-reflective.

- (d) *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.*

As discussed in Sections A.2.b.11 and 12 above, the project is in scale with existing development and the proposed color scheme blends well with the surrounding natural and built environment.

- (e) *To the extent feasible, design development to minimize the blocking of views to or along the ocean shoreline from Highway 1 and the sea.*

As discussed in Section A.2.b.10 above, due to the low height of the residence and its distance from the ocean, the potential impact to views to the ocean would be minimal. In order to further minimize impacts to scenic views, staff proposes Condition Nos. 15, 16, 18 and 19 to require planting of low-height landscaping at the front and rear of the residence to soften views from public viewing locations, implementation of the proposed colors and materials for the residence which match the surrounding environment, minimization of exterior lighting, and verification of building height with the approved height during project construction.

Policy 8.15 (Coastal Views for Structural and Community Features) requires the protection of coastal views and the prohibition of development which substantially blocks views to or along the shoreline from coastal roads, roadside rest areas, vista points, recreation areas, and beaches. As the project site is

located on a strip of land that is largely undeveloped and fronts the nearest public road to the ocean (Cabrillo Highway), development of the site will result in greater obstruction to coastal views than currently exists. However, as discussed in the Mitigated Negative Declaration, impacts to coastal views are considered less than significant due to the low height of the residence and the presence of intervening development from residential viewing locations. In order to further mitigate project impacts to coastal views, staff proposes Condition Nos. 15, 16, 18, and 19 to require planting of low-height landscaping at the front and rear of the residence to soften views from these locations, implementation of the approved colors and materials for the residence which match the surrounding environment, minimization of exterior lighting, and verification of building height during project construction. In addition, staff proposes Condition No. 7, which requires construction of the residence in House Location B, which would minimize obstruction of coastal views from the Sonora Avenue public view corridor.

c. Conformance with Zoning Regulations

- (1) Use. The total lot area is 17,900 sq. ft. (0.41 acre). The COSC Zoning District requires a use permit for a single-family residence on a parcel less than 40 acres in size.
- (2) Development Standards. The following table summarizes the project's conformance with the COSC Zoning Regulations. Project compliance with the requirements of a Certificate of Compliance and the findings for a Variance are discussed in Sections A.1 and B of this report, respectively.

Residence	Zoning Requirement	Proposed	Complies?
Parcel Size	2 acres (min.)	0.41-acre	No: Non-Conforming*, COC Type B requested.
Front Yard Setback	50 ft.	<u>Location B</u> : 24 feet (from Ave. Alhambra ROW) <u>Proposed</u> : 20 ft. (from Ave. Alhambra ROW)	No: Variance requested
Rear Yard Setback	50 ft.	<u>Location B</u> : 39 ft. <u>Proposed</u> : 35 ft.	No: Variance requested
Right/Left Side Setback	20 ft.	<u>Location B</u> : 89 ft./20 ft. <u>Proposed</u> : 66 ft./42 ft.	Yes Yes
Maximum Building Height	16 ft.	16 ft.	Yes
Lot Coverage	10%	9.9%	Yes
* Note: As per Zoning Code Section 6133.3.a.1.c, development of an unimproved non-conforming parcel may occur without the issuance of a use permit when the minimum required parcel size is greater than 5,000 sq. ft. in area and the actual non-conforming parcel size is greater or equal to 5,000 sq. ft. in area.			

- (3) Conformance with Parking Requirements. Zoning Regulations Chapter 3, Parking, Section 6119, requires two covered spaces for each residential dwelling. The applicant proposes a 2-car garage, which complies with the zoning requirements.
- (4) Conformance with Purpose of COSC Zoning District. The purpose of the COSC Zoning District is to protect areas designated for general open space in adopted Community Plans by providing for planned low intensity development, which preserves, to the greatest degree possible, the visual and open characteristics of the land. A copy of the COSC Zoning Regulations is included as Attachment M. The project complies with this purpose as the proposed single-family use is a low intensity use, complies with maximum height and lot coverage requirements of the zoning district which limit the scale of new development, and is a permitted use with a use permit. Project compliance with use permit findings are discussed in Section 2.C.5 of this report, below. As conditioned, the residence would be located in House Location B (at the left side yard setback) which minimizes obstruction of the Sonora Avenue public view corridor, thereby preserving a majority of the parcel as open space and allowing for clustering opportunities with future development on the adjoining parcel.
- (5) Conformance with Use Permit Regulations

Section 6227.b.5 of the COSC Zoning Regulations requires a use permit for a single-family residence on a parcel less than 40 acres in size. The project site is 0.41-acre. The following is a discussion of project compliance with the following required finding for a use permit:

The establishment, maintenance, and/or conducting of the proposed use will not, under the circumstances of the particular case, result in a significant adverse impact to coastal resources, or be detrimental to the public welfare or injurious to property or improvements in the said neighborhood.

Staff's Response: The proposed use is for a single-family residential development which is consistent and compatible with surrounding land uses. It is designed to be low profile (16 feet maximum height) and as discussed in the Mitigated Negative Declaration (Attachment J), as proposed and mitigated, will not result in any significant environmental impacts.

d. Conformance with Design Review Criteria

Projects within the Design Review (DR) District are subject to the DR guidelines set forth in Section 6565.7 (Standards for Review). Staff has discussed these criteria above with regard to conformance with the County's Local Coastal Program. Review by the Coastside Design Review Committee

(CDRC) is not required because the CDRC's jurisdiction covers the R-1 zones only.

B. COMPLIANCE WITH VARIANCE FINDINGS

As proposed, the project would require a variance to allow the single-family residence to be set back 20 feet from the edge of the roadway easement along the front property line (Avenue Alhambra) and 35 feet from the rear property line (Cabrillo Highway), where minimum 50 feet front and rear yard setbacks are required. As discussed previously, Planning staff recommends a shift in the location of the house to House Location B, as illustrated in Attachment G, in order to preserve open space at the end of the Sonora Avenue view corridor and the visual and open space qualities of the parcel overall. Construction of the house in House Location B would increase front and rear setbacks to 24 feet in the front and 39 feet in the rear, but would still require a variance. The project, as conditioned to be located in House Location B, complies with the required variance findings of Section 6534.1 of the County Zoning Regulations, as discussed below:

- 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.**

The subject parcel is both unique in the process of its creation and its resulting size and shape. Prior to the State's acquisition of the area of the Cabrillo Highway in 1949, the strip was much larger, containing the parcels on the current-day strip, the area of the Cabrillo Highway right-of-way, and parcels west of the highway. Attachment L shows a representation of the original "strip" by Daniel Burnham. After the State acquisition of the area of the Cabrillo Highway, parcels on the strip were reduced to their current size. The middle portion of the strip is the widest, with shallower parcels to the north and south. The shallowest and smallest parcels are located on the north side of the strip, including the subject parcel and two smaller parcels to the north. These parcels are undeveloped. The subject parcel is wide and shallow, with an approximate average depth of 99 feet. Application of the 50-foot minimum front and rear yard setbacks would largely prohibit development of the site. Therefore, the applicant seeks a variance from the required front and rear setbacks in order to accommodate the proposed 1,777 sq. ft. single-family residence.

- 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.**

Currently, one single-family residence is located on the strip at 400 Avenue Alhambra. Construction of the residence did not require a variance as the parcel is 27,900 sq. ft. and is approximately 150 feet wide. Due to the shallow depth of the subject parcel, application of the 50-foot minimum front and rear yard setbacks would largely prohibit development of the site. Therefore, a variance is required to allow the property owners the same rights as other property owners on the strip.

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.**

One single-family residence already exists on the strip and single-family houses are allowed in the zoning district with approval of a use permit (as discussed in Section 2.C.5 of this report). In addition, a variance to front and rear yard setbacks would be necessary for the construction of any structure on the parcel. Denial of a variance would prohibit the property owners right to develop the parcel and unduly restrict use of the parcel beyond the restrictions of the COSC Zoning District.

4. **The variance authorizes only uses or activities which are permitted by the zoning district.**

As previously stated, the COSC Zoning District allows for single-family residential uses with the issuance of a use permit. Project compliance with use permit findings are discussed in Section 2.C.5 of this report.

5. **The variance is consistent with the objectives of the General Plan, the Local Coastal Program (LCP) and the Zoning Regulations.**

The variance would allow development as permitted by the COSC Zoning District with a use permit on the subject parcel. As proposed and conditioned, the project complies with applicable policies of the General Plan, Local Coastal Program and Zoning Regulations (as discussed in Sections 2.a, b. and c) and would minimize view impacts to the extent feasible.

C. COMPLIANCE WITH GRADING REGULATIONS

The construction of a new residence and driveway in staff recommended House Location B involves approximately 94 cubic yards of fill and 86 cubic yards of excavation on a property with an average slope of 5% (see Attachment H for grading plan for House Location B). It should be noted that the proposed location of the residence would have involved slightly more grading, approximately 175 cubic yards of fill and approximately 13 cubic yards of excavation (or a total of 188 cy of grading). Due to the placement of fill intended to support the residence, the project does not meet the criteria for an exemption under Section 8603 of the San Mateo County Code and requires a grading permit. The Planning Commission is the authority for the grading permit and all associated permits due to the project's location within a County scenic corridor. In order to approve this project, the Planning Commission must make the required findings contained in the Grading Regulations. The findings and supporting evidence are outlined below:

1. **That the project will not have a significant adverse effect on the environment.**

The applicant proposes to disturb a portion of the parcel, including the construction of a new 1,777 sq. ft. residence, a new 37-foot driveway, and a new septic system in the right side and rear yards of the property (as shown in Attachments D and E). As discussed in the Mitigated Negative Declaration, grading associated with construction

of these improvements may cause some minor erosion and siltation. Staff proposes Condition Nos. 11 and 12 to require the issuance of a building permit prior to the start of grading activities so that grading and construction will be done concurrently in order to minimize the duration of ground disturbance and the potential for erosion, as well as project compliance with the San Mateo Countywide Water Pollution Prevention Program's "General Construction and Site Supervision Guidelines" and the approved erosion and sediment control plan during grading and construction activities. As proposed and conditioned, the project would not result in a significant adverse effect on the environment.

2. **That the project conforms to the criteria of Chapter 8, Division VII, San Mateo County Ordinance Code (Grading Regulations), including the standards referenced in Section 8605.**

The project has been reviewed by the County's Department of Public Works and the Planning and Building Department's Geotechnical Engineer. Applicable requirements of these agencies have been incorporated as conditions of approval, including those regulating the timing of grading activity, erosion and sediment control, and dust control. Condition No. 23 prohibits grading within the wet season (October 15 through April 15), unless approved by the Community Development Director. Condition Nos. 12 and 31 require compliance with County stormwater and drainage requirements. Also, Condition No. 22 requires implementation of dust control measures. Therefore, the project, as proposed and conditioned, conforms to the standards in the Grading Regulations.

3. **That the project is consistent with the General Plan.**

As proposed and conditioned, the project complies with applicable policies of the General Plan, as discussed in Section A of this report, above.

D. REVIEW BY THE MIDCOAST COMMUNITY COUNCIL (MCC)

The Midcoast Community Council (MCC) reviewed the project and submitted its comments in a letter received on November 17, 2008 (Attachment Z). In summary, the MCC stated that since the Negative Declaration recommends mitigation measures, the document should be called a Mitigated Negative Declaration. Staff agrees with this statement and has since referred to the document as a Mitigated Negative Declaration. The minor change in title does not affect the validity of the CEQA document prepared by staff nor the process of certifying this document. It is a matter of terminology only. In addition, the MCC states that the project would have a significant or cumulative environmental impact on various resources. In general, staff refers the MCC to the analysis of potential impacts provided in to the Mitigated Negative Declaration prepared for this project. However, staff has included further discussion of the following topics:

- *Agricultural Resources: The MCC states that the development of the parcel for residential use would result in a significant loss of agricultural land, as historic aerial photographs show that the land was once farmed. Staff Response: While*

the property contains soil mapping units that meet the criteria for Prime Farmland as outlined in the U.S. Department of Agriculture's Land Inventory and Monitoring (LIM) Project for the San Mateo Area and may have been used historically for agriculture, the property is not designated for Agricultural Land Use. LCP Policy 5.2 (*Designation of Prime Agricultural Lands*) calls for the designation of all prime agricultural lands for agricultural land use, with various exceptions including parcels in urban areas. The property is designated for General Open Space land uses by the County's General Plan, which allows residential uses. Therefore, conversion of prime farmlands within an urban area not designated for agricultural use would not result in a significant impact to agricultural resources.

- Sensitive Habitat: *The MCC states that development of COSC land would lead to a significant cumulative effect on wildlife and plant life in the area.* Planning staff is aware that the parcel on the southern end of the strip contains drainage(s) and associated habitat (located approximately 1,000 feet to the south). However, presence of habitat is analyzed on a site-by-site basis. As stated in the Mitigated Negative Declaration, a review of the California Natural Diversity Database confirmed that there are no federal or state listed rare or endangered species of plant life or wildlife at the project site. Nor does the site contain any sensitive habitat, including trees or drainages.
- Noise: *The MCC states that the project would result in a significantly higher level of noise than currently existing.* As stated in the Mitigated Negative Declaration, construction of the proposed residence would temporarily result in increased noise levels. Staff proposes Condition No. 14 to limit construction activities from the hours of 7:00 a.m. until 6:00 p.m., Monday through Friday, and Saturdays from 9:00 a.m. until 5:00 p.m. Construction would not be permitted on Sundays, Thanksgiving, or Christmas. The proposed single-family residential use would result in more noise than currently exists at the parcel. However, additional noise resulting from the project would be insignificant compared to existing noise sources within the area, as the property is located directly across the street from a commercial zoning district and adjacent to Cabrillo Highway. Therefore, the proposed use would not result in a significant increase in ambient noise levels at the property.
- Water Quality: *The MCC states that the project will generate increased surface runoff and the septic system will affect groundwater resources.* As discussed in the Mitigated Negative Declaration, project construction may generate polluted or increased surface water runoff. Therefore, staff proposes Condition No. 12, to require erosion and sediment control during project construction. Staff has also added Condition No. 31 to require the property owners to demonstrate compliance with the County's Drainage Policy which requires that post-development peak flow (runoff) and velocity must be less than or equal to pre-development peak flow and velocity in areas where there are no existing down stream storm drain systems. Staff has also included Condition No. 8, requiring the driveway and walkway to be constructed of a pervious material in order to maximize surface water infiltration. The proposed septic system will be subject to permitting regulations of the County's Environmental Health Division (Division), which regulates septic systems to prevent

pollution of water wells through the requirement of a soils study to determine if groundwater is encountered during the percolation test and the enforcement of a minimum 100-foot well setback requirement from septic systems. If groundwater is present or if there is evidence of past groundwater quality problems, the Division will require the site to perform winter monitoring of groundwater levels, which ensure a minimum of 3 feet clearance between the highest groundwater level and the bottom of the septic drainfield.

- Land Use: *The MCC states that the Project is not in keeping with the "Park/Open Space" land use designation for the parcel in the Community Plan and single-family residential uses would not be allowed under the new "El Granada Gateway" zoning for the parcel currently pending certification by the Coastal Commission.* The Montara-Moss Beach-El Granada Community Plan (Plan) designates the parcel for "Park, Beaches and Recreation Corridors" land use, with the area of the strip indicated for a community park. The Plan calls for the acquisition and maintenance of a community park system through the establishment of local financing, potentially through the formation of a recreation district. Currently, the property is privately owned and has not been acquired by the County or by a recreation district.

The El Granada Gateway (EG) zoning ordinance (included as Attachment N) was approved by the Board and has not yet been certified by the California Coastal Commission. As approved by the Board, the EG zoning ordinance prohibits single-family residential use on the strip, but acknowledges through "grandfathering" terms that the provisions of the ordinance would not apply to development in which an application was received before the effective date of the ordinance (30 days after certification by the Coastal Commission). As the Coastal Commission has yet to certify the ordinance, the ordinance has not taken effect and the project is subject to the existing zoning, COSC, which allows single-family residential uses with a use permit. Project compliance with use permit findings is discussed in Section 2.C.5 of this report.

E. REVIEW BY THE GRANADA SANITARY DISTRICT

Planning staff formally referred the project (which initially included a sewer connection) to the Granada Sanitary District (GSD) on May 3, 2004. GSD had responded in a letter dated June 16, 2004, that the parcel is located outside of the Granada Sanitary District urban service area boundary; the parcel is non-conforming; and the proposed residence is not included in San Mateo County's buildout calculations. Therefore, a sewer permit requires approval from the District Board for sewer service to a parcel in the District's rural zone and requires a variance from the District Board. It should be noted that while GSD's sewer service boundaries are aligned with the Urban/Rural boundary adopted in the County's Local Coastal Program, GSD's Service Area Map shows the area of the strip as "rural designated lands." The GSD's map shows land that is "rural in nature" as rural lands, such as land designated for open space, and land which may contain prime agricultural soils and/or sensitive habitat. However, the adopted LCP map shows that lands located within the Urban/Rural boundary are designated for urban use. Also, while potential residential units in the COSC zoning district were not included in the build-out numbers included in

the County's Local Coastal Program, for urban areas of the Coast, the build-out total is an estimate used to evaluate the overall impact of development on public infrastructure. The estimated build-out number does not supersede zoning or the allowed uses within zoning districts. Some of the allowed uses in the COSC District, such as parks and play fields, could in fact generate greater impacts on public infrastructure, particularly roads, than a single-family residence.

The current project incorporates a septic system and does not require a sewer permit. In a letter dated November 17, 2008, Jonathan Wittwer of Wittwer and Parkin, LLP (legal counsel for GSD), states that GSD, as a Responsible Agency [as defined by the California Environmental Quality Act [CEQA]], should have been consulted regarding the project and should have been sent a copy of the Mitigated Negative Declaration (MND). Mr. Wittwer states that the project does not comply with CEQA as the County failed to treat GSD as a Responsible Agency. CEQA defines "Responsible Agency" as "a public agency which proposes to carry out or approve a project, for which a Lead Agency is preparing or has prepared an EIR or Negative Declaration" and "includes all public agencies other than the Lead Agency which have discretionary approval power over the project." GSD asserts that it is a Responsible Agency per District Ordinance Code Article V., Section 501, which requires any person proposing to operate a private wastewater disposal system to obtain a permit from GSD. As stated in Mr. Wittwer's letter, this regulation is authorized by Health and Safety Code Section 6521 that gives sanitary districts enforcement authority over "other sanitary purposes not in conflict with the laws of this State." However, the California Regional Water Quality Control Board (RWQCB) has specifically authorized the San Mateo County Environmental Health Division, as the certified agency, to issue septic permits, per Resolution No. 81-9. In addition, Mr. Wittwer misinterprets County Code Section 9305, which he states gives GSD jurisdiction over private wastewater systems within the boundaries of its district. Instead, the Section grants an exemption for holding tanks that are owned or maintained by GSD from compliance and permitting with the County Code. As the State RWQCB has granted permitting authority to the County Environmental Health Division for septic systems, GSD is not a Responsible Agency under CEQA. Therefore, the Mitigated Negative Declaration does not violate CEQA requirements.

F. REVIEW BY THE CALIFORNIA COASTAL COMMISSION

Planning staff formally referred the project to the California Coastal Commission on August 24, 2007. As of this date, no comments regarding this project have been received by County staff. Any subsequent comments will be addressed at the public hearing of March 25, 2009.

G. ENVIRONMENTAL REVIEW

A Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA) was published on October 27, 2008. The public review period ended on November 17, 2008. A summary of comments received from the public and responses from staff are provided in the table in Attachment K. Comment letters are included as Attachments O through AA. Planning staff notes the following with regard to the published Mitigated Negative Declaration:

1. House Location B: Staff recommends the location of the residence in House Location B (as shown in Attachment G) in order to bring the project into compliance with Local Coastal Program Policy 8.5, which calls for minimization of view impacts from public viewpoints. It should be noted that the Mitigated Negative Declaration did not review the new house location. The new location will result in reduced visual impacts and a minor reduction in grading from a total of 188 cubic yards to 179 cubic yards. Implementation of the recommended mitigation measures of the published Mitigated Negative Declaration would further reduce the visual impacts of project construction and impacts associated with grading, which are already considered less-than-significant.

Per Section 15073.5 of the CEQA Guidelines, re-circulation of a negative declaration is only required when a new, avoidable significant effect is identified or when a lead agency has determined that the proposed mitigation measures will not reduce potential effects to less than significance and new mitigation measures or project revision is required. The revision in the location of the residence will not increase but decrease the project's environmental impact. Therefore, recirculation of the revised Initial Study and Mitigated Negative Declaration is not required by CEQA.

2. Agricultural Resources: The Initial Study Checklist stated that the project site does not contain Class I, II, or III soils. It should be noted that the property contains Prime Farmland as outlined in the U.S. Department of Agriculture's Land Inventory and Monitoring (LIM) Project for the San Mateo Area. Also, the property may have been used historically for agriculture. However, the property is not designated for Agricultural Land Use. LCP Policy 5.2 (*Designation of Prime Agricultural Lands*) calls for the designation of all prime agricultural lands for agricultural land use, with various exceptions including parcels in urban areas. The property is designated for General Open Space land uses by the County's General Plan, which allows residential uses. Therefore, conversion of prime farmlands within an urban area not designated for agricultural use would not result in a significant impact to agricultural resources.

H. REVIEWING AGENCIES

1. Building Inspection Section
2. California Department of Fish and Game
3. California Coastal Commission
4. Environmental Health Division
5. Coastsides Fire Protection District
6. Planning and Building Department Geotechnical Section
7. Granada Sanitary District
8. Midcoast Community Council
9. Coastsides County Water Department
10. Committee for Green Foothills
11. Department of Public Works

ATTACHMENTS

*Note: Attachments available at
the Planning Department.*

- A. Recommended Findings and Conditions of Approval
- B. Location Map
- C. Aerial Map
- D. Site Plan, Floor Plan, and Elevations, received June 6, 2006
- E. Septic Plan, received August 8, 2005
- F. Civil Engineer's Estimate of Grading for Proposed Project, dated October 20, 2008
- G. Illustration of House Location B
- H. Grading Plan for House Location B, dated January 16, 2009
- I. Coastal Development Policy Checklist
- J. Mitigated Negative Declaration, dated October 27, 2008
- K. Summary Comments on Mitigated Negative Declaration and Staff's Response
- L. Representation of the original "strip" by Daniel Burnham (Source: "Granada, A Synonym for Paradise: The Ocean Shore Railroad Years," Barbara VanderWerf, 1992)
- M. COSC Zoning Regulations
- N. El Granada Gateway (EG) Ordinance (not effective until 30 days after certification by the Coastal Commission)

Public Comments:

- O. Email from Gael Erickson, dated November 17, 2008
- P. Letter from Fran Pollard, dated November 17, 2008
- Q. Letter from Jim Blanchard, Midcoast Park Lands, dated November 18, 2008
- R. Letter from Jonathan Wittwer, General Counsel for Granada Sanitary District, dated November 12, 2008
- S. Letter from Jonathan Wittwer, General Counsel for Granada Sanitary District, dated November 17, 2008
- T. Letter from Lee Engdahl, received November 17, 2008
- U. Letter from Leni Schultz, The Burnham Strip Committee, dated November 17, 2008
- V. Letter from Lennie Roberts, Committee for Green Foothills, dated November 16, 2008
- W. Letter from Leonard Woren, dated November 17, 2008
- X. Letter from Matthew Clark, dated November 17, 2008
- Y. Letter from Merrill Bobele, dated November 17, 2008
- Z. Letter from Neil Merrilees, Midcoast Community Council, received November 17, 2008
- AA. Letter from Ric Lohman, dated November 16, 2008

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County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2003-00226

Hearing Date: March 25, 2009

Prepared By: Camille Leung, Project Planner

For Adoption By: Planning Commission

RECOMMENDED FINDINGS

Regarding the Mitigated Negative Declaration, Find:

1. That the Mitigated Negative Declaration is complete, correct and adequate and prepared in accordance with the California Environmental Quality Act and applicable State and County Guidelines. An Initial Study and a Mitigated Negative Declaration were prepared and issued with a public review period from October 27, 2008 to November 17, 2008, per the provisions of the California Environmental Quality Act (CEQA). As described in Section F of the staff report, discrepancies within the Mitigated Negative Declaration involving agricultural resources and lack of analysis of a revised house location are minor in nature, do not result in any new significant impacts, and do not require recirculation of the Initial Study and Mitigated Negative Declaration.
2. That, on the basis of the Initial Study and comments received hereto, and testimony presented and considered at the public hearing, there is no substantial evidence that the project, if subject to the mitigation measures contained in the Mitigated Negative Declaration, will have a significant effect on the environment. The mitigation measures contained in the Mitigated 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 Mitigated 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 mitigation measures contained in the Mitigated Negative Declaration. In addition, applicable mitigation measures have been incorporated as conditions of approval for this project.
4. That the Mitigated Negative Declaration reflects the independent judgment of San Mateo County.

Regarding the Certificate of Compliance, Find:

5. That the processing of the Certificate of Compliance is in full conformance with Section 7134(2) of the County Subdivision Regulations. Processing of the Certificate of Compliance has followed the procedure as outlined in the Subdivision Regulations Section 7134(2) of the County Subdivision Regulations.

Regarding the Coastal Development Permit for the Parcel Legalization, Find:

6. That the project, as described in the application and accompanying materials required by Section 6328.7 of the Zoning Regulations (*Application Requirements*) and as conditioned in accordance with Section 6328.14 (*Conditions*), conforms with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program. LCP Policy 1.29(d) requires that the Coastal Development Permit (CDP) be conditioned to maximize consistency with the LCP resource protection policies and requires a separate CDP, subject to all applicable Local Coastal Program requirements, for any development of the parcel. Staff finds that there are no applicable resource protection policies other than the visual issues related to the proposed development. The proposal includes a request for a separate CDP for development of the parcel.
7. 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.

Regarding the Use Permit, Find:

8. That the establishment, maintenance, and/or conducting of the proposed use will not, under the circumstances of the particular case, result in a significant adverse impact to coastal resources, or be detrimental to the public welfare or injurious to property or improvements in the said neighborhood. The proposed use is for a single-family residential development and is one of the uses permitted with a use permit within the COSC Zoning District. As discussed in the Mitigated Negative Declaration, the project, as proposed and mitigated, will not result in any significant environmental impacts.

Regarding the Coastal Development Permit for the Single-Family Residence, Find:

9. That the project, as described in the application and accompanying materials required by Section 6328.7 of the Zoning Regulations (*Application Requirements*) and as conditioned in accordance with Section 6328.14 (*Conditions*), conforms with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program (LCP). As discussed in Section A.2.b, the project, as proposed and conditioned, complies with the policies of the LCP. Specifically, Planning staff has added Condition No. 7 to require the property owners to shift the location of the house to House Location B in order to preserve the visual and open space qualities of the parcel to the extent feasible, Condition No. 15 to require the property owners to incorporate low-height landscaping that would help to blend

the structure into the existing landscape, and Condition Nos. 11, 12, 21 and 23 to minimize impacts associated with the proposed grading.

10. 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.

Regarding the Design Review, Find:

11. That this project has been reviewed under and found to be in compliance with the Standards of Review Criteria as stipulated in Chapter 28.1 of the San Mateo County Zoning Regulations. As discussed in Section A.2.b, the project, as proposed and conditioned, complies with applicable Design Review policies. Specifically, the residence would employ color and materials to match the surrounding environment. Staff has added Condition Nos. 8, 10 and 15, to construct the driveway and walkway using a pervious material in order to maximize surface water infiltration, replace vegetation removed during construction, and require the property owners to incorporate low-height landscaping that would help to blend the structure into the existing landscape, respectively.

Regarding the Variance, Find:

12. That 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. The subject parcel is both unique in the process of its creation and its resulting size and shape. The State's acquisition of the area of the Cabrillo Highway in 1949 reduced the parcels on the strip to their current size, resulting in the creation of the subject parcel, which is one of the shallowest parcels on the strip. Application of the 50-foot minimum front and rear yard setbacks would largely prohibit development of the site.
13. 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. The COSC Zoning District allows for single-family residential uses with the issuance of a use permit. A single-family residence already exists on the strip. Due to the shallow depth of the subject parcel, application of the 50-foot minimum front and rear yard setbacks would largely prohibit development of the site. A variance is required to allow the property owners the same rights as other property owners on the strip.
14. That 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. A variance to front and rear yard setbacks would be necessary for the construction of any structure on the parcel. Denial of a variance would prohibit the property owners right to develop the parcel and unduly restrict use of the parcel beyond the restrictions of the COSC Zoning District.
15. That the variance authorizes only uses or activities which are permitted by the zoning district. The COSC Zoning District allows for single-family residential uses with the

issuance of a use permit. Project compliance with use permit findings are discussed in Section 2.c.5 of this report.

16. That the variance is consistent with the objectives of the General Plan, the Local Coastal Program (LCP) and the Zoning Regulations. The variance would allow development as permitted by the COSC Zoning District on the subject parcel. As proposed and conditioned, the project complies with applicable policies of the General Plan, Local Coastal Program and Zoning Regulations (as discussed in Sections 2.a, b and c).

Regarding the Grading Permit, Find:

17. That the project will not have a significant adverse effect on the environment. Grading associated with construction of proposed improvements will cause some minor erosion and siltation. Staff has added Condition Nos. 11 and 12 to require the issuance of a building permit prior to the start of grading activities in order to minimize the duration of ground disturbance and the potential for erosion, as well as project compliance with the San Mateo Countywide Water Pollution Prevention Program's "General Construction and Site Supervision Guidelines" and the approved erosion and sediment control plan during grading and construction activities. As discussed in the Mitigated Negative Declaration, the project as proposed and conditioned, would not result in a significant adverse effect on the environment.
18. That the project conforms to the criteria of Chapter 8, Division VII, San Mateo County Code (Grading Regulations), including the standards referenced in Section 8605. The project has been reviewed by the County's Department of Public Works and the Planning and Building Department's Geotechnical Engineer. Applicable requirements of these agencies have been incorporated as conditions of approval, including those regulating the timing of grading activity, erosion and sediment control, and dust control.
19. That the project is consistent with the General Plan. As proposed and conditioned, the project complies with applicable policies of the General Plan, as discussed in Section A of the staff report.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section – Certificate of Compliance

1. The Coastal Development Permit for the parcel legalization shall be valid for one (1) year from the date of approval. Any extension of this permit shall require submittal of a request for permit extension and payment of applicable extension fees, no less than 60 days prior to expiration.
2. The property owner(s) shall submit a legal, written description of the subject property for review, approval and inclusion in the Certificate of Compliance (Type B) document. Once this document is submitted, the Current Planning Section will record the Certificate of Compliance (Type B) with the County Recorder. The Certificate of Compliance shall be recorded prior to the issuance of a building permit on this property.

3. Prior to the issuance of the grading permit hard card, the property owners shall submit, to the satisfaction of the Geotechnical Section, an updated geotechnical report.

Current Planning Section – Single-Family Residence

4. This approval applies only to the proposal as described in this report and plans dated May 18, 2006 and January 16, 2009. Minor adjustments to the project in the course of applying for building permits may be approved by the Community Development Director if they are consistent with the intent of and in substantial conformance with this approval.
5. The property owners shall obtain a building permit and develop in accordance with the approved plans and conditions of approval.
6. No site disturbance shall occur, including any grading, until a valid building permit has been issued.
7. In order to preserve open space at the end of this view corridor, **the property owners shall shift the location of the house to House Location B**, approximately 22 feet to the south (left when facing the parcel from Avenue Alhambra) such that the residence would be located at the minimum 20-foot side setback, as shown in approved plans dated January 16, 2009. The property owners shall demonstrate compliance with this condition prior to the Building Inspection Section's issuance of a building permit for the residence.
8. The proposed driveway and walkway shall be constructed of a pervious material in order to maximize surface water infiltration. This requirement shall be illustrated on the required building plans prior to the issuance of the Certificate of Occupancy for the residence. Construction of the driveway and walkway with the approved materials shall be confirmed by Planning and Building Department staff.
9. The property owner(s) shall record the following deed restrictions and provide evidence of compliance with this condition prior to the Building Inspection Section's issuance of the Certificate of Occupancy for the residence:
 - a. The planting of trees is prohibited at the subject property for as long as a single-family residential use exists at the property.
 - b. Additional structures (over 18 inches in height) are prohibited at the subject property. As the proposed development has maximized the permitted lot coverage, no further structures shall be built or placed on this property.
 - c. Shrubs shall be maintained at a maximum height of 4 feet.
10. The applicant shall comply with LCP Policy 8.10, which requires the applicant to minimize vegetation removal and replace vegetation removed during construction. Replacement plant materials (trees, shrubs, groundcover) shall be compatible with surrounding vegetation and shall be suitable to the climate, soil, and ecological characteristics of the area. The property owners shall utilize native, non-invasive plant species when replanting.

Condition Nos. 11 through 21 are mitigation measures from the Mitigated Negative Declaration made available on October 27, 2008 (Please note that Mitigation Measure 5 was revised in order to reduce visual impacts):

11. Mitigation Measure 1: No grading activities shall commence until the applicant has been issued the following: (1) a building permit for the proposed residence by the Building Inspection Section and (2) a grading permit (issued as the “hard card” with all necessary information filled out and signatures obtained) by the Current Planning Section.
12. Mitigation Measure 2: Prior to the issuance of the grading permit “hard card,” the applicant shall schedule an erosion control inspection by Current Planning staff to demonstrate that the approved erosion control plan has been implemented. The applicant is responsible for ensuring that all contractors minimize the transport and discharge of pollutants from the project site into local drainage systems and water bodies by adhering to the San Mateo Countywide Water Pollution Prevention Program’s “General Construction and Site Supervision Guidelines,” including:
 - a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15. Stabilizing shall include both proactive measures, such as the placement of straw bales or coir netting, and passive measures, such as minimizing vegetation removal and revegetating disturbed areas with vegetation that is compatible with the surrounding environment.
 - b. Storing, handling, and disposing of construction materials and wastes properly, so as to prevent their contact with stormwater.
 - c. Controlling and preventing the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
 - d. Using sediment controls or filtration to remove sediment when dewatering site and obtaining all necessary permits.
 - e. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
 - f. Delineating with field markers clearing limits, setbacks, and drainage courses.
 - g. Protecting adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
 - h. Performing clearing and earth-moving activities only during dry weather.
 - i. Limiting and timing applications of pesticides and fertilizers to prevent polluted runoff.
 - j. Limiting construction access routes and stabilizing designated access points.

- k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
 - l. The contractor shall train and provide instruction to all employees and subcontractors regarding the construction best management practices (as listed above).
13. Mitigation Measure 3: The applicant shall indicate the use of solid core exterior doors, double pane windows, and weather-stripping on the construction set of plans. The applicant shall demonstrate use of these noise mitigation features prior to the Building Inspection Section's issuance of a building permit.
14. Mitigation Measure 4: Construction activities shall be limited from the hours of 7:00 a.m. until 6:00 p.m., Monday through Friday, and Saturdays from 9:00 a.m. until 5:00 p.m. Construction is not permitted on Sundays, Thanksgiving, or Christmas.
15. Mitigation Measure 5 (Revised): The applicant shall submit a landscape plan prepared by a landscape architect or certified arborist for review and approval by the Current Planning Section. The approved landscaping plan shall be implemented prior to the Current Planning Section gives a final approval on the building permit and prior to the Building Inspection Section's issuance of the Certificate of Occupancy. The landscaped areas shall be designed to be water efficient, require minimal use of fertilizers, herbicides and pesticides, soften and screen the west and east building elevations, and avoid obstruction of coastal views. Specifically, the plan shall comply with the following requirements:
- a. The plan shall include a minimum of fifteen (15) low-height shrubs (minimum one gallon), including six (6) at the front (Avenue Alhambra side) and nine (9) at the rear (Cabrillo Highway side) of the property, to soften view impacts of the residence from these viewing locations and minimize the obstruction of coastal views. Shrubs shall be maintained at a maximum height of 4 feet.
 - b. All exposed soil areas that do not contain trees or shrubs shall be covered with a combination of turf or groundcover and/or a minimum of 2 inches of mulch.
 - c. An irrigation plan shall be submitted with the planting plan. All landscaping shall be properly maintained and shall be designed with efficient irrigation practices to reduce runoff and promote surface filtration.
 - d. The property owners shall utilize native, non-invasive plant species when replanting.
16. Mitigation Measure 6: The exterior colors and materials of the house shall blend with the surrounding vegetation in this area. Prior to the issuance of a Certificate of Occupancy for this project, the applicant shall provide photographs to the Current Planning staff to demonstrate utilization of the approved color and materials. Materials and colors shall not be highly reflective.
17. Mitigation Measure 7: 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 property line. The applicant shall provide a note on the construction plans to reflect this condition.

18. Mitigation Measure 8: All proposed exterior lighting should be the minimum required to illuminate that area of the house exterior for safety purposes. Exterior lighting shall employ warm colors rather than cool tones and shield the scenic corridor from glare. The applicant shall submit the manufacturer's "cut sheets" for review by the Current Planning Section prior to the issuance of a building permit.
19. Mitigation Measure 9: In order to ensure the height of the house does not exceed the maximum height permitted, staff requires the applicant to adhere to the following height verification procedure during the building permit process:
- a. The applicant shall provide "finished floor elevation verification" to certify that the structure is actually constructed at the height shown on the submitted plans. The applicant shall have a licensed land surveyor or engineer establish a baseline elevation datum point in the vicinity of the construction site.
 - b. The applicant shall maintain the datum point so that it will not be disturbed by the proposed construction activities until final approval of the building permit.
 - c. This datum point and its elevation shall be shown on the submitted site plan. This datum point shall be used during construction to verify the elevation of the finished floors relative to the existing natural or to the grade of the site (finished grade).
 - d. Prior to Planning approval of the building permit application, the applicant shall also have the licensed land surveyor or engineer indicate on the construction plans: (1) the natural grade elevations at the significant corners (at least four) of the footprint of the proposed structure on the submitted site plan, and (2) the elevations of proposed finished grades.
 - e. In addition, (1) the natural grade elevations at the significant corners of the proposed structure, (2) the finished floor elevations, (3) the topmost elevation of the roof and (4) garage slab elevation must be shown on the plan, elevations, and cross-section (if one is provided).
 - f. Once the building is under construction, prior to the below floor framing inspection or the pouring of the concrete slab (as the case may be) for the lowest floor(s), the applicant shall provide to the Building Inspection Section a letter from the licensed land surveyor or engineer certifying that the lowest floor height--as constructed--is equal to the elevation specified for that floor in the approved plans. Similarly, certifications on the garage slab and the topmost elevation of the roof are required.
 - g. If the actual floor height, garage slab, or roof height--as constructed--is different than the elevation specified in the plans, then the applicant shall cease all construction and no additional inspections shall be approved until a revised set of plans is submitted to and subsequently approved by both the Building Official and Community Development Director.
20. Mitigation Measure 10: Prior to the issuance of a grading permit "hard card" for the commencement of grading operations at the site, the applicant shall arrange for the comple-

tion of a study by a qualified archaeologist of the project area (including all areas to be excavated) and submit a copy of the study to the Current Planning Section. All identified archaeological sites should be evaluated using the California Register of Historical Resources (Cal Register) criteria.

21. Mitigation Measure 11: The applicant and contractors must be prepared to carry out the requirements of California State law with regard to the discovery of human remains during grading and construction, whether historic or prehistoric. In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately and the County coroner shall be notified immediately. If the coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within 24 hours. A qualified archaeologist, in consultation with the Native American Heritage Commission, shall recommend subsequent measures for disposition of the remains.
22. Upon the start of grading activities and through to the completion of the project, the applicant shall be responsible for ensuring that the following dust control guidelines are implemented:
 - a. All graded surfaces and materials, whether filled, excavated, transported or stock-piled, shall be wetted, protected or contained in such a manner as to prevent any significant nuisance from dust, or spillage upon adjoining water body, property, or streets. Equipment and materials on the site shall be used in such a manner as to avoid excessive dust. A dust control plan may be required at anytime during the course of the project.
 - b. A dust palliative shall be applied to the site when required by the County. The type and rate of application shall be recommended by the soils engineer and approved by the Department of Public Works, the Planning and Building Department's Geotechnical Engineer, and the Regional Water Quality Control Board.
23. During construction activities, the applicant shall be required to implement the following erosion and sediment control practices:
 - a. No construction activities shall commence until the applicant has been issued a building permit by the Building Inspection Section of the County of San Mateo.
 - b. Prior to commencement of construction, the applicant shall install the approved erosion and sediment control plan. During construction, it shall be the responsibility of the applicant to regularly inspect the erosion control measures and determine that they are functioning as designed and that the proper maintenance is being performed. Deficiencies shall be immediately corrected.
 - c. No grading shall be allowed during the winter season (October 15 to April 15) to avoid potential soil erosion unless approved, in writing, by the Community Development Director. The property owners shall submit a letter to the Current Planning Section, at least two weeks prior to commencement of grading, stating the date when grading will begin.

- d. While the applicant must adhere to the approved erosion and sediment control plan, it is the responsibility of the civil engineer and/or construction manager to implement the Best Management Practices (BMPs) that are best suited for this project site. If site conditions require additional measures in order to comply with the SMCWPPP and prevent erosion and sediment discharges, said measures shall be installed immediately under the direction of the project engineer. If additional measures are necessary, the erosion and sediment control plan shall be updated to reflect those changes and shall be resubmitted to the Planning and Building Department for review. The County reserves the right to require additional (or entirely different) erosion and sediment control measures during grading and/or construction if the approved plan proves to be inadequate for the unique characteristics of each job site.
- 24. Where subsurface conditions allow, the roof downspout systems from all structures shall be designed to drain into a designated, effective infiltration area or structure (refer to BMPs Handbook for infiltration system designs and requirements).
- 25. The applicant shall pay the environmental filing fee (currently \$1,993.00), as required under Fish and Game Code Section 711.4(d), plus a \$50.00 County Recorder filing fee to the San Mateo County Clerk within four (4) working days of the final approval date of the Coastal Development Permit.

Building Inspection Section

- 26. Prior to pouring any concrete for foundations, written verification from a licensed surveyor will be required confirming that the required setbacks as shown on the approved plans have been maintained.
- 27. An automatic fire sprinkler system will be required. This permit must be issued prior to or in conjunction with the building permit.
- 28. 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 which will ensure the work will be completed prior to finalizing the building permit.
- 29. Sediment and erosion control measures must be installed prior to beginning any site work and maintained throughout the project. 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.

Department of Public Works – Certificate of Compliance

- 30. The property owners shall submit a parcel map or record of survey to the Department of Public Works for review and recording.

Department of Public Works – Single-Family Residence

31. Prior to final approval of the subdivision improvements, the applicant shall have prepared by a registered civil engineer a drainage analysis of the proposed improvements for submittal to the Department of Public Works in compliance with the San Mateo County Drainage Guidelines for review and approval. The drainage analysis shall consist of a written narrative and a plan. The plan shall detail the flow of the stormwater onto, over, and off the property being subdivided and shall include adjacent lands as appropriate to clearly depict the pattern of flow. The analysis shall detail the measures necessary to certify adequate drainage. Post-development volumes and velocities shall not exceed those that existed in the pre-developed state. Recommended measures shall be designed and included in the street improvement plans and submitted to the Department of Public Works for review and approval.
32.
 - a. 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 residence per Ordinance No. 3277.
 - b. Prior to the issuance of a final approval, the applicant must repair damaged roadway areas caused by construction as directed by Public Works.
33. The applicant shall submit a plan to the Department of Public Works, showing driveway access to residence complying with County standards for driveway slopes from the property line to the garage slab not exceeding a 20% slope and the driveway elevation, at the property line, being the same elevation as the center of the access roadway (Alhambra Avenue).
34. No construction work within the County right-of-way shall begin until Public Works requirements for the issuance of an encroachment permit, including review of applicable plans, have been met and an encroachment permit issued by Public Works.

Environmental Health Division

35. At the building application stage, the applicant shall submit septic application and septic design plans to the Environmental Health Division for review and approval.

Coastside Fire Protection District

36. The property owner shall comply with the requirements of the Coastside Fire Protection District during the building review permit stage for the approved single-family residence.

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COUNTY OF SAN MATEO, PLANNING AND BUILDING DEPARTMENT

REVISED
NOTICE OF INTENT TO ADOPT
NEGATIVE DECLARATION

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et seq.), that the following project: Caron Certificate of Compliance, Type B (Formerly "Caron Single-Family Residence"), when adopted and implemented, will not have a significant impact on the environment.

FILE NO.: PLN 2003-00226

OWNER: Deborah and Craig Caron

APPLICANT: Jim Irizarry

ASSESSOR'S PARCEL NO.: 047-251-120

PROJECT DESCRIPTION AND LOCATION

The applicant has applied for: ~~(1) a Use Permit, Coastal Development Permit, Design Review Permit and Grading Permit to construct a new manufactured 1,777 sq. ft. single family residence;~~ (2) ~~a Variance to allow a 20-foot front yard setback and 35-foot rear yard setback where 50 feet is required for each;~~ (3) ~~a Coastal Development Permit for construction of a septic system;~~ and (4) ~~a Certificate of Compliance and Coastal Development Permit to legalize a 17,900 sq. ft. parcel located on the west side of Avenue Alhambra, between Palma Avenue and Francisco Street in the unincorporated El Granada area of San Mateo County. The proposed single-family residence will be set back 20 feet from the front property line (along Avenue Alhambra), 66 feet from the north side property line, 42 feet from the south side property line, and 35 feet from the rear property line (along Cabrillo Highway). Access to the residence will be provided by a new driveway from Avenue Alhambra. The project involves approximately 175 cubic yards of fill and approximately 13 cubic yards of excavation. The project includes installation of a septic system and a water line, as required by the County Subdivision Regulations (1945), to serve potential future development.~~ The project site is located within the Cabrillo Highway County Scenic Corridor.

FINDINGS AND BASIS FOR A NEGATIVE DECLARATION

The Current Planning Section has reviewed the initial study for the project and, based upon substantial evidence in the record, finds that:

1. The project will not adversely affect water or air quality or increase noise levels substantially.
2. The project will not have adverse impacts on the flora or fauna of the area.
3. The project will not degrade the aesthetic quality of the area.
4. The project will not have adverse impacts on traffic or land use.

5. In addition, the project will not:
- Create impacts which have the potential to degrade the quality of the environment.
 - Create impacts which achieve short-term to the disadvantage of long-term environmental goals.
 - Create impacts for a project which are individually limited, but cumulatively considerable.
 - Create environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

The County of San Mateo has, therefore, determined that the environmental impact of the project is insignificant.

MITIGATION MEASURES included in the project to avoid potentially significant effects:

Mitigation Measure 1: ~~No grading activities shall commence until the applicant has been issued the following: (1) a building permit for the proposed residence by the Building Inspection Section and (2) a grading permit (issued as the "hard card" with all necessary information filled out and signatures obtained) by the Current Planning Section.~~

Mitigation Measure 21: ~~Prior to the issuance of the grading permit "hard card," the applicant shall schedule an erosion control inspection by Current Planning staff to demonstrate that the approved erosion control plan (*Zoning Hearing Officer hearing date to be determined*) has been implemented. The applicant is responsible for ensuring that all contractors minimize the transport and discharge of pollutants from the project site into local drainage systems and water bodies by adhering to the San Mateo Countywide Water Pollution Prevention Program's "General Construction and Site Supervision Guidelines," including:~~

- ~~Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15. Stabilizing shall include both proactive measures, such as the placement of straw bales or coir netting, and passive measures, such as revegetating disturbed areas with vegetation that is compatible with the surrounding environment.~~
- ~~Storing, handling, and disposing of construction materials and wastes properly, so as to prevent their contact with stormwater.~~
- ~~Controlling and preventing the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.~~
- ~~Using sediment controls or filtration to remove sediment when dewatering site and obtaining all necessary permits.~~
- ~~Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.~~
- ~~Delineating with field markers clearing limits, setbacks, and drainage courses.~~

- g. Protecting adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
- h. Performing clearing and earth-moving activities only during dry weather.
- i. Limiting and timing applications of pesticides and fertilizers to prevent polluted runoff.
- j. Limiting construction access routes and stabilizing designated access points.
- k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
- l. The contractor shall train and provide instruction to all employees and subcontractors regarding the construction best management practices (as listed above).

Mitigation Measure 3: ~~The applicant shall indicate the use of solid core exterior doors, double pane windows, and weather stripping on the construction set of plans. The applicant shall demonstrate use of these noise mitigation features at the building permit application stage.~~

Mitigation Measure 24: Construction activities shall be limited from the hours of 7:00 a.m. until 6:00 p.m., Monday through Friday, and Saturdays from 9:00 a.m. until 5:00 p.m. Construction is not permitted on Sundays, Thanksgiving, or Christmas.

Mitigation Measure 5: ~~The applicant shall submit a landscape plan prepared by a landscape architect or certified arborist for review and approval by the Current Planning Section. The landscaped areas shall be designed to be water efficient, require minimal use of fertilizers, herbicides and pesticides, and soften and screen the south building elevation. Specifically, the plan shall meet the following requirements:~~

- a. ~~The plan shall include a minimum of five (5) trees, minimum of 24 inches, to be planted at the rear of the residence (Cabrillo Highway side) and four (4), minimum 5 gallons, to be planted at the front of the residence (Avenue Alhambra side). Additionally, a minimum of fifteen (15) shrubs, minimum one gallon, shall be included in the design. All exposed soil areas that do not contain trees or shrubs shall be covered with a combination of turf or groundcover and/or a minimum of 2 inches of mulch.~~
- b. ~~Landscaping shall be limited to tree and plant species which are native to the coastal environment.~~
- e. ~~Landscaping shall be limited to tree varieties that, at maturity, would not exceed 20 feet in height so as to prevent additional obstruction of coastal view from the residential neighborhood to the north.~~

~~The plan shall be included as part of the project's building permit application and construction plans. Compliance with this condition is required prior to the Current Planning Section's approval of construction plans. Prior to the issuance of a Certificate of Occupancy for this project, the applicant shall perform the required plantings and submit a maintenance surety deposit of \$1,000.00 to the Current Planning Section to ensure the maintenance of required trees and other landscaping, as shown in an approved landscaping plan. Maintenance shall be required~~

for two (2) years. The Current Planning Section shall only allow release of the maintenance surety upon inspection by Planning staff two (2) years after planting.

Mitigation Measure 6: The exterior colors and materials of the house shall blend with the surrounding vegetation in this area. Prior to the issuance of a Certificate of Occupancy for this project, the applicant shall provide photographs to the Current Planning staff to demonstrate utilization of the approved color and materials. Materials and colors shall not be highly reflective.

Mitigation Measure 7: 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 property line. The applicant shall provide a note on the construction plans to reflect this condition.

Mitigation Measure 8: All proposed exterior lighting should be the minimum required to illuminate that area of the house exterior for safety purposes. Exterior lighting shall employ warm colors rather than cool tones and shield the scenic corridor from glare. The applicant shall submit the manufacturer's "cut sheets" for review by the Current Planning Section prior to the issuance of a building permit.

Mitigation Measure 9: In order to ensure the height of the house does not exceed the maximum height permitted, staff requires the applicant to adhere to the following height verification procedure during the building permit process:

- a. The applicant shall provide "finished floor elevation verification" to certify that the structure is actually constructed at the height shown on the submitted plans. The applicant shall have a licensed land surveyor or engineer establish a baseline elevation datum point in the vicinity of the construction site.
- b. The applicant shall maintain the datum point so that it will not be disturbed by the proposed construction activities until final approval of the building permit.
- c. This datum point and its elevation shall be shown on the submitted site plan. This datum point shall be used during construction to verify the elevation of the finished floors relative to the existing natural or to the grade of the site (finished grade).
- d. Prior to Planning approval of the building permit application, the applicant shall also have the licensed land surveyor or engineer indicate on the construction plans: (1) the natural grade elevations at the significant corners (at least four) of the footprint of the proposed structure on the submitted site plan, and (2) the elevations of proposed finished grades.
- e. In addition, (1) the natural grade elevations at the significant corners of the proposed structure, (2) the finished floor elevations, (3) the topmost elevation of the roof and (4) garage slab elevation must be shown on the plan, elevations, and cross-section (if one is provided).
- f. Once the building is under construction, prior to the below floor framing inspection or the pouring of the concrete slab (as the case may be) for the lowest floor(s), the applicant shall provide to the Building Inspection Section a letter from the licensed land surveyor or engineer certifying that the lowest floor height as constructed is equal to the elevation specified for that floor in the approved plans. Similarly, certifications on the garage slab and the topmost elevation of the roof are required.

g. ~~If the actual floor height, garage slab, or roof height as constructed is different than the elevation specified in the plans, then the applicant shall cease all construction and no additional inspections shall be approved until a revised set of plans is submitted to and subsequently approved by both the Building Official and Community Development Director.~~

Mitigation Measure 103: ~~Prior to commencement of project activities the issuance of a grading permit "hard card" for the commencement of grading operations at the site, the applicant shall arrange for the completion of a study by a qualified archaeologist of the project area (including all areas to be excavated) and submit a copy of the study to the Current Planning Section. All identified archaeological sites should be evaluated using the California Register of Historical Resources (Cal Register) criteria.~~

Mitigation Measure 114: The applicant and contractors must be prepared to carry out the requirements of California State law with regard to the discovery of human remains during grading and construction, whether historic or prehistoric. In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately and the County coroner shall be notified immediately. If the coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within 24 hours. A qualified archaeologist, in consultation with the Native American Heritage Commission, shall recommend subsequent measures for disposition of the remains.

RESPONSIBLE AGENCY CONSULTATION

None

INITIAL STUDY


The San Mateo County Current Planning Section has reviewed the Environmental Evaluation of this project and has found that the probable environmental impacts are insignificant. A copy of the initial study is attached.

REVIEW PERIOD: October 27, 2008 to November 17, 2008

All comments regarding the correctness, completeness, or adequacy of this Negative Declaration must be received by the County Planning and Building Department, 455 County Center, Second Floor, Redwood City, no later than **5:00 p.m., November 17, 2008.**

CONTACT PERSON

Camille Leung, Planner III
Telephone 650/363-1826


Camille Leung, Planner III

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County of San Mateo
Planning and Building Department

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

000108

I. BACKGROUND

Project Title: Caron Certificate of Compliance, Type B (Formerly "Caron Single-Family Residence")

File No.: PLN 2003-00226

Project Location: West side of Avenue Alhambra, between Palma Street and Francisco Street, El Granada

Assessor's Parcel No.: 047-251-120

Applicant/Owner: Jim Irizzary/Deborah and Craig Caron

Date Environmental Information Form Submitted: April 17, 2003

PROJECT DESCRIPTION

The applicant has applied for: (1) a Use Permit; Coastal Development Permit; Design Review Permit and Grading Permit to construct a new manufactured 1,777 sq. ft. single-family residence; (2) a Variance to allow a 20-foot front yard setback and 35-foot rear yard setback where 50 feet is required for each; (3) a Coastal Development Permit for construction of a septic system; and (4) a Certificate of Compliance and Coastal Development Permit to legalize a 17,900 sq. ft. parcel located on the west side of Avenue Alhambra, between Palma Avenue and Francisco Street in the unincorporated El Granada area of San Mateo County. The proposed single-family residence will be set back 20 feet from the front property line (along Avenue Alhambra), 66 feet from the north side property line, 42 feet from the south side property line, and 35 feet from the rear property line (along Cabrillo Highway). Access to the residence will be provided by a new driveway from Avenue Alhambra. The project involves approximately 175 cubic yards of fill and approximately 13 cubic yards of excavation. The project includes installation of a septic system and a water line, as required by the County Subdivision Regulations (1945), to serve potential future development. The project site is located within the Cabrillo Highway County Scenic Corridor.

II. ENVIRONMENTAL ANALYSIS

Any controversial answers or answers needing clarification are explained on an attached sheet. For source, refer to pages 17 and 18.

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
1. LAND SUITABILITY AND GEOLOGY						
Will (or could) this project:						
a. Involve a unique landform or biological area, such as beaches, sand dunes, marshes, tidelands, or San Francisco Bay? The project site is not located in these areas.	X					B,F,O
b. Involve construction on slope of 15% or greater? The project site does not have a slope greater than 15%.	X					E,I
c. Be located in an area of soil instability (subsidence, landslide or severe erosion)? The project site is not located in this area.	X					Bc,D
d. Be located on, or adjacent to a known earthquake fault? The project site is not located on or adjacent to an earthquake fault.	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 project site does not contain Class I, II, or III Soils.	X					M
f. Cause erosion or siltation? See Answers to Questions 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? The project site does not contain Class I, II, or III Soils.	X					A,M
h. Be located within a flood hazard area? Parcel is 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 project site is not located in this area.	X					D
j. Affect a natural drainage channel or streambed, or watercourse? The project site is not located in this area.	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? See Answers to Questions for discussion.	X					F
b. Involve cutting of heritage or significant trees as defined in the County Heritage Tree and Significant Tree Ordinance? There are no existing trees on-site; therefore, there are no trees proposed for removal.	X					I,A

	IMPACT				SOURCE
	NO	YES			
		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? Based on the Local Coastal Program Sensitive Habitat Map, and staff's site inspection, the project site is not located within a sensitive habitat area.	X				F
d. Significantly affect fish, wildlife, reptiles, or plant life? See response to 2.a above.	X				I
e. Be located inside or within 200 feet of a marine or wildlife reserve? See response to 2.a above.	X				E,F,O
f. Infringe on any sensitive habitats? See response to 2.a above.	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? See Answers to Questions for discussion.		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)? None proposed.	X				I

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
b. Involve grading in excess of 150 cubic yards? <u>See Answers to Questions for discussion. Minimal grading is involved in the creation of a septic field and installation of a water line.</u>	X		X		I	
c. Involve lands currently protected under the Williamson Act (agricultural preserve) or an Open Space Easement? The project site is not located in these areas.	X				I	
d. Affect any existing or potential agricultural uses? The project site is not located in these areas.	X				A,K,M	
4. <u>AIR QUALITY, WATER QUALITY, SONIC</u> 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? See Answers to Questions for discussion.		X			I,N,R	
b. Involve the burning of any material, including brush, trees and construction materials? None proposed.	X				I	
c. Be expected to result in the generation of noise levels in excess of those currently existing in the area, after construction? None proposed.	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 may involve some hazardous materials or other toxic substances during construction only; none is expected after the project is complete-septic system installation. No use or development is proposed at this time.	X				I	
e. Be subject to noise levels in excess of levels determined appropriate according to the County Noise Ordinance or other standard? See Answers to Questions for discussion. No use is proposed at this time.	X		X		A, Ba, Bc	
f. Generate noise levels in excess of levels determined appropriate according to the County Noise Ordinance standard? See Answers to Questions for discussion.		X			I	
g. Generate polluted or increased surface water runoff or affect groundwater resources? See Answers to Questions for discussion.			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? The project does require installation of a septic tank/leachfield sewage disposal system, which will be required to meet Environmental Health standards and permit requirements. See Answers to Questions for additional discussion.		X			S	

000113

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
5. <u>TRANSPORTATION</u>						
Will (or could) this project:						
a. Affect access to commercial establishments, schools, parks, etc.?						
No use or development is proposed at this time. The project, construction of a single-family residence, will have a negligible impact on project area traffic.	X					A,I
b. Cause noticeable increase in pedestrian traffic or a change in pedestrian patterns?						
None proposed. The project, construction of a single-family residence, will have a negligible impact on pedestrian traffic and patterns. No use or development is proposed at this time.	X					A,I
c. Result in noticeable changes in vehicular traffic patterns or volumes (including bicycles)?						
No use or development is proposed at this time. The project, construction of a single-family residence, will have a negligible impact on project area traffic.	X					I
d. Involve the use of off-road vehicles of any kind (such as trail bikes)?	X					I
No use or development is proposed at this time. None proposed.						
e. Result in or increase traffic hazards?						
No use or development is proposed at this time. The project, construction of a single-family residence, will have a negligible impact on project area traffic.	X					S

000115

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
f. Provide for alternative transportation amenities such as bike racks? <u>No use or development is proposed at this time. None proposed. The project, construction of a single-family residence, will have a negligible impact on project area traffic, thus no alternative transportation amenities are needed.</u>	X				I	
g. Generate traffic which will adversely affect the traffic carrying capacity of any roadway? <u>No use or development is proposed at this time. None proposed. The project, construction of a single-family residence, will have a negligible impact on project area traffic.</u>	X				S	
6. LAND USE AND GENERAL PLANS						
Will (or could) this project:						
a. Result in the congregating of more than 50 people on a regular basis? None proposed.	X				I	
b. Result in the introduction of activities not currently found within the community? <u>No use or development is proposed at this time. Single-family residential uses exist north of the project site, across Avenue Alhambra.</u>	X				I	
c. Employ equipment which could interfere with existing communication and/or defense systems? None proposed.	X				I	

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
d. Result in any changes in land use, either on or off the project site? See Answers to Questions for discussion.		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)? See Answers to Questions for discussion.	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? See Answers to Questions for discussion.	X					I, S
g. Generate any demands that will cause a public facility or utility to reach or exceed its capacity? See response to 6.f above	X					I, S
h. Be adjacent to or within 500 feet of an existing or planned public facility? The project will not interfere with any existing or planned public facility.	X					A
i. Create significant amounts of solid waste or litter? No use or development is proposed at this time. The project involves a single-family residential use and will not generate significant amounts of solid waste or litter.	X					I

0001116

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
j. Substantially increase fossil fuel consumption (electricity, oil, natural gas, coal, etc.)? <u>No use or development is proposed at this time. None proposed. The project involves a single-family residential use and will not substantially increase fossil fuel consumption.</u>	X					I
k. Require an amendment to or exception from adopted general plans, specific plans, or community policies or goals? <u>See Answers to Questions for discussion. No use or development is proposed at this time.</u>	X	X				B
l. Involve a change of zoning? <u>No use or development is proposed at this time. See Answers to Questions for discussion.</u>	X					C
m. Require the relocation of people or businesses? <u>No use or development is proposed at this time. The property is currently undeveloped.</u>	X					I
n. Reduce the supply of low-income housing? <u>No use or development is proposed at this time. The property is currently undeveloped.</u>	X					I
o. Result in possible interference with an emergency response plan or emergency evacuation plan? <u>No use or development is proposed at this time. The project, construction of a single-family residence, will have a negligible impact on project area traffic.</u>	X					S

000117

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
p. Result in creation of or exposure to a potential health hazard? <u>No use or development is proposed at this time. The project, construction of a single-family residence, will not result in the creation of or exposure to a potential health hazard.</u>	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? <u>See Answers to Questions for discussion.</u>		X	X			A, Bb
b. Obstruct scenic views from existing residential areas, public lands, public water body, or roads? <u>See Answers to Questions for discussion. No use or development is proposed at this time.</u>	X		X			A, I
c. Involve the construction of buildings or structures in excess of three stories or 36 feet in height? <u>No use or development is proposed at this time. The proposed residence is 16 feet high.</u>	X					I
d. Directly or indirectly affect historical or archaeological resources on or near the site? <u>See Answers to Questions for discussion.</u>			X			H
e. Visually intrude into an area having natural scenic qualities? <u>See Answers to Questions for discussion. No use or development is proposed at this time.</u>	X		X			A, I

000118

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: Coastside County Water District (CCWD)	X		CCWD has assigned a 5/8" water connection for the project.
Other:			

IV. **MITIGATION MEASURES**

Mitigation measures have been proposed in project application.

Other mitigation measures are needed.

Yes No
 X X

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

000119

Mitigation Measure 1: No grading activities shall commence until the applicant has been issued the following: (1) a building permit for the proposed residence by the Building Inspection Section and (2) a grading permit (issued as the "hard card" with all necessary information filled out and signatures obtained) by the Current Planning Section.

Mitigation Measure 21: Prior to the issuance of the grading permit "hard card," the applicant shall schedule an erosion control inspection by Current Planning staff to demonstrate that the approved erosion control plan (~~Zoning Hearing Officer hearing date to be determined~~) has been implemented. The applicant is responsible for ensuring that all contractors minimize the transport and discharge of pollutants from the project site into local drainage systems and water bodies by adhering to the San Mateo Countywide Water Pollution Prevention Program's "General Construction and Site Supervision Guidelines," including:

- a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15. Stabilizing shall include both proactive measures, such as the placement of straw bales or coir netting, and passive measures, such as revegetating disturbed areas with vegetation that is compatible with the surrounding environment.
- b. Storing, handling, and disposing of construction materials and wastes properly, so as to prevent their contact with stormwater.
- c. Controlling and preventing the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
- d. Using sediment controls or filtration to remove sediment when dewatering site and obtaining all necessary permits.
- e. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
- f. Delineating with field markers clearing limits, setbacks, and drainage courses.
- g. Protecting adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
- h. Performing clearing and earth-moving activities only during dry weather.
- i. Limiting and timing applications of pesticides and fertilizers to prevent polluted runoff.
- j. Limiting construction access routes and stabilizing designated access points.
- k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
- l. The contractor shall train and provide instruction to all employees and subcontractors regarding the construction best management practices (as listed above).

Mitigation Measure 3: The applicant shall indicate the use of solid core exterior doors, double pane windows, and weather stripping on the construction set of plans. The applicant shall demonstrate use of these noise mitigation features at the building permit application stage.

Mitigation Measure 42: Construction activities shall be limited from the hours of 7:00 a.m. until 6:00 p.m., Monday through Friday, and Saturdays from 9:00 a.m. until 5:00 p.m. Construction is not permitted on Sundays, Thanksgiving, or Christmas.

Mitigation Measure 5: The applicant shall submit a landscape plan prepared by a landscape architect or certified arborist for review and approval by the Current Planning Section. The landscaped areas shall be designed to be water efficient, require minimal use of fertilizers, herbicides and pesticides, and soften and screen the south building elevation. Specifically, the plan shall meet the following requirements:

- a. The plan shall include a minimum of five (5) trees, minimum of 24 inches, to be planted at the rear of the residence (Cabrillo Highway side) and four (4) minimum 5-gallons, to be planted at the front of the residence (Avenue Alhambra side). Additionally, a minimum of fifteen (15) shrubs, minimum one-gallon, shall be included in the design. All exposed soil areas that do not contain trees or shrubs shall be covered with a combination of turf or groundcover and/or a minimum of 2 inches of mulch.
- b. Landscaping shall be limited to tree and plant species which are native to the coastal environment.
- c. Landscaping shall be limited to tree varieties that, at maturity, would not exceed 20 feet in height so as to prevent additional obstruction of coastal view from the residential neighborhood to the north.

The plan shall be included as part of the project's building permit application and construction plans. Compliance with this condition is required prior to the Current Planning Section's approval of construction plans. Prior to the issuance of a Certificate of Occupancy for this project, the applicant shall perform the required plantings and submit a maintenance surety deposit of \$1,000.00 to the Current Planning Section to ensure the maintenance of required trees and other landscaping as shown in an approved landscaping plan. Maintenance shall be required for two (2) years. The Current Planning Section shall only allow release of the maintenance surety upon inspection by Planning staff two (2) years after planting.

Mitigation Measure 6: The exterior colors and materials of the house shall blend with the surrounding vegetation in this area. Prior to the issuance of a Certificate of Occupancy for this project, the applicant shall provide photographs to the Current Planning staff to demonstrate utilization of the approved color and materials. Materials and colors shall not be highly reflective.

Mitigation Measure 7: 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 property line. The applicant shall provide a note on the construction plans to reflect this condition.

Mitigation Measure 8: All proposed exterior lighting should be the minimum required to illuminate that area of the house exterior for safety purposes. Exterior lighting shall employ warm colors rather than cool tones and shield the scenic corridor from glare. The applicant shall submit the manufacturer's "cut sheets" for review by the Current Planning Section prior to the issuance of a building permit.

Mitigation Measure 9: In order to ensure the height of the house does not exceed the maximum height permitted, staff requires the applicant to adhere to the following height verification procedure during the building permit process:

- a. The applicant shall provide "finished floor elevation verification" to certify that the structure is actually constructed at the height shown on the submitted plans. The applicant shall have a licensed land surveyor or engineer establish a baseline elevation datum point in the vicinity of the construction site.
- b. The applicant shall maintain the datum point so that it will not be disturbed by the proposed construction activities until final approval of the building permit.

- e- This datum point and its elevation shall be shown on the submitted site plan. This datum point shall be used during construction to verify the elevation of the finished floors relative to the existing natural or to the grade of the site (finished grade).
- d- Prior to Planning approval of the building permit application, the applicant shall also have the licensed land surveyor or engineer indicate on the construction plans: (1) the natural grade elevations at the significant corners (at least four) of the footprint of the proposed structure on the submitted site plan; and (2) the elevations of proposed finished grades.
- e- In addition, (1) the natural grade elevations at the significant corners of the proposed structure; (2) the finished floor elevations; (3) the topmost elevation of the roof and (4) garage slab elevation must be shown on the plan, elevations, and cross section (if one is provided).
- f- Once the building is under construction, prior to the below floor framing inspection or the pouring of the concrete slab (as the case may be) for the lowest floor(s), the applicant shall provide to the Building Inspection Section a letter from the licensed land surveyor or engineer certifying that the lowest floor height as constructed is equal to the elevation specified for that floor in the approved plans. Similarly, certifications on the garage slab and the topmost elevation of the roof are required.
- g- If the actual floor height, garage slab, or roof height as constructed is different than the elevation specified in the plans, then the applicant shall cease all construction and no additional inspections shall be approved until a revised set of plans is submitted to and subsequently approved by both the Building Official and Community Development Director.

Mitigation Measure 103: Prior to commencement of project activities the issuance of a grading permit "hard card" for the commencement of grading operations at the site, the applicant shall arrange for the completion of a study by a qualified archaeologist of the project area (including all areas to be excavated) and submit a copy of the study to the Current Planning Section. All identified archaeological sites should be evaluated using the California Register of Historical Resources (Cal Register) criteria.

Mitigation Measure 114: The applicant and contractors must be prepared to carry out the requirements of California State law with regard to the discovery of human remains during grading and construction, whether historic or prehistoric. In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately and the County coroner shall be notified immediately. If the coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within 24 hours. A qualified archaeologist, in consultation with the Native American Heritage Commission, shall recommend subsequent measures for disposition of the remains.

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

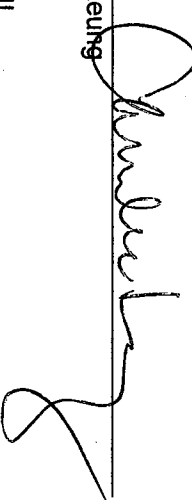
On the basis of this initial evaluation:

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.

X 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.

October 27, 2008, July 14, 2009 (Revised)
Date

Camille Leung

Planner III
(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

000124

- 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
 - Review Procedures for CDBG Programs 24 CFR Part 58
 - NEPA 24 CFR 1500-1508 36 CFR Part 800
 - Protection of Historic and Cultural Properties Executive Order 11988
 - National Register of Historic Places Executive Order 11990
 - Floodplain Management
 - Protection of Wetlands
 - Endangered and Threatened Species 24 CFR Part 51B
 - Noise Abatement and Control 24 CFR 51C
 - Explosive and Flammable Operations HUD 79-33
 - Toxic Chemicals/Radioactive Materials 24 CFR 51D
 - Airport Clear Zones and APZ
 - State
 - Ambient Air Quality Standards Article 4, Section 1092
 - Noise Insulation Standards
- 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

COUNTY OF SAN MATEO
Planning and Building Department

REVISED

Initial Study Pursuant to CEQA

Project Narrative and Answers to Questions for Negative Declaration

File No.: PLN 2003-00226

Caron Certificate of Compliance, Type B
(Formerly "Caron Single-Family Residence")

PROJECT DESCRIPTION

The applicant has applied for: ~~(1) a Use Permit, Coastal Development Permit, Design Review Permit and Grading Permit to construct a new manufactured 1,777 sq. ft. single family residence;~~ ~~(2) a Variance to allow a 20 foot front yard setback and 35 foot rear yard setback where 50 feet is required for each;~~ ~~(3) a Coastal Development Permit for construction of a septic system; and~~ ~~(4) a Certificate of Compliance and Coastal Development Permit to legalize a 17,900 sq. ft. parcel located on the west side of Avenue Alhambra, between Palma Avenue and Francisco Street in the unincorporated El Granada area of San Mateo County. The proposed single family residence will be set back 20 feet from the front property line (along Avenue Alhambra), 66 feet from the north side property line, 42 feet from the south side property line, and 35 feet from the rear property line (along Cabrillo Highway). Access to the residence will be provided by a new driveway from Avenue Alhambra. The project involves approximately 175 cubic yards of fill and approximately 13 cubic yards of excavation. The project includes installation of a septic system and a 5/8" water line, as required by the County Subdivision Regulations (1945), to serve potential future development.~~ The project site is located within the Cabrillo Highway County Scenic Corridor.

ANSWERS TO QUESTIONS

1. LAND SUITABILITY AND GEOLOGY

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

Yes, Significant Unless Mitigated. The property is relatively flat, sloping downward an average of 5% from the northeast (Avenue Alhambra) to the southwest (Cabrillo Highway). The applicant proposes to disturb a large portion of the parcel, including the construction of a new 1,777 sq. ft. residence at the center of the property, a new 16 foot driveway, and ~~to install new a septic system in the right side and rear yards of the property (as shown in Attachment C) and a 5/8" water line.~~ The project involves approximately 188 cubic yards of grading (including 175 cubic yards of fill and 13 cubic yards of excavation), as shown in Attachment D. Grading Earthwork associated with construction of the single family residence, driveway, and ~~septic/leachfield~~ these activities will cause some minor erosion and siltation. In addition, the groundcover in the immediate work areas will likely be disturbed by the work crew and construction equipment. If the project site should receive rain before groundcover can reestablish on the exposed surfaces, then the potential for erosion to

ANSWERS TO QUESTIONS

File No. PLN 2003-00226

Page 2

occur does exist. This is a potentially significant impact if not mitigated. To mitigate this potential impact, the following mitigation measures are is proposed:

Mitigation Measure 1: ~~No grading activities shall commence until the applicant has been issued the following: (1) a building permit for the proposed residence by the Building Inspection Section and (2) a grading permit (issued as the "hard card" with all necessary information filled out and signatures obtained) by the Current Planning Section.~~

Mitigation Measure 12: ~~Prior to the issuance of the grading permit "hard card," the applicant shall schedule an erosion control inspection by Current Planning staff to demonstrate that the approved erosion control plan (*Zoning Hearing Officer hearing date to be determined*) has been implemented.~~ The applicant is responsible for ensuring that all contractors minimize the transport and discharge of pollutants from the project site into local drainage systems and water bodies by adhering to the San Mateo Countywide Water Pollution Prevention Program's "General Construction and Site Supervision Guidelines," including:

- a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15. Stabilizing shall include both proactive measures, such as the placement of straw bales or coir netting, and passive measures, such as revegetating disturbed areas with vegetation that is compatible with the surrounding environment.
- b. Storing, handling, and disposing of construction materials and wastes properly, so as to prevent their contact with stormwater.
- c. Controlling and preventing the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
- d. Using sediment controls or filtration to remove sediment when dewatering site and obtaining all necessary permits.
- e. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
- f. Delineating with field markers clearing limits, setbacks, and drainage courses.
- g. Protecting adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.

000127

ANSWERS TO QUESTIONS

File No. PLN 2003-00226

Page 3

- h. Performing clearing and earth-moving activities only during dry weather.
- i. Limiting and timing applications of pesticides and fertilizers to prevent polluted runoff.
- j. Limiting construction access routes and stabilizing designated access points.
- k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
- l. The contractor shall train and provide instruction to all employees and subcontractors regarding the construction best management practices (as listed above).

2. VEGETATION AND WILDLIFE

- a. **Will or could this project affect federal or state listed rare or endangered species of plant life in the project area?**

No. County mapped resources indicate suspected riparian vegetation associated with an unnamed perennial stream north of the project site. Staff completed a site visit and observed no riparian vegetation. In addition, a review of the California Natural Diversity Database confirmed that there are no federal or state listed rare or endangered species of plant life or wildlife at the project site. 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 Not Significant. The applicant proposes to disturb a large portion of the 17,900 sq. ft. parcel to allow for the construction of a new residence, a new driveway, and install a new septic system and 5/8" water line. The project involves approximately 188 cubic yards of grading (including 175 cubic yards of fill and 13 cubic yards of excavation) on a relatively flat parcel. The project will require minimal grading. The project site does not contain sensitive habitat or buffer zone(s) (as discussed in Section 2.a of this report, above). However, the project site is located within the Cabrillo Highway County Scenic Corridor (as discussed in Section 7.a of this report, below). Potential impacts associated with project grading and construction within the scenic corridor are discussed in Sections 4.f and 7.a of this report, respectively. Implementation of Mitigation Measure 1 s-1, 2, and 5 through 8 would reduce these potential impacts related to erosion to a level that is less than significant. No additional mitigation measures are necessary.

000128

ANSWERS TO QUESTIONS

File No. PLN 2003-00226

Page 4

3. PHYSICAL RESOURCES

- ~~b. Will or could this project involve grading in excess of 150 cubic yards?~~

~~**Yes, Significant Unless Mitigated.** The project involves approximately 188 cubic yards of grading (including 175 cubic yards of fill and 13 cubic yards of excavation), as shown in Attachment D. Potential impacts resulting from proposed grading and recommended mitigation measures are discussed in Section 1.f, above. 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 and land disturbance involved in driveway and sSeptic system and water line constructioninstallation may would only result in temporary generation of a minor amount of pollutants. 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. No residential or school uses adjoin the parcel. The project does not involve the demolition of any structures or portion of structures. No additional mitigation measures are necessary.~~

- ~~c. Will or could this project be subject to noise levels in excess of levels determined appropriate according to the County Noise Ordinance or other standard?~~

~~**Yes, Significant Unless Mitigated.** The project site is located within the 60+ dB CNEL contour of the Cabrillo Highway. New residential projects between 55 dB CNEL and 65 dB CNEL contours will be required to implement construction practices to mitigate the interior noise level of the proposed residential structure. If these measures are incorporated into the design, it will be presumed that an acceptable level of noise mitigation has been provided. The following mitigation measure is proposed:~~

~~**Mitigation Measure 3:** The applicant shall indicate the use of solid core exterior doors, double pane windows, and weather stripping on the construction set of plans. The applicant shall demonstrate use of these noise mitigation features at the building permit application stage.~~

000129

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

Yes, Not Significant. ~~Moving the manufactured home on the site and installing the~~ septic system and water line will temporarily generate noise levels that are greater than the ambient noise levels in the project area. There are residences and businesses across Avenue Alhambra from the project site, and the residents could be affected by the anticipated noise increase. To mitigate this potential impact, staff has added Mitigation Measure 24 to ensure construction activities are limited to hours as specified in the San Mateo County Ordinance Code.

Mitigation Measure 42: Construction activities shall be limited from the hours of 7:00 a.m. until 6:00 p.m., Monday through Friday, and Saturdays from 9:00 a.m. until 5:00 p.m. Construction is not permitted on Sundays, Thanksgiving, or Christmas.

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

Yes, Significant Unless Mitigated. ~~Construction of the proposed residence, driveway, and installation of a septic system and water line~~ 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 and to protect all exposed earth surfaces from erosive forces, Mitigation Measures 1s-1 and 2 have ~~been~~ has been incorporated in Section 1.f, above. Implementation of ~~these~~ this mitigation measures would reduce the potential pollution or increase in surface water runoff to a less than significant level. No well is needed as domestic water will be supplied to ~~the new residence via a water line~~ by the Coastside County Water District. Therefore, there will be no project impact to groundwater resources. No additional mitigation measures are necessary.

- h. **Will or could this project require installation of a septic tank/leachfield sewage disposal system or require hookup to an existing collection system which is at or over capacity?**

Yes, Not Significant. The proposal includes a septic system. This plan has been reviewed by the County's Environmental Health Division and found to be in compliance with the County's Septic Ordinance. There is no evidence to suggest that construction of this septic system, if done according to the approved plans, will have a negative impact upon groundwater resources or create a health hazard. 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 site is currently unimproved. The proposed parcel legalization will not directly result in any use or development. Per Subdivision Regulations (1945) in effect at the time of the parcel's creation, provisions for the disposal of sewage and adequate water supply shall be provided to the parcel. Therefore, any proposed use or development will benefit from these improvements, which may encourage development of the parcel. Any future use or development ~~The proposal of a single-family residence conforms to the~~ will be reviewed for compliance with the County's General Plan and, with the issuance of a use permit and variance, conforms to and the regulations of the COSC Zoning District. Additional discussion of project conformance with County land use regulations is provided in Section 6.k, below. Therefore, no additional mitigation measures are necessary.

- e. **Will or could this project 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. The project site is located on a generally undeveloped strip of land, known locally as the "Burnham Strip." Two of the ten parcels on the "strip" are already developed, including a single-family residence at 400 Avenue Alhambra and a pre-school at 480 Avenue Alhambra. ~~Single-family residences are permitted in the underlying COSC zoning district with the issuance of a Use Permit, Design Review Permit, and a Coastal Development Permit. The approval of the proposed residence~~ The approval of the Certificate of Compliance, Type B, would not result in any use or development at the site. However, as previously discussed, the improvement of the site with a septic system and water supply would encourage development of the site in the future. Future development of the site would not set precedence for additional development the approval of other residences on the "strip." Instead, each application for development would be reviewed individually for compliance with the California Environmental Quality Act and applicable County regulation and policies, considering specific project details, site conditions, potential environmental impacts, and information received at the required public hearing. Therefore, the project does not serve to encourage off-site development of presently undeveloped areas. No additional mitigation measures are necessary.

- f. **Will or could this project 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?**

ANSWERS TO QUESTIONS

File No. PLN 2003-00226

Page 7

No. The project has been reviewed by the Coastside County Water District (CCWD), who has indicated that the parcel has been assigned a 5/8" water connection. The connection will be granted upon the payment of applicable fees. The project includes an on-site septic system. Therefore, the project will not adversely affect the capacity of any public facilities, public utilities or public works serving the site. 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 project conforms to the County's General Plan land use designation for the site, open space, which includes residential uses. The development standards of the underlying zoning district, Community Open Space District (COSC), require development to meet minimum 50-foot front and rear yard setbacks. The applicant seeks a variance from the required front and rear yard setbacks for the construction of the proposed single-family residence. The subject parcel is long and narrow, with an approximate average depth of 99 feet. Therefore, application of minimum front and rear yard setbacks would largely prohibit development of the site. The applicant proposes to maintain a front yard setback of 20 feet and a rear yard setback of 35 feet (excludes the proposed deck which is only 18 inches high). For a discussion of potential visual impacts, please see staff discussion under Section 7. No additional mitigation measures are necessary.~~

~~l. Will or could this project involve a change of zoning?~~

~~**No.** The applicant seeks a variance from the required front and rear yard setbacks of the underlying zoning district, Community Open Space District (COSC), for the construction of the proposed single-family residence. For additional information, see staff discussion under Section 6.k.~~

7. AESTHETIC, CULTURAL AND HISTORIC

a. Will or could this project be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor?

~~**Yes, Significant Unless Mitigated**~~**Not Significant.** The project site is located within the Cabrillo Highway County Scenic Corridor. However, no use or development is proposed at this time. Temporary construction activities necessary for the installation of a septic system and a 5/8" water line would be minimally visible from the Cabrillo Highway. No additional mitigation measures are required. The parcel has a minimal average slope of 5% and generally slopes downward from the front (Avenue Alhambra side) to the rear (Cabrillo Highway side). The applicant proposes to perform approximately 175 cubic yards of fill and 13 cubic yards of excavation in order to create a level building pad, in which the existing grade at the rear of the

000132

ANSWERS TO QUESTIONS

File No. PLN 2003-00226

Page 8

property will be raised by about 2 feet in the area of the building pad. Therefore, the rear of the proposed one-story residence will be visible from the Cabrillo Highway County Scenic Corridor. However, the 16-foot high residence complies with the maximum height of the Community Open Space District (COSC) zoning district of 16 feet. In addition, while the rear of the residence would be located 35 feet from the edge of the Cabrillo Highway right-of-way, the rear of the residence would be approximately 100 feet from the edge of the paved portion of the highway (including both lanes of travel and paved shoulders). Therefore, the residence would be minimally visible from lanes of travel along the highway. Due to the low height of the residence and the distance of residence from the paved section of the Cabrillo Highway, the proposed residence is anticipated to be only minimally visible from the Cabrillo Highway. In order to further minimize visual impacts to the scenic corridor, Planning staff has added Mitigation Measures 5 through 8.

Mitigation Measure 5 requires the applicant to plant heavy landscaping along the rear of the structure (Cabrillo Highway side). However, landscaping shall be limited to tree and plant species which are native to the coastal environment. Additionally, landscaping shall be limited to tree varieties that, at maturity, would not exceed 20 feet in height so as to prevent additional obstruction of coastal view from the residential neighborhood to the north. Mitigation Measure 6 requires the exterior colors and materials of the house to blend with the surrounding vegetation in this area. Mitigation Measure 7 requires that all new utility lines be placed underground. Mitigation Measure 8 limits exterior lighting to the minimum required to illuminate that area of the house exterior for safety purposes. Implementation of these mitigation measures would reduce visual impacts to a level that is considered insignificant.

Mitigation Measure 5: The applicant shall submit a landscape plan prepared by a landscape architect or certified arborist for review and approval by the Current Planning Section. The landscaped areas shall be designed to be water efficient, require minimal use of fertilizers, herbicides and pesticides, and soften and screen the south building elevation. Specifically, the plan shall meet the following requirements:

- a. The plan shall include a minimum of five (5) trees, minimum of 24 inches, to be planted at the rear of the residence (Cabrillo Highway side) and four (4), minimum 5 gallons, to be planted at the front of the residence (Avenue Alhambra side). Additionally, a minimum of fifteen (15) shrubs, minimum one gallon, shall be included in the design. All exposed soil areas that do not contain trees or shrubs shall be covered with a combination of turf or groundcover and/or a minimum of 2 inches of mulch.
- b. Landscaping shall be limited to tree and plant species which are native to the coastal environment.

000133

ANSWERS TO QUESTIONS

File No. PLN 2003-00226

Page 9

~~c. Landscaping shall be limited to tree varieties that, at maturity, would not exceed 20 feet in height so as to prevent additional obstruction of coastal view from the residential neighborhood to the north.~~

~~The plan shall be included as part of the project's building permit application and construction plans. Compliance with this condition is required prior to the Current Planning Section's approval of construction plans. Prior to the issuance of a Certificate of Occupancy for this project, the applicant shall perform the required plantings and submit a maintenance surety deposit of \$1,000.00 to the Current Planning Section to ensure the maintenance of required trees and other landscaping, as shown in an approved landscaping plan. Maintenance shall be required for two (2) years. The Current Planning Section shall only allow release of the maintenance surety upon inspection by Planning staff two (2) years after planting.~~

~~**Mitigation Measure 6:** The exterior colors and materials of the house shall blend with the surrounding vegetation in this area. Prior to the issuance of a Certificate of Occupancy for this project, the applicant shall provide photographs to the Current Planning staff to demonstrate utilization of the approved color and materials. Materials and colors shall not be highly reflective.~~

~~**Mitigation Measure 7:** 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 property line. The applicant shall provide a note on the construction plans to reflect this condition.~~

~~**Mitigation Measure 8:** All proposed exterior lighting should be the minimum required to illuminate that area of the house exterior for safety purposes. Exterior lighting shall employ warm colors rather than cool tones and shield the scenic corridor from glare. The applicant shall submit the manufacturer's "cut sheets" for review by the Current Planning Section prior to the issuance of a building permit.~~

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 project site is one of ten parcels located along a strip of land located between Avenue Alhambra and Cabrillo Highway in unincorporated El Granada. The site is rectangular in shape, consists of 17,900 sq. ft., with an average downward slope of 5% in a southwesterly direction from Avenue Alhambra. This site is currently unimproved and is covered with weeds and grasses. There are no trees on the site. Other than a residence and a pre-school located two and five parcels south of the project site, respectively, the rest of the strip of land is undeveloped. Commercial uses have been developed to the east (across Avenue Alhambra), and adjacent lands north, south and west, of the site are vacant. Single-family residences are located further east of the site.~~

000134

ANSWERS TO QUESTIONS

File No. PLN 2003-00226

Page 10

The proposed structure is one story with a maximum height of 16 feet and total width of 71 feet, which is approximately one-third of the lot's width. As the site is currently undeveloped, the proposed residence will provide greater view obstruction of the ocean from existing residences and public roads to the east, than currently exists. However, due to the low height of the residence and intervening development (commercial and residential structures to the east), view obstruction of the ocean from existing residences and public roads to the east will be minimal. In addition, due to the low height of the residence and its distance from the ocean (approximately 350 feet to the beach, 435 feet to the water, and 675 feet to the end of the boat launch), the potential impact to views from the ocean would be minimal. However, in order to further minimize impacts to scenic views, Planning staff has added Mitigation Measure 9 to require verification of project height with the approved height during project construction. Additionally, per Mitigation Measures 5, 6, and 8, the proposed residence shall be screened with landscaping to soften views from northern viewing locations, the colors and materials of the residence shall match surrounding vegetation, and exterior lighting shall be minimized. Implementation of recommended mitigation measures would reduce potential project impact to scenic views from existing residential areas, public lands, public water body, and roads to a level that is considered insignificant. Please see Section 7.a for a discussion of aesthetic impacts to the Cabrillo Highway County Scenic Corridor.

Mitigation Measure 9: In order to ensure the height of the house does not exceed the maximum height permitted, staff requires the applicant to adhere to the following height verification procedure during the building permit process:

- a. The applicant shall provide "finished floor elevation verification" to certify that the structure is actually constructed at the height shown on the submitted plans. The applicant shall have a licensed land surveyor or engineer establish a baseline elevation datum point in the vicinity of the construction site.
- b. The applicant shall maintain the datum point so that it will not be disturbed by the proposed construction activities until final approval of the building permit.
- c. This datum point and its elevation shall be shown on the submitted site plan. This datum point shall be used during construction to verify the elevation of the finished floors relative to the existing natural or to the grade of the site (finished grade).
- d. Prior to Planning approval of the building permit application, the applicant shall also have the licensed land surveyor or engineer indicate on the construction plans: (1) the natural grade elevations at the significant corners (at least four) of the footprint of the proposed structure on the submitted site plan, and (2) the elevations of proposed finished grades.

000135

ANSWERS TO QUESTIONS

File No. PLN 2003-00226

Page 11

- ~~e. In addition, (1) the natural grade elevations at the significant corners of the proposed structure, (2) the finished floor elevations, (3) the topmost elevation of the roof and (4) garage slab elevation must be shown on the plan, elevations, and cross section (if one is provided).~~
- ~~f. Once the building is under construction, prior to the below floor framing inspection or the pouring of the concrete slab (as the case may be) for the lowest floor(s), the applicant shall provide to the Building Inspection Section a letter from the licensed land surveyor or engineer certifying that the lowest floor height as constructed is equal to the elevation specified for that floor in the approved plans. Similarly, certifications on the garage slab and the topmost elevation of the roof are required.~~
- ~~g. If the actual floor height, garage slab, or roof height as constructed is different than the elevation specified in the plans, then the applicant shall cease all construction and no additional inspections shall be approved until a revised set of plans is submitted to and subsequently approved by both the Building Official and Community Development Director.~~

d. Will or could this project directly or indirectly affect historical or archaeological resources on or near the site?

Yes, Significant Unless Mitigated. It should be noted that ~~the~~ the project site is located on a narrow strip of land, bound by Alhambra Avenue and the Cabrillo Highway (Highway 1) to the east and west, the intersection of Francisco Street and Sonora Avenue to the north, and the intersection of Santa Anna Street and Mirada Road to the south. The strip of land has been referred to locally as the "Burnham Strip," referencing landscape architect Daniel Burnham's 1906 Plan for the original town site (originally named "Balboa"), but contains only a remnant of the actual strip illustrated in Burnham's Plan. The plan was commissioned by the Shore Line Investment Company, who as owners of the Ocean Shore Railway, envisioned the town as a popular resort destination (Source: "Granada, A Synonym for Paradise: The Ocean Shore Railroad Years," Barbara VanderWerf, 1992). The plan included a railway along present-day Avenue Alhambra, suburban residential tracts along three main radial avenues uphill from the railroad tracks, and a casino along the strip (seaward of the railway). Aside from designating the area of the strip for a future casino, train station, and bathhouse uses, the plan did not include a detailed beach-front plan. However, full implementation of the Burnham Plan was hindered by many historical obstacles, including the closure of the Ocean Shore Railway in 1920 and the State's acquisition of the Highway 1 right-of-way in 1949, which bifurcated the strip into two long narrow pieces to the east and west of the highway. Additionally, the Burnham Plan was never formally adopted or referenced in adopted plans and regulations for El Granada, such as San Mateo County's General Plan, the Local Coastal Program, or Zoning Regulations. Therefore, development is not

000136

ANSWERS TO QUESTIONS

File No. PLN 2003-00226

Page 12

required to be consistent with the Burnham Plan, but only with adopted plans and regulations. The proposed use complies with the General Plan land use designation, which designates the parcel for Open Space land uses (which includes residential uses), and zoning regulations for the site, where the COSC Zoning District allows for single family residential uses with the issuance of a use permit. Incidentally, the strip's earliest zoning (prior to its current COSC zoning) was designated H-1 (Highway Frontage), which allowed hotels, service stations, restaurants, offices, and other uses.

As previously discussed, the approval of the Certificate of Compliance, Type B, would not result in any use or development at the site. However, improvement of the site with a septic system and water supply would encourage development of the site in the future. Any future development of the parcel would be reviewed for compliance with San Mateo County's General Plan, the Local Coastal Program, or Zoning Regulations. As the Burnham Plan was never formally adopted as a planning document and implementation has been hindered by various historical events, project development at this site would not result in a significant impact to the area's historical resources.

Installation of a septic system and water line would result in some site disturbance, which may directly or indirectly affect potential on-site historical or archaeological resources. With regard to potential on-site archaeological and Native American resources, the project has been reviewed by the Northwest Information Center (Center) of the California Historical Resources Information System (CHRIS). In a letter dated October 22, 2008, Jillian E. Guldenbrein, Researcher I, stated that the Center has no record of any previous cultural resource studies for the project area. However, Ms. Guldenbrein stated that the project area has the possibility of containing unrecorded archaeological site(s) and recommends a study prior to commencement of project activities. Planning staff has added Mitigation Measures 3 and 410 and 411 in order to require compliance with this recommendation. With regard to the built environment (which includes historical buildings and structures), Ms. Guldenbrein stated that the project area is located within the town of El Granada, a listed historic district. However, no buildings or structures exist on-site. Additionally, the design of the proposed single-story, single-family residence would blend well with existing development both on the "strip" and in the immediate area. Therefore, proposed development of the site would not impact historical resources of the built environment. Compliance with the following mitigation measures would reduce project-related impacts to archaeological resources to a level that is less than significant.

Mitigation Measure 103: Prior to commencement of project activities to the issuance of a grading permit "hard card" for the commencement of grading operations at the site, the applicant shall arrange for the completion of a study by a qualified archaeologist of the project area (including all areas to be excavated) and submit a

000137

ANSWERS TO QUESTIONS

File No. PLN 2003-00226

Page 13

copy of the study to the Current Planning Section. All identified archaeological sites should be evaluated using the California Register of Historical Resources (Cal Register) criteria.

Mitigation Measure 114: The applicant and contractors must be prepared to carry out the requirements of California State law with regard to the discovery of human remains during grading and construction, whether historic or prehistoric. In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately and the County coroner shall be notified immediately. If the coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within 24 hours. A qualified archaeologist, in consultation with the Native American Heritage Commission, shall recommend subsequent measures for disposition of the remains.

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

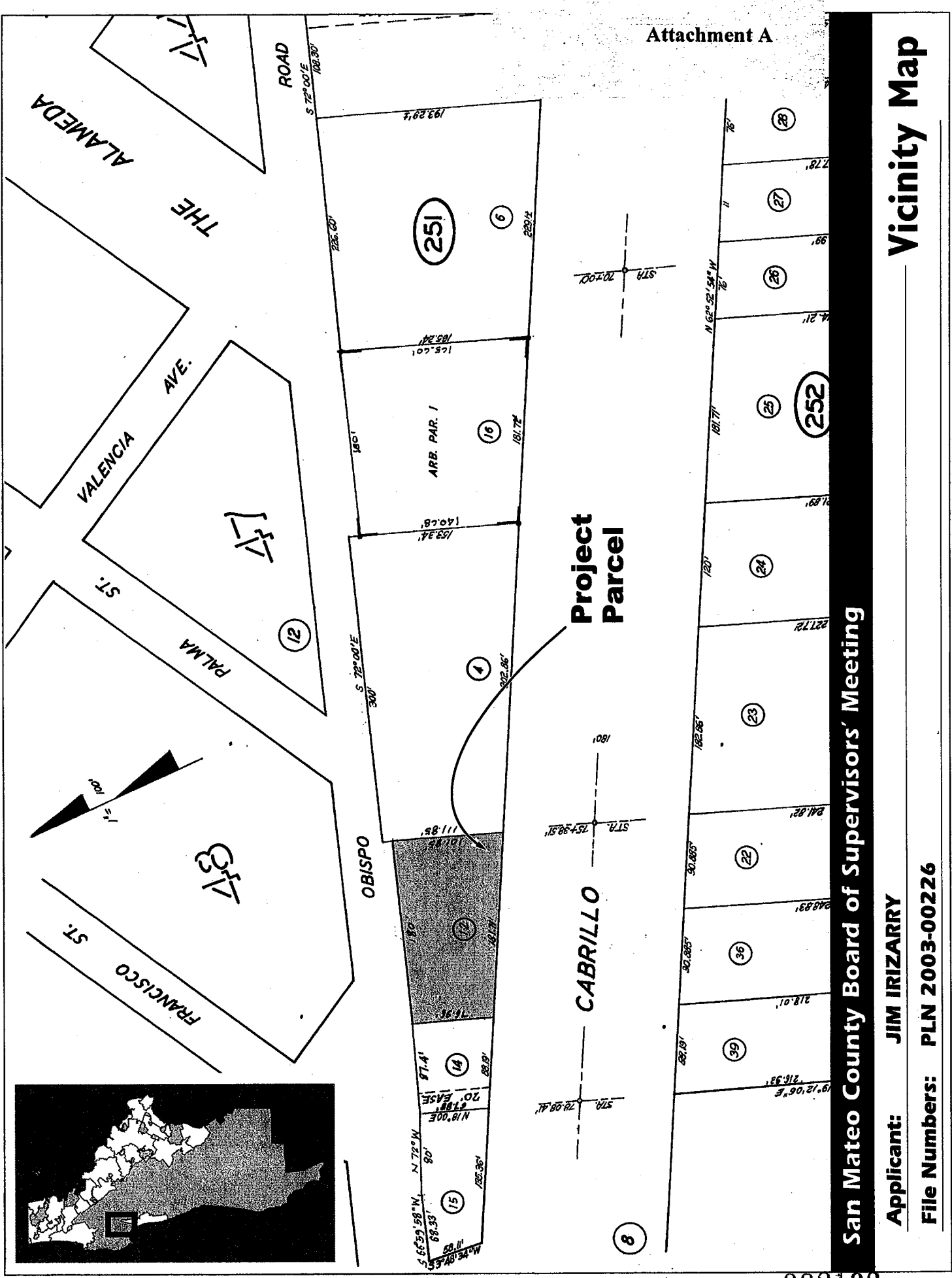
~~Yes, Significant Unless Mitigated. See staff's discussion under Section 7.a and 7.b.~~

ATTACHMENTS

- A. Vicinity Map
- B. ~~Project Site Plan and Elevations~~
- CB. Project Septic Plan
- D. ~~Earthwork Tabulation, Robert Lyon Associates, Inc., October 20, 2008~~

CL:fc – CMLT0493(redline) WFH.DOC

000138



Attachment A

San Mateo County Board of Supervisors' Meeting

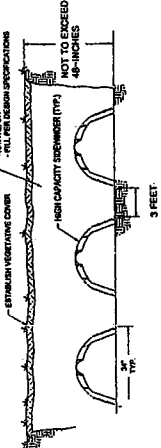
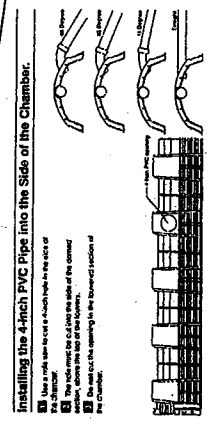
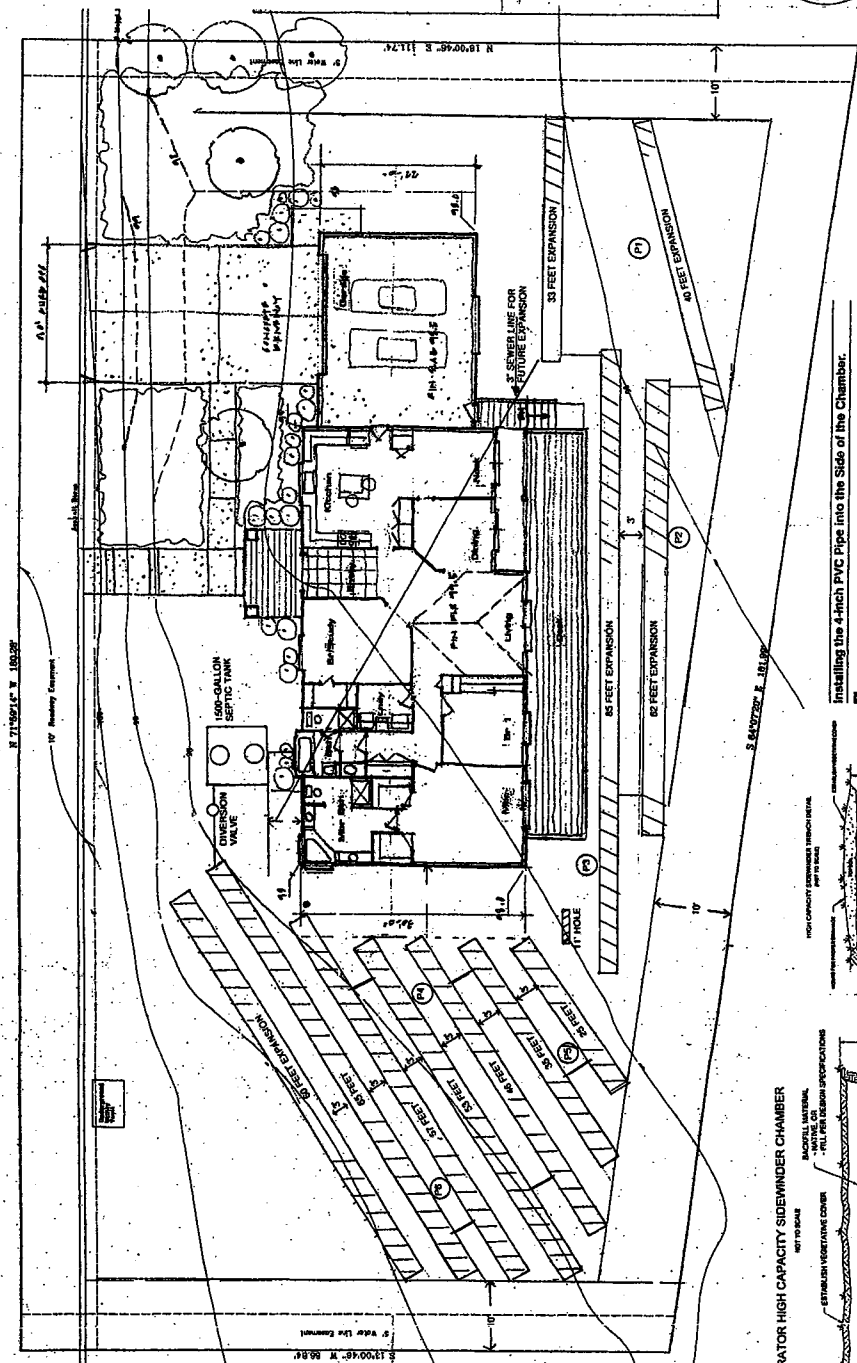
Vicinity Map

Applicant: JIM IRIZARRY

File Numbers: PLN 2003-00226



AVENUE ALHAMBRA



LAND USE INSPECTION

NO.	DATE	INSPECTOR	REMARKS
1	10/10/02	Pat McNulty	Site inspection of the proposed septic system expansion. The expansion is located in the rear yard of the property. The expansion is located in the rear yard of the property. The expansion is located in the rear yard of the property.
2	10/10/02	Pat McNulty	Site inspection of the proposed septic system expansion. The expansion is located in the rear yard of the property. The expansion is located in the rear yard of the property. The expansion is located in the rear yard of the property.
3	10/10/02	Pat McNulty	Site inspection of the proposed septic system expansion. The expansion is located in the rear yard of the property. The expansion is located in the rear yard of the property. The expansion is located in the rear yard of the property.
4	10/10/02	Pat McNulty	Site inspection of the proposed septic system expansion. The expansion is located in the rear yard of the property. The expansion is located in the rear yard of the property. The expansion is located in the rear yard of the property.
5	10/10/02	Pat McNulty	Site inspection of the proposed septic system expansion. The expansion is located in the rear yard of the property. The expansion is located in the rear yard of the property. The expansion is located in the rear yard of the property.
6	10/10/02	Pat McNulty	Site inspection of the proposed septic system expansion. The expansion is located in the rear yard of the property. The expansion is located in the rear yard of the property. The expansion is located in the rear yard of the property.
7	10/10/02	Pat McNulty	Site inspection of the proposed septic system expansion. The expansion is located in the rear yard of the property. The expansion is located in the rear yard of the property. The expansion is located in the rear yard of the property.
8	10/10/02	Pat McNulty	Site inspection of the proposed septic system expansion. The expansion is located in the rear yard of the property. The expansion is located in the rear yard of the property. The expansion is located in the rear yard of the property.
9	10/10/02	Pat McNulty	Site inspection of the proposed septic system expansion. The expansion is located in the rear yard of the property. The expansion is located in the rear yard of the property. The expansion is located in the rear yard of the property.
10	10/10/02	Pat McNulty	Site inspection of the proposed septic system expansion. The expansion is located in the rear yard of the property. The expansion is located in the rear yard of the property. The expansion is located in the rear yard of the property.

GENERAL INSTALLATION AND CONSTRUCTION NOTES

1. The expansion of the septic system shall be constructed in accordance with the California State Plumbing Code and the California State Building Code.

2. The expansion shall be constructed in the rear yard of the property.

3. The expansion shall be constructed in the rear yard of the property.

4. The expansion shall be constructed in the rear yard of the property.

5. The expansion shall be constructed in the rear yard of the property.

6. The expansion shall be constructed in the rear yard of the property.

7. The expansion shall be constructed in the rear yard of the property.

8. The expansion shall be constructed in the rear yard of the property.

9. The expansion shall be constructed in the rear yard of the property.

10. The expansion shall be constructed in the rear yard of the property.

INSTALLATION NOTES

1. The expansion shall be constructed in the rear yard of the property.

2. The expansion shall be constructed in the rear yard of the property.

3. The expansion shall be constructed in the rear yard of the property.

4. The expansion shall be constructed in the rear yard of the property.

5. The expansion shall be constructed in the rear yard of the property.

6. The expansion shall be constructed in the rear yard of the property.

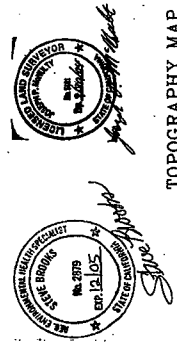
7. The expansion shall be constructed in the rear yard of the property.

8. The expansion shall be constructed in the rear yard of the property.

9. The expansion shall be constructed in the rear yard of the property.

10. The expansion shall be constructed in the rear yard of the property.

Lot Area: 17,700 sq ft
House: 1720 sq ft
Expansion: 1720 sq ft
Total: 34,400 sq ft
Date: 10/10/02
Inspector: Pat McNulty



TOPOGRAPHY MAP
Prepared By:
Pat McNulty
Professional Land Surveyor
501 Seaport Court, Suite 108
Redwood City, California 94063
DATE: October 2002
JOB NO.: 45-02

Attachment B
Septic Plan Only
(House is NOT part of Proposed Project)

OCT 27 2008

NOTICE OF INTENT TO ADOPT
NEGATIVE DECLARATIONPOSTING
ONLY

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et seq.), that the following project: Caron Single-Family Residence, when adopted and implemented, will not have a significant impact on the environment.

FILE NO.: PLN 2003-00226

OWNER: Deborah and Craig Caron

APPLICANT: Jim Irizarry

ASSESSOR'S PARCEL NO.: 047-251-120

PROJECT DESCRIPTION AND LOCATIONFILED
ENDORSED
IN THE OFFICE OF THE
COUNTY CLERK RECORDER OF
SAN MATEO COUNTY, CALIF.

OCT 27 2008

WARREN SLOCUM, County Clerk
By _____
DEPUTY CLERK

The applicant has applied for: (1) a Use Permit, Coastal Development Permit, Design Review Permit and Grading Permit to construct a new manufactured 1,777 sq. ft. single-family residence; (2) a Variance to allow a 20-foot front yard setback and 35-foot rear yard setback where 50 feet is required for each; (3) a Coastal Development Permit for construction of a septic system; and (4) a Certificate of Compliance and Coastal Development Permit to legalize a 17,900 sq. ft. parcel located on the west side of Avenue Alhambra, between Palma Avenue and Francisco Street in the unincorporated El Granada area of San Mateo County. The proposed single-family residence will be set back 20 feet from the front property line (along Avenue Alhambra), 66 feet from the north side property line, 42 feet from the south side property line, and 35 feet from the rear property line (along Cabrillo Highway). Access to the residence will be provided by a new driveway from Avenue Alhambra. The project involves approximately 175 cubic yards of fill and approximately 13 cubic yards of excavation. The project site is located within the Cabrillo Highway County Scenic Corridor.

FINDINGS AND BASIS FOR A NEGATIVE DECLARATION

The Current Planning Section has reviewed the initial study for the project and, based upon substantial evidence in the record, finds that:

1. The project will not adversely affect water or air quality or increase noise levels substantially.
2. The project will not have adverse impacts on the flora or fauna of the area.
3. The project will not degrade the aesthetic quality of the area.
4. The project will not have adverse impacts on traffic or land use.
5. In addition, the project will not:
 - a. Create impacts which have the potential to degrade the quality of the environment.

- b. Create impacts which achieve short-term to the disadvantage of long-term environmental goals.
- c. Create impacts for a project which are individually limited, but cumulatively considerable.
- d. Create environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

The County of San Mateo has, therefore, determined that the environmental impact of the project is insignificant.

MITIGATION MEASURES included in the project to avoid potentially significant effects:

Mitigation Measure 1: No grading activities shall commence until the applicant has been issued the following: (1) a building permit for the proposed residence by the Building Inspection Section and (2) a grading permit (issued as the "hard card" with all necessary information filled out and signatures obtained) by the Current Planning Section.

Mitigation Measure 2: Prior to the issuance of the grading permit "hard card," the applicant shall schedule an erosion control inspection by Current Planning staff to demonstrate that the approved erosion control plan (*Zoning Hearing Officer hearing date to be determined*) has been implemented. The applicant is responsible for ensuring that all contractors minimize the transport and discharge of pollutants from the project site into local drainage systems and water bodies by adhering to the San Mateo Countywide Water Pollution Prevention Program's "General Construction and Site Supervision Guidelines," including:

- a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15. Stabilizing shall include both proactive measures, such as the placement of straw bales or coir netting, and passive measures, such as revegetating disturbed areas with vegetation that is compatible with the surrounding environment.
- b. Storing, handling, and disposing of construction materials and wastes properly, so as to prevent their contact with stormwater.
- c. Controlling and preventing the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
- d. Using sediment controls or filtration to remove sediment when dewatering site and obtaining all necessary permits.
- e. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
- f. Delineating with field markers clearing limits, setbacks, and drainage courses.
- g. Protecting adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.

- h. Performing clearing and earth-moving activities only during dry weather.
- i. Limiting and timing applications of pesticides and fertilizers to prevent polluted runoff.
- j. Limiting construction access routes and stabilizing designated access points.
- k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
- l. The contractor shall train and provide instruction to all employees and subcontractors regarding the construction best management practices (as listed above).

Mitigation Measure 3: The applicant shall indicate the use of solid core exterior doors, double pane windows, and weather-stripping on the construction set of plans. The applicant shall demonstrate use of these noise mitigation features at the building permit application stage.

Mitigation Measure 4: Construction activities shall be limited from the hours of 7:00 a.m. until 6:00 p.m., Monday through Friday, and Saturdays from 9:00 a.m. until 5:00 p.m. Construction is not permitted on Sundays, Thanksgiving, or Christmas.

Mitigation Measure 5: The applicant shall submit a landscape plan prepared by a landscape architect or certified arborist for review and approval by the Current Planning Section. The landscaped areas shall be designed to be water efficient, require minimal use of fertilizers, herbicides and pesticides, and soften and screen the south building elevation. Specifically, the plan shall meet the following requirements:

- a. The plan shall include a minimum of five (5) trees, minimum of 24 inches, to be planted at the rear of the residence (Cabrillo Highway side) and four (4), minimum 5 gallons, to be planted at the front of the residence (Avenue Alhambra side). Additionally, a minimum of fifteen (15) shrubs, minimum one gallon, shall be included in the design. All exposed soil areas that do not contain trees or shrubs shall be covered with a combination of turf or groundcover and/or a minimum of 2 inches of mulch.
- b. Landscaping shall be limited to tree and plant species which are native to the coastal environment.
- c. Landscaping shall be limited to tree varieties that, at maturity, would not exceed 20 feet in height so as to prevent additional obstruction of coastal view from the residential neighborhood to the north.

The plan shall be included as part of the project's building permit application and construction plans. Compliance with this condition is required prior to the Current Planning Section's approval of construction plans. Prior to the issuance of a Certificate of Occupancy for this project, the applicant shall perform the required plantings and submit a maintenance surety deposit of \$1,000.00 to the Current Planning Section to ensure the maintenance of required trees and other landscaping, as shown in an approved landscaping plan. Maintenance shall be required for two (2) years. The Current Planning Section shall only allow release of the maintenance surety upon inspection by Planning staff two (2) years after planting.

Mitigation Measure 6: The exterior colors and materials of the house shall blend with the surrounding vegetation in this area. Prior to the issuance of a Certificate of Occupancy for this project, the applicant shall provide photographs to the Current Planning staff to demonstrate utilization of the approved color and materials. Materials and colors shall not be highly reflective.

Mitigation Measure 7: 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 property line. The applicant shall provide a note on the construction plans to reflect this condition.

Mitigation Measure 8: All proposed exterior lighting should be the minimum required to illuminate that area of the house exterior for safety purposes. Exterior lighting shall employ warm colors rather than cool tones and shield the scenic corridor from glare. The applicant shall submit the manufacturer's "cut sheets" for review by the Current Planning Section prior to the issuance of a building permit.

Mitigation Measure 9: In order to ensure the height of the house does not exceed the maximum height permitted, staff requires the applicant to adhere to the following height verification procedure during the building permit process:

- a. The applicant shall provide "finished floor elevation verification" to certify that the structure is actually constructed at the height shown on the submitted plans. The applicant shall have a licensed land surveyor or engineer establish a baseline elevation datum point in the vicinity of the construction site.
- b. The applicant shall maintain the datum point so that it will not be disturbed by the proposed construction activities until final approval of the building permit.
- c. This datum point and its elevation shall be shown on the submitted site plan. This datum point shall be used during construction to verify the elevation of the finished floors relative to the existing natural or to the grade of the site (finished grade).
- d. Prior to Planning approval of the building permit application, the applicant shall also have the licensed land surveyor or engineer indicate on the construction plans: (1) the natural grade elevations at the significant corners (at least four) of the footprint of the proposed structure on the submitted site plan, and (2) the elevations of proposed finished grades.
- e. In addition, (1) the natural grade elevations at the significant corners of the proposed structure, (2) the finished floor elevations, (3) the topmost elevation of the roof and (4) garage slab elevation must be shown on the plan, elevations, and cross-section (if one is provided).
- f. Once the building is under construction, prior to the below floor framing inspection or the pouring of the concrete slab (as the case may be) for the lowest floor(s), the applicant shall provide to the Building Inspection Section a letter from the licensed land surveyor or engineer certifying that the lowest floor height--as constructed--is equal to the elevation specified for that floor in the approved plans. Similarly, certifications on the garage slab and the topmost elevation of the roof are required.
- g. If the actual floor height, garage slab, or roof height--as constructed--is different than the elevation specified in the plans, then the applicant shall cease all construction and no

additional inspections shall be approved until a revised set of plans is submitted to and subsequently approved by both the Building Official and Community Development Director.

Mitigation Measure 10: Prior to the issuance of a grading permit "hard card" for the commencement of grading operations at the site, the applicant shall arrange for the completion of a study by a qualified archaeologist of the project area (including all areas to be excavated) and submit a copy of the study to the Current Planning Section. All identified archaeological sites should be evaluated using the California Register of Historical Resources (Cal Register) criteria.

Mitigation Measure 11: The applicant and contractors must be prepared to carry out the requirements of California State law with regard to the discovery of human remains during grading and construction, whether historic or prehistoric. In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately and the County coroner shall be notified immediately. If the coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within 24 hours. A qualified archaeologist, in consultation with the Native American Heritage Commission, shall recommend subsequent measures for disposition of the remains.

RESPONSIBLE AGENCY CONSULTATION

None

INITIAL STUDY

The San Mateo County Current Planning Section has reviewed the Environmental Evaluation of this project and has found that the probable environmental impacts are insignificant. A copy of the initial study is attached.

REVIEW PERIOD: October 27, 2008 to November 17, 2008

All comments regarding the correctness, completeness, or adequacy of this Negative Declaration must be received by the County Planning and Building Department, 455 County Center, Second Floor, Redwood City, no later than **5:00 p.m., November 17, 2008.**

CONTACT PERSON

Camille Leung, Planner III
Telephone 650/363-1826



Camille Leung, Planner III

CML:fc - CMLS1029_WFH.DOC
FRM00013(click).doc
(1/11/07)

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

I. BACKGROUND

Project Title: Caron Single-Family Residence

File No.: PLN 2003-00226

Project Location: West side of Avenue Alhambra, between Palma Street and Francisco Street, El Granada

Assessor's Parcel No.: 047-251-120

Applicant/Owner: Jim Irizzary/Deborah and Craig Caron

Date Environmental Information Form Submitted: April 17, 2003

PROJECT DESCRIPTION

The applicant has applied for: (1) a Use Permit, Coastal Development Permit, Design Review Permit and Grading Permit to construct a new manufactured 1,777 sq. ft. single-family residence; (2) a Variance to allow a 20-foot front yard setback and 35-foot rear yard setback where 50 feet is required for each; (3) a Coastal Development Permit for construction of a septic system; and (4) a Certificate of Compliance and Coastal Development Permit to legalize a 17,900 sq. ft. parcel located on the west side of Avenue Alhambra, between Palma Avenue and Francisco Street in the unincorporated El Granada area of San Mateo County. The proposed single-family residence will be set back 20 feet from the front property line (along Avenue Alhambra), 66 feet from the north side property line, 42 feet from the south side property line, and 35 feet from the rear property line (along Cabrillo Highway). Access to the residence will be provided by a new driveway from Avenue Alhambra. The project involves approximately 175 cubic yards of fill and approximately 13 cubic yards of excavation. The project site is located within the Cabrillo Highway County Scenic Corridor.

II. ENVIRONMENTAL ANALYSIS

Any controversial answers or answers needing clarification are explained on an attached sheet. For source, refer to pages 17 and 18.

	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? The project site is not located in these areas.	X					B,F,O
b. Involve construction on slope of 15% or greater? The project site does not have a slope greater than 15%.	X					E,I
c. Be located in an area of soil instability (subsidence, landslide or severe erosion)? The project site is not located in this area.	X					Bc,D
d. Be located on, or adjacent to a known earthquake fault? The project site is not located on or adjacent to an earthquake fault.	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 project site does not contain Class I, II, or III Soils.	X					M
f. Cause erosion or siltation? See Answers to Questions for discussion.			X			M,I

000147

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
g. Result in damage to soil capability or loss of agricultural land? The project site does not contain Class I, II, or III Soils.	X					A,M
h. Be located within a flood hazard area? Parcel is 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 project site is not located in this area.	X					D
j. Affect a natural drainage channel or streambed, or watercourse? The project site is not located in this area.	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? See Answers to Questions for discussion.	X					F
b. Involve cutting of heritage or significant trees as defined in the County Heritage Tree and Significant Tree Ordinance? There are no existing trees on-site; therefore, there are no trees proposed for removal.	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? Based on the Local Coastal Program Sensitive Habitat Map, and staff's site inspection, the project site is not located within a sensitive habitat area.	X					F
d. Significantly affect fish, wildlife, reptiles, or plant life? See response to 2.a above.	X					I
e. Be located inside or within 200 feet of a marine or wildlife reserve? See response to 2.a above.	X					E,F,O
f. Infringe on any sensitive habitats? See response to 2.a above.	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? See Answers to Questions for discussion.			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)? None proposed.	X					I

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
b. Involve grading in excess of 150 cubic yards? See Answers to Questions for discussion.			X			I
c. Involve lands currently protected under the Williamson Act (agricultural preserve) or an Open Space Easement? The project site is not located in these areas.	X					I
d. Affect any existing or potential agricultural uses? The project site is not located in these areas.	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? See Answers to Questions for discussion.		X				I, N, R
b. Involve the burning of any material, including brush, trees and construction materials? None proposed.	X					I
c. Be expected to result in the generation of noise levels in excess of those currently existing in the area, after construction? None proposed.	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 may involve some hazardous materials or other toxic substances during construction only; none is expected after the project is complete.	X					I
e. Be subject to noise levels in excess of levels determined appropriate according to the County Noise Ordinance or other standard? See Answers to Questions for discussion.			X			A, Ba, Bc
f. Generate noise levels in excess of levels determined appropriate according to the County Noise Ordinance standard? See Answers to Questions for discussion.		X				I
g. Generate polluted or increased surface water runoff or affect groundwater resources? See Answers to Questions for discussion.			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? The project does require installation of a septic tank/leachfield sewage disposal system, which will be required to meet Environmental Health standards and permit requirements. See Answers to Questions for additional discussion.		X				S

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
5. <u>TRANSPORTATION</u>						
Will (or could) this project:						
a. Affect access to commercial establishments, schools, parks, etc.? The project, construction of a single-family residence, will have a negligible impact on project area traffic.	X					A,I
b. Cause noticeable increase in pedestrian traffic or a change in pedestrian patterns? None proposed. The project, construction of a single-family residence, will have a negligible impact on pedestrian traffic and patterns.	X					A,I
c. Result in noticeable changes in vehicular traffic patterns or volumes (including bicycles)? The project, construction of a single-family residence, will have a negligible impact on project area traffic.	X					I
d. Involve the use of off-road vehicles of any kind (such as trail bikes)? None proposed.	X					I
e. Result in or increase traffic hazards? The project, construction of a single-family residence, will have a negligible impact on project area traffic.	X					S

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
f. Provide for alternative transportation amenities such as bike racks? None proposed. The project, construction of a single-family residence, will have a negligible impact on project area traffic, thus no alternative transportation amenities are needed.	X					I
g. Generate traffic which will adversely affect the traffic carrying capacity of any roadway? None proposed. The project, construction of a single-family residence, will have a negligible impact on project area traffic.	X					S
6. LAND USE AND GENERAL PLANS						
Will (or could) this project:						
a. Result in the congregating of more than 50 people on a regular basis? None proposed.	X					I
b. Result in the introduction of activities not currently found within the community? Single-family residential uses exist north of the project site, across Avenue Alhambra.	X					I
c. Employ equipment which could interfere with existing communication and/or defense systems? None proposed.	X					I

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
d. Result in any changes in land use, either on or off the project site? See Answers to Questions for discussion.		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)? See Answers to Questions for discussion.	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? See Answers to Questions for discussion.	X					I,S
g. Generate any demands that will cause a public facility or utility to reach or exceed its capacity? See response to 6.f above	X					I,S
h. Be adjacent to or within 500 feet of an existing or planned public facility? The project will not interfere with any existing or planned public facility.	X					A
i. Create significant amounts of solid waste or litter? The project involves a single-family residential use and will not generate significant amounts of solid waste or litter.	X					I

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
j. Substantially increase fossil fuel consumption (electricity, oil, natural gas, coal, etc.)? None proposed. The project involves a single-family residential use and will not substantially increase fossil fuel consumption.	X					I
k. Require an amendment to or exception from adopted general plans, specific plans, or community policies or goals? See Answers to Questions for discussion.		X				B
l. Involve a change of zoning? See Answers to Questions for discussion.	X					C
m. Require the relocation of people or businesses? The property is currently undeveloped.	X					I
n. Reduce the supply of low-income housing? The property is currently undeveloped.	X					I
o. Result in possible interference with an emergency response plan or emergency evacuation plan? The project, construction of a single-family residence, will have a negligible impact on project area traffic.	X					S
p. Result in creation of or exposure to a potential health hazard? The project, construction of a single-family residence, will not result in the creation of or exposure to a potential health hazard.	X					S

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
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? See Answers to Questions for discussion.			X			A, Bb
b. Obstruct scenic views from existing residential areas, public lands, public water body, or roads? See Answers to Questions for discussion.			X			A, I
c. Involve the construction of buildings or structures in excess of three stories or 36 feet in height? The proposed residence is 16 feet high.	X					I
d. Directly or indirectly affect historical or archaeological resources on or near the site? See Answers to Questions for discussion.			X			H
e. Visually intrude into an area having natural scenic qualities? See Answers to Questions for discussion.			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	

AGENCY	YES	NO	TYPE OF APPROVAL
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: Coastside County Water District (CCWD)	X		CCWD has assigned a 5/8" water connection for the project.
Other:			

IV. MITIGATION MEASURES

Mitigation measures have been proposed in project application.

Other mitigation measures are needed.

Yes No
X X

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: No grading activities shall commence until the applicant has been issued the following: (1) a building permit for the proposed residence by the Building Inspection Section and (2) a grading permit (issued as the "hard card" with all necessary information filled out and signatures obtained) by the Current Planning Section.

Mitigation Measure 2: Prior to the issuance of the grading permit "hard card," the applicant shall schedule an erosion control inspection by Current Planning staff to demonstrate that the approved erosion control plan (*Zoning Hearing Officer hearing date to be determined*) has been implemented. The applicant is responsible for ensuring that all contractors minimize the transport and discharge of pollutants from the project site into local drainage system and water bodies by adhering to the San Mateo Countywide Water Pollution Prevention Program's "General Construction and Site Supervision Guidelines," including:

- a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15. Stabilizing shall include both proactive measures, such as the placement of straw bales or coir netting, and passive measures, such as revegetating disturbed areas with vegetation that is compatible with the surrounding environment.
- b. Storing, handling, and disposing of construction materials and wastes properly, so as to prevent their contact with stormwater.
- c. Controlling and preventing the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
- d. Using sediment controls or filtration to remove sediment when dewatering site and obtaining all necessary permits.
- e. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
- f. Delineating with field markers clearing limits, setbacks, and drainage courses.
- g. Protecting adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
- h. Performing clearing and earth-moving activities only during dry weather.
- i. Limiting and timing applications of pesticides and fertilizers to prevent polluted runoff.
- j. Limiting construction access routes and stabilizing designated access points.
- k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
- l. The contractor shall train and provide instruction to all employees and subcontractors regarding the construction best management practices (as listed above).

Mitigation Measure 3: The applicant shall indicate the use of solid core exterior doors, double pane windows, and weather-stripping on the construction set of plans. The applicant shall demonstrate use of these noise mitigation features at the building permit application stage.

Mitigation Measure 4: Construction activities shall be limited from the hours of 7:00 a.m. until 6:00 p.m., Monday through Friday, and Saturdays from 9:00 a.m. until 5:00 p.m. Construction is not permitted on Sundays, Thanksgiving, or Christmas.

Mitigation Measure 5: The applicant shall submit a landscape plan prepared by a landscape architect or certified arborist for review and approval by the Current Planning Section. The landscaped areas shall be designed to be water efficient, require minimal use of fertilizers, herbicides and pesticides, and soften and screen the south building elevation. Specifically, the plan shall meet the following requirements:

- a. The plan shall include a minimum of five (5) trees, minimum of 24 inches, to be planted at the rear of the residence (Cabrillo Highway side) and four (4), minimum 5 gallons, to be planted at the front of the residence (Avenue Alhambra side). Additionally, a minimum of fifteen (15) shrubs, minimum one gallon, shall be included in the design. All exposed soil areas that do not contain trees or shrubs shall be covered with a combination of turf or groundcover and/or a minimum of 2 inches of mulch.

- b. Landscaping shall be limited to tree and plant species which are native to the coastal environment.
- c. Landscaping shall be limited to tree varieties that, at maturity, would not exceed 20 feet in height so as to prevent additional obstruction of coastal view from the residential neighborhood to the north.

The plan shall be included as part of the project's building permit application and construction plans. Compliance with this condition is required prior to the Current Planning Section's approval of construction plans. Prior to the issuance of a Certificate of Occupancy for this project, the applicant shall perform the required plantings and submit a maintenance surety deposit of \$1,000.00 to the Current Planning Section to ensure the maintenance of required trees and other landscaping, as shown in an approved landscaping plan. Maintenance shall be required for two (2) years. The Current Planning Section shall only allow release of the maintenance surety upon inspection by Planning staff two (2) years after planting.

Mitigation Measure 6: The exterior colors and materials of the house shall blend with the surrounding vegetation in this area. Prior to the issuance of a Certificate of Occupancy for this project, the applicant shall provide photographs to the Current Planning staff to demonstrate utilization of the approved color and materials. Materials and colors shall not be highly reflective.

Mitigation Measure 7: 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 property line. The applicant shall provide a note on the construction plans to reflect this condition.

Mitigation Measure 8: All proposed exterior lighting should be the minimum required to illuminate that area of the house exterior for safety purposes. Exterior lighting shall employ warm colors rather than cool tones and shield the scenic corridor from glare. The applicant shall submit the manufacturer's "cut sheets" for review by the Current Planning Section prior to the issuance of a building permit.

Mitigation Measure 9: In order to ensure the height of the house does not exceed the maximum height permitted, staff requires the applicant to adhere to the following height verification procedure during the building permit process:

- a. The applicant shall provide "finished floor elevation verification" to certify that the structure is actually constructed at the height shown on the submitted plans. The applicant shall have a licensed land surveyor or engineer establish a baseline elevation datum point in the vicinity of the construction site.
- b. The applicant shall maintain the datum point so that it will not be disturbed by the proposed construction activities until final approval of the building permit.
- c. This datum point and its elevation shall be shown on the submitted site plan. This datum point shall be used during construction to verify the elevation of the finished floors relative to the existing natural or to the grade of the site (finished grade).
- d. Prior to Planning approval of the building permit application, the applicant shall also have the licensed land surveyor or engineer indicate on the construction plans: (1) the natural grade elevations at the significant corners (at least four) of the footprint of the proposed structure on the submitted site plan, and (2) the elevations of proposed finished grades.
- e. In addition, (1) the natural grade elevations at the significant corners of the proposed structure, (2) the finished floor elevations, (3) the topmost elevation of the roof and (4) garage slab elevation must be shown on the plan, elevations, and cross-section (if one is provided).

- f. Once the building is under construction, prior to the below floor framing inspection or the pouring of the concrete slab (as the case may be) for the lowest floor(s), the applicant shall provide to the Building Inspection Section a letter from the licensed land surveyor or engineer certifying that the lowest floor height--as constructed--is equal to the elevation specified for that floor in the approved plans. Similarly, certifications on the garage slab and the topmost elevation of the roof are required.
- g. If the actual floor height, garage slab, or roof height--as constructed--is different than the elevation specified in the plans, then the applicant shall cease all construction and no additional inspections shall be approved until a revised set of plans is submitted to and subsequently approved by both the Building Official and Community Development Director.

Mitigation Measure 10: Prior to the issuance of a grading permit "hard card" for the commencement of grading operations at the site, the applicant shall arrange for the completion of a study by a qualified archaeologist of the project area (including all areas to be excavated) and submit a copy of the study to the Current Planning Section. All identified archaeological sites should be evaluated using the California Register of Historical Resources (Cal Register) criteria.

Mitigation Measure 11: The applicant and contractors must be prepared to carry out the requirements of California State law with regard to the discovery of human remains during grading and construction, whether historic or prehistoric. In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately and the County coroner shall be notified immediately. If the coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within 24 hours. A qualified archaeologist, in consultation with the Native American Heritage Commission, shall recommend subsequent measures for disposition of the remains.

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

October 27, 2008
Date

Planner III
(Title)

000161

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
 - Review Procedures for CDBG Programs 24 CFR Part 58
 - NEPA 24 CFR 1500-1508
 - Protection of Historic and Cultural Properties 36 CFR Part 800
 - National Register of Historic Places Executive Order 11988
 - Floodplain Management Executive Order 11990
 - Protection of Wetlands
 - Endangered and Threatened Species
 - Noise Abatement and Control 24 CFR Part 51B
 - Explosive and Flammable Operations 24 CFR 51C
 - Toxic Chemicals/Radioactive Materials HUD 79-33
 - Airport Clear Zones and APZ 24 CFR 51D
 - State
 - Ambient Air Quality Standards Article 4, Section 1092
 - Noise Insulation Standards
- 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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000163

COUNTY OF SAN MATEO
Planning and Building Department

Initial Study Pursuant to CEQA
Project Narrative and Answers to Questions for Negative Declaration
File No.: PLN 2003-00226
Caron Single-Family Residence

PROJECT DESCRIPTION

The applicant has applied for: (1) a Use Permit, Coastal Development Permit, Design Review Permit and Grading Permit to construct a new manufactured 1,777 sq. ft. single-family residence; (2) a Variance to allow a 20-foot front yard setback and 35-foot rear yard setback where 50 feet is required for each; (3) a Coastal Development Permit for construction of a septic system; and (4) a Certificate of Compliance and Coastal Development Permit to legalize a 17,900 sq. ft. parcel located on the west side of Avenue Alhambra, between Palma Avenue and Francisco Street in the unincorporated El Granada area of San Mateo County. The proposed single-family residence will be set back 20 feet from the front property line (along Avenue Alhambra), 66 feet from the north side property line, 42 feet from the south side property line, and 35 feet from the rear property line (along Cabrillo Highway). Access to the residence will be provided by a new driveway from Avenue Alhambra. The project involves approximately 175 cubic yards of fill and approximately 13 cubic yards of excavation. The project site is located within the Cabrillo Highway County Scenic Corridor.

ANSWERS TO QUESTIONS

1. LAND SUITABILITY AND GEOLOGY

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

Yes, Significant Unless Mitigated. The property is relatively flat, sloping downward an average of 5% from the northeast (Avenue Alhambra) to the southwest (Cabrillo Highway). The applicant proposes to disturb a large portion of the parcel, including the construction of a new 1,777 sq. ft. residence at the center of the property, a new 16-foot driveway, and a new septic system in the right side and rear yards of the property (as shown in Attachment C). The project involves approximately 188 cubic yards of grading (including 175 cubic yards of fill and 13 cubic yards of excavation), as shown in Attachment D. Grading associated with construction of the single-family residence, driveway, and septic/leachfield will cause some minor erosion and siltation. In addition, the groundcover in the immediate work areas will likely be disturbed by the work crew and construction equipment. If the project site should receive rain before groundcover can reestablish on the exposed surfaces, then the potential for erosion to occur does exist. This is a potentially significant impact if not mitigated. To mitigate this potential impact, the following mitigation measures are proposed:

Mitigation Measure 1: No grading activities shall commence until the applicant has been issued the following: (1) a building permit for the proposed residence by the Building Inspection Section and (2) a grading permit (issued as the "hard card" with all necessary information filled out and signatures obtained) by the Current Planning Section.

Mitigation Measure 2: Prior to the issuance of the grading permit "hard card," the applicant shall schedule an erosion control inspection by Current Planning staff to demonstrate that the approved erosion control plan (*Zoning Hearing Officer hearing date to be determined*) has been implemented. The applicant is responsible for ensuring that all contractors minimize the transport and discharge of pollutants from the project site into local drainage systems and water bodies by adhering to the San Mateo Countywide Water Pollution Prevention Program's "General Construction and Site Supervision Guidelines," including:

- a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15. Stabilizing shall include both proactive measures, such as the placement of straw bales or coir netting, and passive measures, such as revegetating disturbed areas with vegetation that is compatible with the surrounding environment.
- b. Storing, handling, and disposing of construction materials and wastes properly, so as to prevent their contact with stormwater.
- c. Controlling and preventing the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
- d. Using sediment controls or filtration to remove sediment when dewatering site and obtaining all necessary permits.
- e. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
- f. Delineating with field markers clearing limits, setbacks, and drainage courses.
- g. Protecting adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
- h. Performing clearing and earth-moving activities only during dry weather.

- i. Limiting and timing applications of pesticides and fertilizers to prevent polluted runoff.
- j. Limiting construction access routes and stabilizing designated access points.
- k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
- l. The contractor shall train and provide instruction to all employees and subcontractors regarding the construction best management practices (as listed above).

2. VEGETATION AND WILDLIFE

- a. **Will or could this project affect federal or state listed rare or endangered species of plant life in the project area?**

No. County mapped resources indicate suspected riparian vegetation associated with an unnamed perennial stream north of the project site. Staff completed a site visit and observed no riparian vegetation. In addition, a review of the California Natural Diversity Database confirmed that there are no federal or state listed rare or endangered species of plant life or wildlife at the project site. 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 applicant proposes to disturb a large portion of the 17,900 sq. ft. parcel to allow for the construction of a new residence, a new driveway, and a new septic system. The project involves approximately 188 cubic yards of grading (including 175 cubic yards of fill and 13 cubic yards of excavation) on a relatively flat parcel. The project site does not contain sensitive habitat or buffer zone(s) (as discussed in Section 2.a of this report, above). However, the project site is located within the Cabrillo Highway County Scenic Corridor (as discussed in Section 7.a of this report, below). Potential impacts associated with project grading and construction within the scenic corridor are discussed in Sections 1.f and 7.a of this report, respectively. Implementation of Mitigation Measures 1, 2, and 5 through 8 would reduce these potential impacts to a level that is less than significant. No additional mitigation measures are necessary.

3. PHYSICAL RESOURCES

- b. **Will or could this project involve grading in excess of 150 cubic yards?**

Yes, Significant Unless Mitigated. The project involves approximately 188 cubic yards of grading (including 175 cubic yards of fill and 13 cubic yards of excavation), as shown in Attachment D. Potential impacts resulting from proposed grading and recommended mitigation measures are discussed in Section 1.f, above. 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 and land disturbance involved in driveway and septic system construction may result in temporary generation of pollutants. 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. The project does not involve the demolition of any structures or portion of structures. No additional mitigation measures are necessary.

- e. **Will or could this project be subject to noise levels in excess of levels determined appropriate according to the County Noise Ordinance or other standard?**

Yes, Significant Unless Mitigated. The project site is located within the 60+ dB CNEL contour of the Cabrillo Highway. New residential projects between 55 dB CNEL and 65 dB CNEL contours will be required to implement construction practices to mitigate the interior noise level of the proposed residential structure. If these measures are incorporated into the design, it will be presumed that an acceptable level of noise mitigation has been provided. The following mitigation measure is proposed:

Mitigation Measure 3: The applicant shall indicate the use of solid core exterior doors, double pane windows, and weather-stripping on the construction set of plans. The applicant shall demonstrate use of these noise mitigation features at the building permit application stage.

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

Yes, Not Significant. Moving the manufactured home on the site and installing the septic system will temporarily generate noise levels that are greater than the ambient noise levels in the project area. There are residences and businesses across Avenue

Alhambra from the project site, and the residents could be affected by the anticipated noise increase. To mitigate this potential impact, staff has added Mitigation Measure 4 to ensure construction activities are limited to hours as specified in the San Mateo County Ordinance Code.

Mitigation Measure 4: Construction activities shall be limited from the hours of 7:00 a.m. until 6:00 p.m., Monday through Friday, and Saturdays from 9:00 a.m. until 5:00 p.m. Construction is not permitted on Sundays, Thanksgiving, or Christmas.

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

Yes, Significant Unless Mitigated. Construction of the proposed residence, driveway, and septic system 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 and to protect all exposed earth surfaces from erosive forces, Mitigation Measures 1 and 2 have been incorporated in Section 1.f, above. Implementation of these mitigation measures would reduce the potential pollution or increase in surface water runoff to a less than significant level. No well is needed as domestic water will be supplied to the new residence by the Coastside County Water District. Therefore, there will be no project impact to groundwater resources. No additional mitigation measures are necessary.

- h. **Will or could this project require installation of a septic tank/leachfield sewage disposal system or require hookup to an existing collection system which is at or over capacity?**

Yes, Not Significant. The proposal includes a septic system. This plan has been reviewed by the County's Environmental Health Division and found to be in compliance with the County's Septic Ordinance. There is no evidence to suggest that construction of this septic system, if done according to the approved plans, will have a negative impact upon groundwater resources or create a health hazard. 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 site is currently unimproved. The proposal of a single-family residence conforms to the County's General Plan and, with the issuance of a use permit and variance, conforms to the regulations of the COSC Zoning District. Additional discussion of project conformance with County land use

regulations is provided in Section 6.k, below. Therefore, no additional mitigation measures are necessary.

- e. **Will or could this project 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. The project site is located on a generally undeveloped strip of land, known locally as the "Burnham Strip." Two of the ten parcels on the "strip" are already developed, including a single-family residence at 400 Avenue Alhambra and a pre-school at 480 Avenue Alhambra. Single-family residences are permitted in the underlying COSC zoning district with the issuance of a Use Permit, Design Review Permit, and a Coastal Development Permit. The approval of the proposed residence would not set precedence for the approval of other residences on the "strip." Instead, each application for development would be reviewed individually for compliance with the California Environmental Quality Act and applicable County regulation and policies, considering specific project details, site conditions, potential environmental impacts, and information received at the required public hearing. Therefore, the project does not serve to encourage off-site development of presently undeveloped areas. No additional mitigation measures are necessary.

- f. **Will or could this project 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. The project has been reviewed by the Coastside County Water District (CCWD), who has indicated that the parcel has been assigned a 5/8" water connection. The connection will be granted upon the payment of applicable fees. The project includes an on-site septic system. Therefore, the project will not adversely affect the capacity of any public facilities, public utilities or public works serving the site. 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 project conforms to the County's General Plan land use designation for the site, open space, which includes residential uses. The development standards of the underlying zoning district, Community Open Space District (COSC), require development to meet minimum 50-foot front and rear yard setbacks. The applicant seeks a variance from the required front and rear yard setbacks for the construction of the proposed single-family residence. The subject parcel is long and narrow, with an approximate average depth of 99 feet. Therefore, application of

minimum front and rear yard setbacks would largely prohibit development of the site. The applicant proposes to maintain a front yard setback of 20 feet and a rear yard setback of 35 feet (excludes the proposed deck which is only 18 inches high). For a discussion of potential visual impacts, please see staff discussion under Section 7. No additional mitigation measures are necessary.

I. Will or could this project involve a change of zoning?

No. The applicant seeks a variance from the required front and rear yard setbacks of the underlying zoning district, Community Open Space District (COSC), for the construction of the proposed single-family residence. For additional information, see staff discussion under Section 6.k.

7. AESTHETIC, CULTURAL AND HISTORIC

a. Will or could this project be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor?

Yes, Significant Unless Mitigated. The project site is located within the Cabrillo Highway County Scenic Corridor. The parcel has a minimal average slope of 5% and generally slopes downward from the front (Avenue Alhambra side) to the rear (Cabrillo Highway side). The applicant proposes to perform approximately 175 cubic yards of fill and 13 cubic yards of excavation in order to create a level building pad, in which the existing grade at the rear of the property will be raised by about 2 feet in the area of the building pad. Therefore, the rear of the proposed one-story residence will be visible from the Cabrillo Highway County Scenic Corridor. However, the 16-foot high residence complies with the maximum height of the Community Open Space District (COSC) zoning district of 16 feet. In addition, while the rear of the residence would be located 35 feet from the edge of the Cabrillo Highway right-of-way, the rear of the residence would be approximately 100 feet from the edge of the paved portion of the highway (including both lanes of travel and paved shoulders). Therefore, the residence would be minimally visible from lanes of travel along the highway. Due to the low height of the residence and the distance of residence from the paved section of the Cabrillo Highway, the proposed residence is anticipated to be only minimally visible from the Cabrillo Highway. In order to further minimize visual impacts to the scenic corridor, Planning staff has added Mitigation Measures 5 through 8.

Mitigation Measure 5 requires the applicant to plant heavy landscaping along the rear of the structure (Cabrillo Highway side). However, landscaping shall be limited to tree and plant species which are native to the coastal environment. Additionally, landscaping shall be limited to tree varieties that, at maturity, would not exceed 20 feet in height so as to prevent additional obstruction of coastal view from the residential neighborhood to the north. Mitigation Measure 6 requires the exterior

colors and materials of the house to blend with the surrounding vegetation in this area. Mitigation Measure 7 requires that all new utility lines be placed underground. Mitigation Measure 8 limits exterior lighting to the minimum required to illuminate that area of the house exterior for safety purposes. Implementation of these mitigation measures would reduce visual impacts to a level that is considered insignificant.

Mitigation Measure 5: The applicant shall submit a landscape plan prepared by a landscape architect or certified arborist for review and approval by the Current Planning Section. The landscaped areas shall be designed to be water efficient, require minimal use of fertilizers, herbicides and pesticides, and soften and screen the south building elevation. Specifically, the plan shall meet the following requirements:

- a. The plan shall include a minimum of five (5) trees, minimum of 24 inches, to be planted at the rear of the residence (Cabrillo Highway side) and four (4), minimum 5 gallons, to be planted at the front of the residence (Avenue Alhambra side). Additionally, a minimum of fifteen (15) shrubs, minimum one gallon, shall be included in the design. All exposed soil areas that do not contain trees or shrubs shall be covered with a combination of turf or groundcover and/or a minimum of 2 inches of mulch.
- b. Landscaping shall be limited to tree and plant species which are native to the coastal environment.
- c. Landscaping shall be limited to tree varieties that, at maturity, would not exceed 20 feet in height so as to prevent additional obstruction of coastal view from the residential neighborhood to the north.

The plan shall be included as part of the project's building permit application and construction plans. Compliance with this condition is required prior to the Current Planning Section's approval of construction plans. Prior to the issuance of a Certificate of Occupancy for this project, the applicant shall perform the required plantings and submit a maintenance surety deposit of \$1,000.00 to the Current Planning Section to ensure the maintenance of required trees and other landscaping, as shown in an approved landscaping plan. Maintenance shall be required for two (2) years. The Current Planning Section shall only allow release of the maintenance surety upon inspection by Planning staff two (2) years after planting.

Mitigation Measure 6: The exterior colors and materials of the house shall blend with the surrounding vegetation in this area. Prior to the issuance of a Certificate of Occupancy for this project, the applicant shall provide photographs to the Current Planning staff to demonstrate utilization of the approved color and materials. Materials and colors shall not be highly reflective.

Mitigation Measure 7: 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 property line. The applicant shall provide a note on the construction plans to reflect this condition.

Mitigation Measure 8: All proposed exterior lighting should be the minimum required to illuminate that area of the house exterior for safety purposes. Exterior lighting shall employ warm colors rather than cool tones and shield the scenic corridor from glare. The applicant shall submit the manufacturer's "cut sheets" for review by the Current Planning Section prior to the issuance of a building permit.

- 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 project site is one of ten parcels located along a strip of land located between Avenue Alhambra and Cabrillo Highway in unincorporated El Granada. The site is rectangular in shape, consists of 17,900 sq. ft., with an average downward slope of 5% in a southwesterly direction from Avenue Alhambra. This site is currently unimproved and is covered with weeds and grasses. There are no trees on the site. Other than a residence and a pre-school located two and five parcels south of the project site, respectively, the rest of the strip of land is undeveloped. Commercial uses have been developed to the east (across Avenue Alhambra), and adjacent lands north, south and west, of the site are vacant. Single-family residences are located further east of the site.

The proposed structure is one story with a maximum height of 16 feet and total width of 71 feet, which is approximately one-third of the lot's width. As the site is currently undeveloped, the proposed residence will provide greater view obstruction of the ocean from existing residences and public roads to the east, than currently exists. However, due to the low height of the residence and intervening development (commercial and residential structures to the east), view obstruction of the ocean from existing residences and public roads to the east will be minimal. In addition, due to the low height of the residence and its distance from the ocean (approximately 350 feet to the beach, 435 feet to the water, and 675 feet to the end of the boat launch), the potential impact to views from the ocean would be minimal. However, in order to further minimize impacts to scenic views, Planning staff has added Mitigation Measure 9 to require verification of project height with the approved height during project construction. Additionally, per Mitigation Measures 5, 6, and 8, the proposed residence shall be screened with landscaping to soften views from northern viewing locations, the colors and materials of the residence shall match surrounding vegetation, and exterior lighting shall be minimized. Implementation of recommended mitigation measures would reduce potential project impact to scenic views from existing residential areas, public lands, public water body, and roads to a

level that is considered insignificant. Please see Section 7.a for a discussion of aesthetic impacts to the Cabrillo Highway County Scenic Corridor.

Mitigation Measure 9: In order to ensure the height of the house does not exceed the maximum height permitted, staff requires the applicant to adhere to the following height verification procedure during the building permit process:

- a. The applicant shall provide "finished floor elevation verification" to certify that the structure is actually constructed at the height shown on the submitted plans. The applicant shall have a licensed land surveyor or engineer establish a baseline elevation datum point in the vicinity of the construction site.
- b. The applicant shall maintain the datum point so that it will not be disturbed by the proposed construction activities until final approval of the building permit.
- c. This datum point and its elevation shall be shown on the submitted site plan. This datum point shall be used during construction to verify the elevation of the finished floors relative to the existing natural or to the grade of the site (finished grade).
- d. Prior to Planning approval of the building permit application, the applicant shall also have the licensed land surveyor or engineer indicate on the construction plans: (1) the natural grade elevations at the significant corners (at least four) of the footprint of the proposed structure on the submitted site plan, and (2) the elevations of proposed finished grades.
- e. In addition, (1) the natural grade elevations at the significant corners of the proposed structure, (2) the finished floor elevations, (3) the topmost elevation of the roof and (4) garage slab elevation must be shown on the plan, elevations, and cross-section (if one is provided).
- f. Once the building is under construction, prior to the below floor framing inspection or the pouring of the concrete slab (as the case may be) for the lowest floor(s), the applicant shall provide to the Building Inspection Section a letter from the licensed land surveyor or engineer certifying that the lowest floor height--as constructed--is equal to the elevation specified for that floor in the approved plans. Similarly, certifications on the garage slab and the topmost elevation of the roof are required.
- g. If the actual floor height, garage slab, or roof height--as constructed--is different than the elevation specified in the plans, then the applicant shall cease all construction and no additional inspections shall be approved until a revised set of plans is submitted to and subsequently approved by both the Building Official and Community Development Director.

- d. Will or could this project directly or indirectly affect historical or archaeological resources on or near the site?

Yes, Significant Unless Mitigated. The project site is located on a narrow strip of land, bound by Alhambra Avenue and the Cabrillo Highway (Highway 1) to the east and west, the intersection of Francisco Street and Sonora Avenue to the north, and the intersection of Santa Anna Street and Mirada Road to the south. The strip of land has been referred to locally as the "Burnham Strip," referencing landscape architect Daniel Burnham's 1906 Plan for the original town site (originally named "Balboa"), but contains only a remnant of the actual strip illustrated in Burnham's Plan. The plan was commissioned by the Shore Line Investment Company, who as owners of the Ocean Shore Railway, envisioned the town as a popular resort destination (Source: "Granada, A Synonym for Paradise: The Ocean Shore Railroad Years," Barbara VanderWerf, 1992). The plan included a railway along present-day Avenue Alhambra, suburban residential tracts along three main radial avenues uphill from the railroad tracks, and a casino along the strip (seaward of the railway). Aside from designating the area of the strip for a future casino, train station, and bathhouse uses, the plan did not include a detailed beachfront plan. However, full implementation of the Burnham Plan was hindered by many historical obstacles, including the closure of the Ocean Shore Railway in 1920 and the State's acquisition of the Highway 1 right-of-way in 1949, which bifurcated the strip into two long narrow pieces to the east and west of the highway. Additionally, the Burnham Plan was never formally adopted or referenced in adopted plans and regulations for El Granada, such as San Mateo County's General Plan, the Local Coastal Program, or Zoning Regulations. Therefore, development is not required to be consistent with the Burnham Plan, but only with adopted plans and regulations. The proposed use complies with the General Plan land use designation, which designates the parcel for Open Space land uses (which includes residential uses), and zoning regulations for the site, where the COSC Zoning District allows for single-family residential uses with the issuance of a use permit. Incidentally, the strip's earliest zoning (prior to its current COSC zoning) was designated H-1 (Highway Frontage), which allowed hotels, service stations, restaurants, offices, and other uses. As the Burnham Plan was never formally adopted as a planning document and implementation has been hindered by various historical events, project development at this site would not result in a significant impact to the area's historical resources.

With regard to potential on-site archaeological and Native American resources, the project has been reviewed by the Northwest Information Center (Center) of the California Historical Resources Information System (CHRIS). In a letter dated October 22, 2008, Jillian E. Guldenbrein, Researcher I, stated that the Center has no record of any previous cultural resource studies for the project area. However, Ms. Guldenbrein stated that the project area has the possibility of containing unrecorded archaeological site(s) and recommends a study prior to commencement of project activities. Planning staff has added Mitigation Measures 10 and 11 in order to

require compliance with this recommendation. With regard to the built environment (which includes historical buildings and structures), Ms. Guldenbrein stated that the project area is located within the town of El Granada, a listed historic district. However, no buildings or structures exist on-site. Additionally, the design of the proposed single-story, single-family residence would blend well with existing development both on the "strip" and in the immediate area. Therefore, proposed development of the site would not impact historical resources of the built environment. Compliance with the following mitigation measures would reduce project-related impacts to archaeological resources to a level that is less than significant.

Mitigation Measure 10: Prior to the issuance of a grading permit "hard card" for the commencement of grading operations at the site, the applicant shall arrange for the completion of a study by a qualified archaeologist of the project area (including all areas to be excavated) and submit a copy of the study to the Current Planning Section. All identified archaeological sites should be evaluated using the California Register of Historical Resources (Cal Register) criteria.

Mitigation Measure 11: The applicant and contractors must be prepared to carry out the requirements of California State law with regard to the discovery of human remains during grading and construction, whether historic or prehistoric. In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately and the County coroner shall be notified immediately. If the coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within 24 hours. A qualified archaeologist, in consultation with the Native American Heritage Commission, shall recommend subsequent measures for disposition of the remains.

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

Yes, Significant Unless Mitigated. See staff's discussion under Section 7.a and 7.b.

ATTACHMENTS

- A. Vicinity Map
- B. Project Site Plan and Elevations
- C. Project Septic Plan
- D. Earthwork Tabulation, Robert Lyon Associates, Inc., October 20, 2008

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Summary Comments on Mitigated Negative Declaration and Staff's Response
Listed by Topics of Concern
PLN 2003-00226 (Irizarry/Caron)

INDEX OF ACRONYMS:

Comment Source	Acronym	Attachment #
Gael Erikson	GE	N
Fran Pollard	FP	O
Midcoast Park Lands	MPL	P
Wittwer and Parkin, LLP (Legal Counsel for the Granada Sanitary District)	GSD	Q and R
Leni Schultz	LS	T
Committee for Green Foothills	CFG	U
Matthew Clark	MC	W
Merrill Bobele	MB	X
Midcoast Community Council	MCC	Y
Ric Lohman	RL	Z
<i>Note: Comment letters expressing support of the comments from the above commenters were excluded from this summary.</i>		

No.	Topics of Concern	Comment (Source by Acronym)	Planning Staff's Response
1	CEQA Process	<p>a. Re-open IS process, as the County needs to consult with GSD as a Responsible Agency and Mitigated Negative Declaration should include a mitigation measure that requires the applicant to obtain a GSD septic permit (GSD).</p> <p>b. The Negative Declaration is not valid, as mitigation measures have been recommended. The project needs a Mitigated Negative Declaration (MC, MCC, FP).</p> <p>c. The project achieves a short-term plan to the disadvantage of the long-term environmental goal to disallow residential uses on the strip (MC).</p>	<p>a. Per Regional Water Quality Board resolution, the County's Environmental Health Division is the permitting authority for septic systems within the County. GSD is not a Responsible Agency for this project.</p> <p>b. The Negative Declaration prepared for the project is a Mitigated Negative Declaration, as it contains recommended mitigation measures. The minor change in title does not affect the validity of the CEQA document prepared by staff nor the process of certifying this document.</p> <p>c. Under the current COSC zoning, single-family residential uses are allowed with a use permit.</p>

No.	Topics of Concern	Comment (Source by Acronym)	Planning Staff's Response
		d. Per the Planning Commission decision on the Impink project [PLN 1999-00082], an EIR is required to address project impacts and the cumulative impact of residential development on parcels needing variances in the area (CFG, MB, RL, MCC, FP).	d. As stated in the Mitigated Negative Declaration, the project, as proposed and conditioned/mitigated, would not result in any significant environmental impacts. Thus, an EIR is not required.
2	Land Suitability and Geology	a. The project site was actively farmed in the past (MPL, MC, RL, MCC). The property contains Class II soils (MC).	a. While the property contains prime soils, the site is located in an urban area that is not designated by the Local Coastal Program or County General Plan for agricultural use.
3	Vegetation and Wildlife	a. Mitigation measure that requires planting of trees will result in view obstruction (MPL). b. Effectiveness of recommended mitigation measures to mitigate clearing impacts is unclear (MC, MCC).	a. The tree planting requirement has been eliminated and replaced with Condition No. 15 to require planting of shrubs. b. The project requires minimal grading and the site does not contain sensitive habitat. Condition Nos. 9 and 12 require replacement of removed vegetation and erosion control.
4	Physical Resources	a. Grading in excess of 150 cubic yards will cause erosion into creek and Half Moon Bay itself (MPL).	a. Condition No. 12 requires erosion control.
5	Air Quality, Water Quality, Sonic	a. Project would result in higher levels of noise (MPL, MCC). b. Nearby wells could be impacted by the proposed septic system (MPL, MCC). Impacts of septic system need to be studied (RL). If the septic system fails, no connection would be granted by GSD (MPL). c. The property needs a soil percolation test (MC).	a. Commercial uses located across Avenue Alhambra currently generate more noise than the proposed residential use. b. The proposed septic system would be subject to permitting regulations by the County's Environmental Health Division (Division), which regulates septic systems to prevent pollution of water wells. The Building Inspection Section would not issue a Certificate of Occupancy for the residence until the septic system has been installed correctly, to the satisfaction of the Environmental Health Division. c. Results of a valid soil percolation test has been submitted to the County's Environmental Health Division.

No.	Topics of Concern	Comment (Source by Acronym)	Planning Staff's Response
		<p>d. Runoff from the project has not been addressed in Mitigated Negative Declaration (RL). The strip provides needed absorption of runoff for areas upslope. Construction of impervious surfaces would create increased surface water runoff. The strip should be acquired as open space and used as a retention area (CFG).</p>	<p>d. Condition No. 31 requires compliance with the County's Drainage Policy which requires no net increase in the volume or velocity of drainage flows. Condition No. 8 requires the driveway and walkway to be constructed of a pervious material to allow for maximum surface water infiltration.</p>
6	Transportation	<p>a. Project impacts to traffic were not addressed in the Mitigated Negative Declaration (RL). Project location across from a market will increase traffic hazards in the area (MCC, MPL).</p> <p>b. Development of the strip will result in cumulative traffic impacts (MCC).</p>	<p>a. Project Location B, including the revised location of the driveway, has been reviewed and approved by the Department of Public Works.</p> <p>b. As stated in the Mitigated Negative Declaration, the construction of a single-family residence will have a negligible impact on project area traffic. Applications for residential projects on the strip will be reviewed on a case-by-case basis.</p>
6	Land Use and General Plans	<p>a. Strip is designated for a "Community Park" by the Montara-Moss Beach-El Granada Community Plan (LS, MC, MCC, FP, MPL). The Villaraigosa-Keeley Act authorizes State stewardship of natural resources (parks and coastal beaches and scenic areas) (LS).</p> <p>b. Housing numbers on COSC are not included in the LCP build-out total (RL).</p> <p>c. The strip is designated for rural use (LS, MCC).</p> <p>d. Residential development of the strip would require expansion of service utilities (MPL, MCC, CFG).</p>	<p>a. The Montara-Moss Beach-El Granada Community Plan calls for acquisition of COSC-zoned area by a special district for use as a community park. The parcel is under private ownership. Single-family residential uses are allowed with a use permit under the current COSC zoning.</p> <p>b. Potential residential units in the COSC zoning district were not included in the build-out numbers included in the County's Local Coastal Program. However, the build-out total is not a regulatory number or limit and does not supersede zoning or allowed uses in zoning districts.</p> <p>c. The property is designated for urban uses by the LCP. The map submitted by the commenter is erroneous. The map shows lands that are "rural in nature," not lands with a rural designation.</p> <p>d. The Coastside County Water District has assigned the parcel a 5/8" water connection. A septic system is proposed on-site.</p>

No.	Topics of Concern	Comment (Source by Acronym)	Planning Staff's Response
		<p>e. Change in land use is significant and cumulative and would encourage off-site residential development (MC, MPL, MCC).</p> <p>f. Parcel does not meet the current 2-acre minimum lot size (MC, RL).</p> <p>g. Mitigated Negative Declaration should address terms of "grandfathering" in the draft EG zoning, as the application was not deemed complete prior to proposal for rezoning to EG (MC).</p> <p>h. LCP Policy 1.29(d) requires a Coastal Development Permit if development and parcel configuration do not have a substantial adverse impact on coastal resources. Permits to legalize should be conditioned to maximize consistency with LCP resource protection policies (CFG).</p> <p>i. Legalization cannot be found to comply with the LCP resource protection policies (especially visual) that require preservation of open space to the maximum degree. As a variance is needed, open space is not being preserved to maximum degree. The project will have a significant impact on scenic open space qualities and coastal resources on strip (CFG).</p> <p>j. COSC does not allow residential use on parcels recorded after December 1, 1981. COC Type B represents the first recordation of property as "legal" parcel. Parcel is not eligible for residential use (CFG).</p>	<p>e. The approval of the proposed residence would not set precedence for the approval of other residences on the strip. Each application for development would be reviewed on a case-by-case basis.</p> <p>f. The zoning of the parcel at the time of its creation in 1949 (Limited Highway Frontage (H-1/S-3) Zoning District) required a minimum lot size of 5,000 sq. ft. The subject parcel is approximately 17,900 sq. ft.</p> <p>g. "Grandfathering" terms in the EG zoning ordinance are subject to Coastal Commission review and may change. The project is subject to the current zoning requirements.</p> <p>h. The parcel legalization, as proposed and conditioned, has been found to comply with applicable LCP resource protection policies (see Section A.1.b of the staff report).</p> <p>i. As discussed in Section A.2.b of the staff report, Project Location B would preserve the visual and open space qualities of the parcel, to the extent feasible, by moving the residence further outside of the Sonora Avenue public view corridor and completely outside of the perimeter of the Sonora Avenue and Francisco Street intersection. Location B would also preserve a majority of the parcel as open space, move the residence further from residential viewing locations to the east, and allow for clustering opportunities for future development on the adjoining parcel.</p> <p>j. The parcel was created in 1949 and the parcel should not be viewed as having been "recorded" after 1981, even though the Certificate of Compliance Type B is proposed now. Therefore, the act of issuing a Certificate of Compliance Type B would not conflict with this requirement.</p>

No.	Topics of Concern	Comment (Source by Acronym)	Planning Staff's Response
7	Aesthetic, Cultural and Historic	<p>a. The project would degrade scenic qualities of area (MPL, RL, MCC).</p> <p>b. Project will block a coastal view corridor (MC).</p> <p>c. El Granada should be a "Historic Designed Landscape." Development would affect the intent of the Burnham Plan and the historic layout (MPL, GE, MB, MC, MCC).</p> <p>d. Tree mitigation increases impacts to views (MB, MC).</p>	<p>a. As proposed and conditioned, the project complies with the Visual Resource policies of the LCP and preserves the visual and open space qualities of the parcel, to the extent feasible.</p> <p>b. Project Location B would preserve the visual and open space qualities of the parcel, to the extent feasible, by moving the residence further outside of the Sonora Avenue public view corridor.</p> <p>c. As stated in the Mitigated Negative Declaration, the project area is located within the town of El Granada, a listed historic district. However, no buildings or structures exist on-site. The proposed residence would blend well with existing development both on the strip and in the immediate area. Therefore, proposed development of the site would not impact historical resources of the built environment. The Burnham Plan was never formally adopted or referenced in adopted plans and regulations for El Granada. Therefore, development is not required to be consistent with the Burnham Plan.</p> <p>d. The tree planting requirement has been eliminated and replaced with Condition No. 15 to require planting of shrubs.</p>

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CHAPTER 12.5. "COSC" DISTRICT **(COMMUNITY OPEN SPACE CONSERVATION DISTRICT)**

SECTION 6225. REGULATIONS FOR "COSC" DISTRICT. The following regulations shall apply in all "COSC" Districts and shall be subject to the provisions of Chapter 22 of this Part.

SECTION 6226. PURPOSE. The purpose of the "COSC" District is to protect areas designated for general open space in adopted Community Plans by providing for planned low intensity development which preserves, to the greatest degree possible, the visual and open characteristics of the land.

SECTION 6227. USES PERMITTED.

- (a) The following uses shall be permitted in the Community Open Space Conservation District:
 - 1. Agricultural Uses and Accessory Structures: On-Site Sales of Agricultural Products, including but not limited to the following:
 - a. Flowering crops
 - b. Vegetable crops
 - c. Truck gardening
 - d. Community gardens
 - e. Christmas tree farms
 - 2. Public Recreation Facilities, including but not limited to the following uses:
 - a. Parks
 - b. Playfields
 - c. Tot lots
- (b) The following uses shall be permitted in the Community Open Space Conservation District subject to the securing of a use permit in each case:
 - 1. Nurseries
 - 2. Livestock and grazing

3. Commercial Recreation Facilities, including but not limited to the following uses:
 - a. Stables and riding academies
 - b. Golf courses
 - c. Driving ranges
 - d. Campgrounds (non-vehicular)
 - e. Swimming pools
 - f. Athletic or sports clubs and facilities
4. Institutional Facilities, including but not limited to the following:
 - a. Community centers
 - b. Day care centers
 - c. Interpretive centers
5. One single-family residence per parcel less than 40 acres in size, including accessory buildings and uses. Animal fanciers are also allowed in association with a single-family residence, subject to an animal fanciers' permit. The Planning Director may, on a case-by-case basis, exempt accessory buildings and uses and animal fanciers from the use permit requirement.
6. Division of land, except that no residential uses shall be permitted on a parcel recorded after December 1, 1981.

SECTION 6228. DEVELOPMENT STANDARDS.

- (a) Minimum building site: 2 acres
- (b) Maximum height permitted: One-story not to exceed 16 feet in height
- (c) Maximum lot coverage permitted: 10%
- (d) Minimum yards required:
 1. Front and rear: 50 feet
 2. Sides: 20 feet each side

- (e) Signs: Exterior advertising shall be prohibited. One non-illuminated identification sign not to exceed 20 square feet on each face shall be permitted.
- (f) Design Review: All structures in this district shall be subject to architectural and site review by the Planning Commission as a portion of the use permit process to ensure that the architectural and site design is compatible with its environmental setting. Design guidelines set forth in the Community Design Manual and the Local Coastal Program (for areas in the Coastal Zone) shall be employed by the Planning Commission in the design review process.

(Chapter 12.5, Sections 6225, 6226, 6227, 6228 - Added by Ordinance No. 2701 - December 16, 1980)

(Section 6227(b) - Amended by Ordinance No. 2774 - April 6, 1982)

(Section 6227(b) - Amended by Ordinance No. 3432 - November 10, 1992)

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ORDINANCE NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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**AN ORDINANCE AMENDING THE SAN MATEO COUNTY ORDINANCE CODE
(ZONING ANNEX) TO ADD CHAPTER 12.6 (SECTIONS 6229.0 TO 6229.4) WHICH
ENACTS EL GRANADA GATEWAY "EG" ZONING DISTRICT REGULATIONS**

The Board of Supervisors of the County of San Mateo, State of California,
ordains as follows:

SECTION 1. San Mateo County Ordinance Code, Division VI is hereby amended to
add Chapter 12.6, Sections 6229.0 to 6229.4, and thereby enacting the "EG" District
regulations, to read as follows:

SECTION 6229.0. REGULATIONS FOR "EG" DISTRICT. The following
regulations shall apply in the El Granada Gateway (EG) District.

SECTION 6229.1. PURPOSE. The purpose of the "EG" District is to provide
for low intensity development at the "Burnham Strip" in El Granada, which
preserves, to the greatest degree possible, the visual and open characteristics
of this property.

SECTION 6229.2. DEFINITIONS.

1. Community Centers

Facilities used by local citizens for civic activities, performances, presenta-
tions or other purposes.

2. Interpretive Centers

Facilities used for the education of the public with respect to natural,
historical and cultural environments and legacies.

3. Libraries

Facilities used for storage, exhibition and lending of various media
including, but not limited to, books, periodicals, documents, audio and
videotapes and visual art.

4. Linear Parks and Trails

Linear strips of land established for the purposes of walking, hiking, bicycling, horseback riding and boating, and comprising a natural or manmade linear resource such as stream drainage, bluff line, ridge, utility right-of-way, or service road.

5. Open Field Cultivation of Plants and Flowers for Ornamental Purposes

The cultivation, sale and distribution of seeds, flowers, plants, and/or trees of ornamental value that are grown in or on an open field, i.e., uncovered by any structure, such as a greenhouse.

6. Outdoor Art Centers

Outdoor facilities for the exhibition, study or creation of works of artistic value.

7. Outdoor Athletic Facilities

Outdoor facilities, associated grounds and accessory structures used for active recreation, including swimming pools, tennis courts, playing fields or similar uses.

8. Outdoor Recreation Areas

Outdoor areas used for a variety of outdoor recreational purposes, including areas that will provide for public use of natural and manmade water features, as well as for special recreation activities.

9. Parks

Areas of scenic and natural character where outdoor recreation opportunities and facilities may be provided for public convenience and enjoyment, and within which interpretive exhibits can be established.

10. Temporary Outdoor Performing Arts Centers

Outdoor areas used temporarily for the presentation of live musical, dance, dramatic or other artistic performances, involving portable facilities and equipment, e.g., movable stage sets, and seating.

11. Temporary Outdoor Sales

Outdoor areas used temporarily by multiple small commercial establishments which serve the general public, typically from portable stalls, in the outdoor sales of food, arts and crafts, or used manufactured goods, e.g., farmers markets, flea markets, art shows, and food and wine tastings.

12. Temporary Outdoor Showgrounds and Exhibition Facilities

Outdoor areas used temporarily for a variety of showground and exhibition activities, including rodeos, fairs, carnivals, and traveling shows, involving portable facilities and equipment.

13. Urban Roadside Stands

Structures in urban areas of either portable or permanent construction used for the sale of produce and other goods and merchandise.

14. Vegetative Stormwater Treatment Systems and Underground Storage Facilities

The installation of:

- a. Ground level vegetation devices to filter, reduce the velocity of, and/or absorb stormwater flow from off-site sources including, but not limited to the use of bio-filters, vegetated buffer strips and engineered wetlands, and/or
- b. Underground storage or detention facilities for stormwater from off-site sources.

SECTION 6229.3. USES PERMITTED. The following uses are permitted in the "EG" District subject to the issuance of a use permit, as provided in Chapter 24 of this part.

1. Community Centers

2. Interpretive Centers

3. Libraries

4. Linear Parks and Trails

5. Open Field Cultivation of Plants and Flowers for Ornamental Purposes

6. Outdoor Art Centers
7. Outdoor Athletic Facilities
8. Outdoor Recreation Areas
9. Parks
10. Temporary Outdoor Performing Arts Centers
11. Temporary Outdoor Sales
12. Temporary Outdoor Showgrounds and Exhibition Facilities
13. Urban Roadside Stands
14. Vegetative Stormwater Treatment Systems and Underground Storage Facilities

SECTION 6229.4. DEVELOPMENT CRITERIA AND STANDARDS. All new development must meet the following minimum standards:

1. Minimum Parcel Area: 3.5 acres.
2. Maximum Building Height: 16 feet.
3. Minimum Building Setbacks

<u>Front Setback</u>	<u>Side Setback</u>	<u>Rear Setback</u>
<u>50 feet</u>	<u>20 feet</u>	<u>20 feet</u>

4. Maximum Parcel Coverage: Ten percent (10%) parcel size.

Maximum parcel coverage shall include all structures that are 18 inches or more above the ground.

5. Impervious Surface Area

The amount of parcel area covered by impervious structures less than eighteen inches (18") in height is limited to ten percent (10%) parcel size. The runoff equivalent of 10% (parcel size) could be achieved by directing runoff to on-site porous areas or through the use of detention basins. Impervious structures include, but are not limited to, non-porous driveways, decks, patios, walkways and swimming pools.

An exception to the limit may be granted by the Community Development Director upon finding that off-site project drainage, i.e., runoff, will not exceed that amount equivalent to 10% (parcel size). The applicant shall submit a professionally prepared site plan showing topography, drainage and calculations which demonstrates this finding can be made.

6. Landscaping

All building and structures shall be screened with sufficient landscaping to obscure and soften their appearance when viewed from Highway 1.

7. Signs

a. Prohibited Signs:

- (1) Signs having animated, moving, rotating, inflatable, or flashing parts.
- (2) Signs emitting intense and highly focused light, including beacons.
- (3) Off-premises signs, including billboards.

b. Number of Signs: One per use or establishment.

c. Maximum Sign Display Area: 20 sq. ft. on each sign face.

8. Winter Grading

Development related grading, e.g., site preparation, shall not occur between October 15 and April 15 in any given year unless the applicant demonstrates to the satisfaction of the Community Development Director and Building Official that the development site will be effectively contained to prevent erosion and sedimentation, and that such site containment has been established and is ongoing. Site containment shall include, but not be limited to, covering stored equipment and materials, stabilizing site entrances and exposed slopes, containing or reducing runoff, and protecting drain inlets.

SECTION 2. The provisions of this ordinance do not apply to development that has fulfilled at least one of the following requirements before the effective date of this ordinance:

1. An application for each applicable development permit required by the County Zoning Regulations, including Coastal Development Permit application, has been submitted to the County and appropriate fees paid; or
2. A building permit application has been submitted to the County and appropriate fees paid if no development permit is required by the County Zoning Regulations; or
3. A development agreement has been recorded between the County and the property owner where the development will occur, and the proposed development conforms with the terms of that development agreement.

SECTION 3. This ordinance does not have the force of law until thirty (30) days after the California Coastal Commission has certified it, without modification, as conforming to the California Coastal Act.

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