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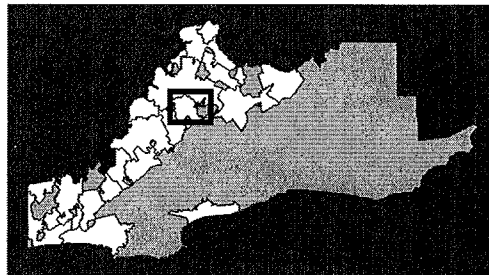
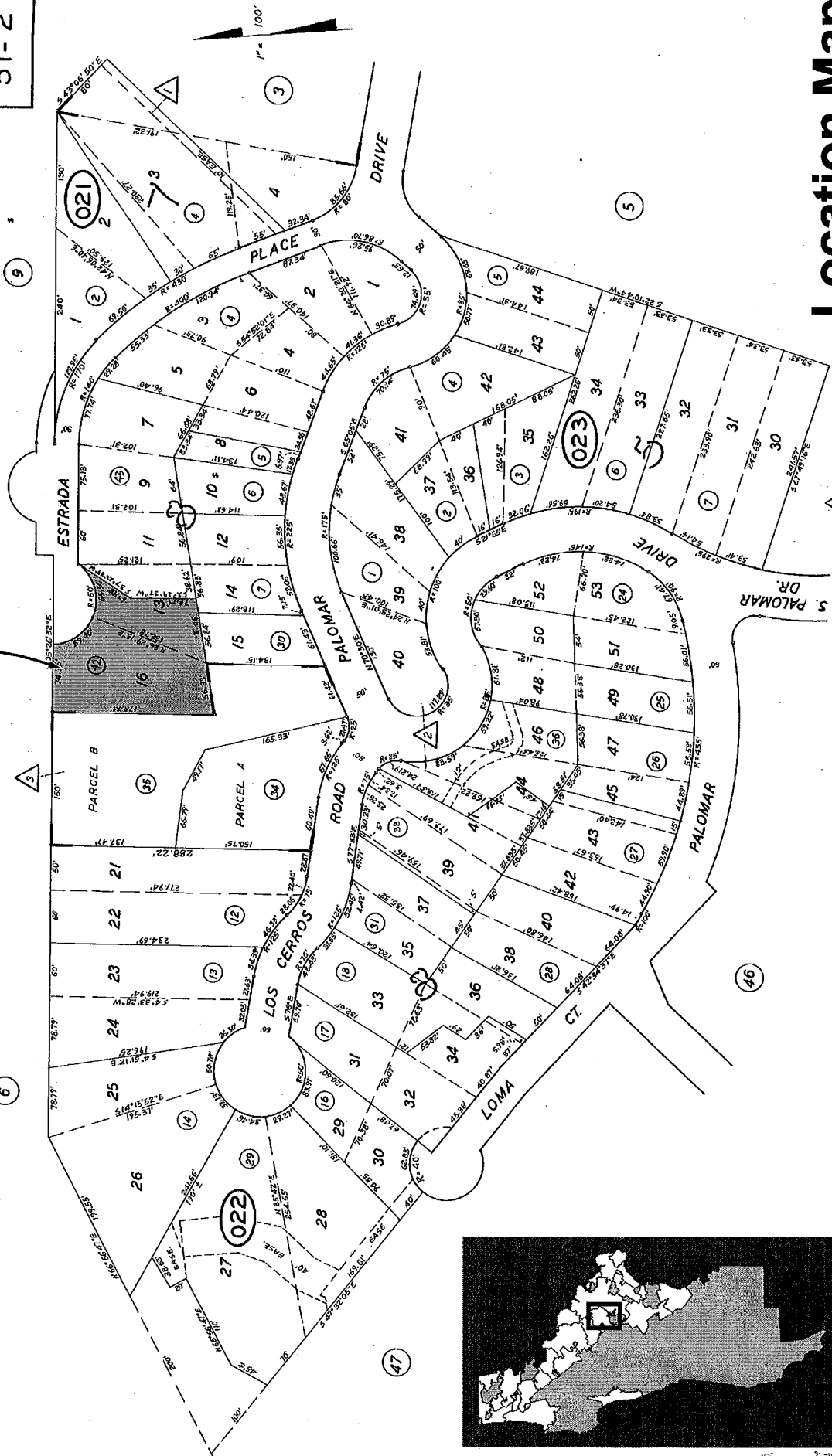
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**PROJECT
PARCEL**

51-2



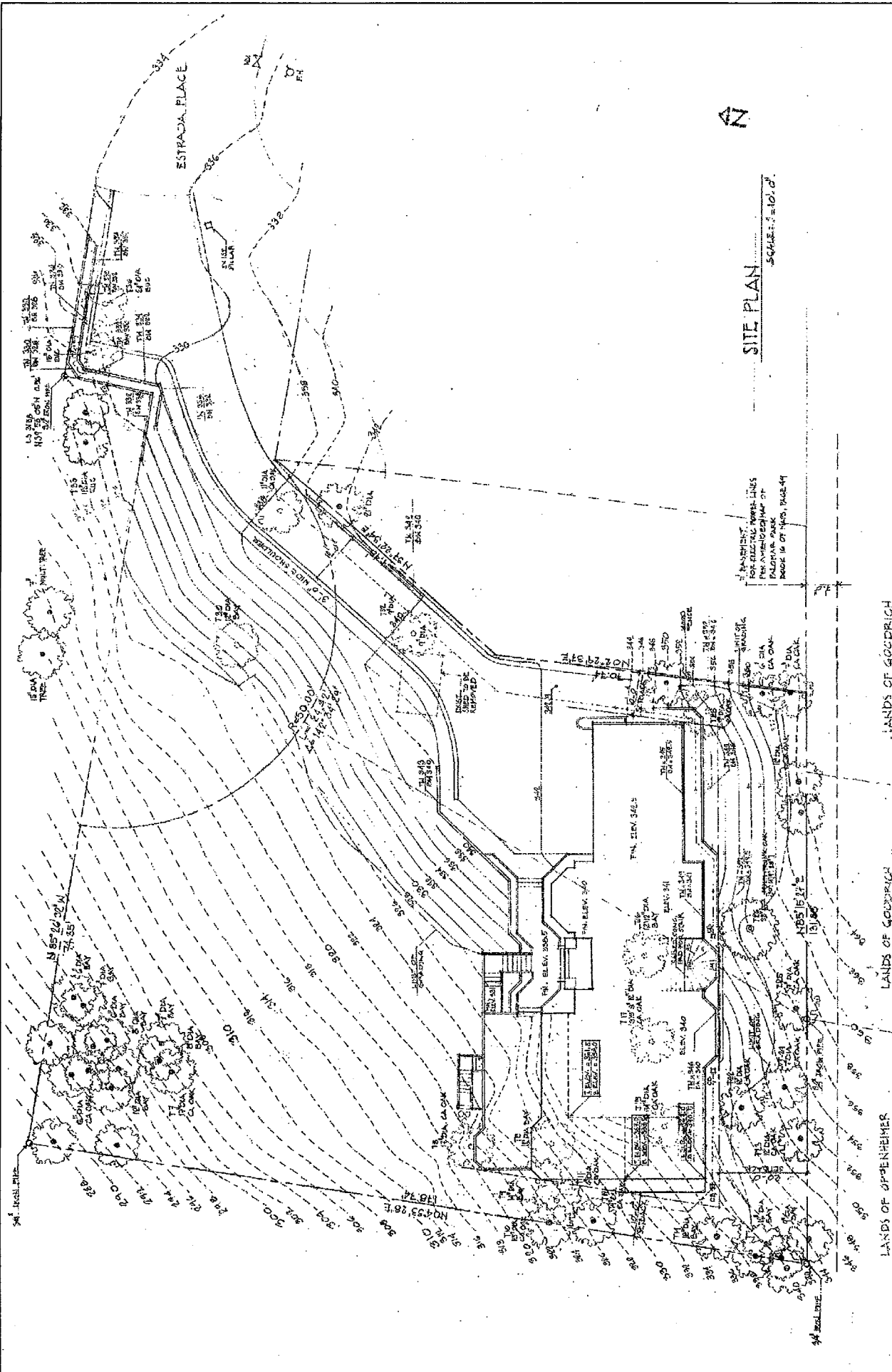
Location Map

San Mateo County Board of Supervisor's Meeting

Owner/Applicant: **EHTESHAMI**

File Numbers: **PLN 2005-00603**

Attachment: **B**



SITE PLAN
SCALE: 1" = 10'

San Mateo County Board of Supervisor's Meeting

Owner/Applicant: EHTESHAMI

File Numbers: PLN 2005-00603

Attachment: **C**

- LEGEND:**
- FF FINISH FLOOR
 - FP FINISHED PAVEMENT
 - FG FINISHED GRADE
 - TF TOP OF WALL
 - TE TOP OF GRADE
 - RY RYGT
 - CAJ GRADE CUSK
 - COJE CLEARMENT TO GRADE
 - DS DOWNSPOUT
 - PC PERCHERMAN
 - MC MEN CONTOUR
 - SM STRAIN BRAIN LIE
 - MA NEW AREA DRAIN

GENERAL NOTES:

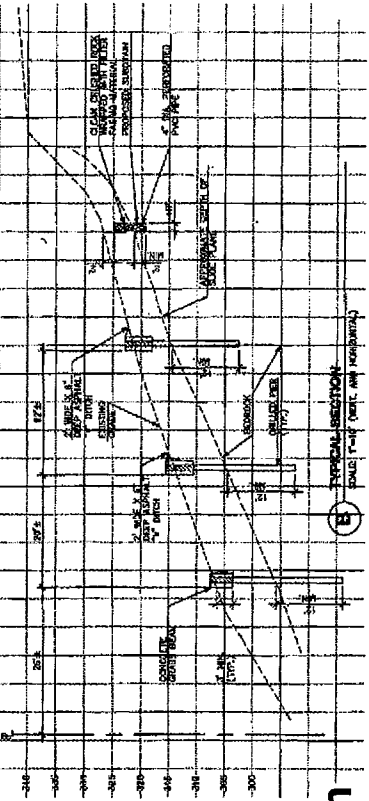
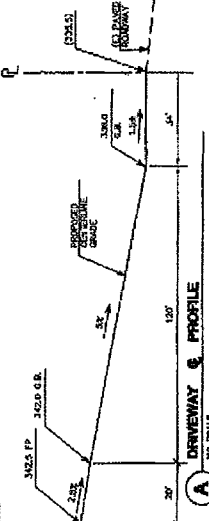
1. RAIN WATER LEADERS SHALL BE CONNECTED TO STORM DRAIN SYSTEM, UNLESS OTHERWISE NOTED.
2. ALL UTILITIES SHALL BE LOCATED AND INSTALLED BY THE CONTRACTOR AT HIS OWN RISK.
3. WHEN APPLICABLE, ALL CONSTRUCTION MATERIALS AND METHODS SHALL COMPLY WITH THE REQUIREMENTS, SPECIFICATIONS AND NOTES OF THE COUNTY OF SAN MATEO, UNLESS OTHERWISE NOTED.
4. CONTRACTOR SHALL NOTIFY UNDERGROUND SERVICES AGENCY (U.S.A.) PRIOR TO START OF CONSTRUCTION. PHONE (650) 342-3222. SEE ADR ACTS ORDINANCE WITH WELL AND 3'-20" RADIUS CIRCLES OF EFFECT.
5. UNLESS OTHERWISE INDICATED, ALL STORM DRAIN PIPES SHALL BE 18" DIA. 30' AND 24" DIA. 40' WITH 1/2" SLOPE TO DRAIN DIRECTION AND 1/2" SLOPE TO MANHOLE. SEE SPECIFICATIONS TO DRIP DRAINAGE AND BUILDING PADS TO EXTERIOR GRADE.
6. ALL UTILITIES SHALL BE PROTECTED BY CONCRETE OR METAL CASING AND UNDERGROUND FACILITIES. REPAIRS TO UTILITIES SHALL BE MADE AT THE CONTRACTOR'S EXPENSE AND WITHIN THE APPROVED VERTICALLY LOCATED AND DEPTH WITH THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND UNDERGROUND FACILITIES INDICATED ON THE UTILITIES AND UNDERGROUND FACILITIES DRAWING.
7. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL NECESSARY PERMITS FOR THE PROJECTS SHOWN ON THIS PLAN.
8. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA CIVIL ENGINEERING BOARD'S SPECIFICATIONS FOR THE DESIGN AND CONSTRUCTION OF STRUCTURES AND FOUNDATIONS AS RECOMMENDED IN THE GEOTECHNICAL REPORT.
9. STORM DRAIN AND SANITARY SEWER LINES INSTALLATIONS SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS, SPECIFICATIONS AND NOTES OF THE COUNTY OF SAN MATEO. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND UNDERGROUND FACILITIES INDICATED ON THE UTILITIES AND UNDERGROUND FACILITIES DRAWING.
10. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL NECESSARY PERMITS FOR THE PROJECTS SHOWN ON THIS PLAN.
11. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA CIVIL ENGINEERING BOARD'S SPECIFICATIONS FOR THE DESIGN AND CONSTRUCTION OF STRUCTURES AND FOUNDATIONS AS RECOMMENDED IN THE GEOTECHNICAL REPORT.
12. THE EXISTING TOPOGRAPHIC INFORMATION SHOWN ON THIS PLAN IS FOR INFORMATION ONLY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE EXISTING TOPOGRAPHIC INFORMATION SHOWN ON THIS PLAN BY FIELD SURVEY.
13. THE GEOTECHNICAL INVESTIGATION REPORT PREPARED BY HOKU SHALL BE MADE A PART OF THIS PLAN.

GRADING QUANTITIES:

GRADE ITEM	CU	CU	CU	CU	CU
EXCAVATION	100	100	100	100	100
FILL	100	100	100	100	100
TOTAL	200	200	200	200	200

GEOTECHNICAL ENGINEER'S NOTE:

EXCAVATION, SOIL REMEDIATION, SOIL DRAINAGE SYSTEM INSTALLATION, AND DRAINAGE CONSTRUCTION, AND SITE DRAINAGE SHALL BE PERFORMED IN ACCORDANCE WITH THE GEOTECHNICAL REPORT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND UNDERGROUND FACILITIES INDICATED ON THE UTILITIES AND UNDERGROUND FACILITIES DRAWING.



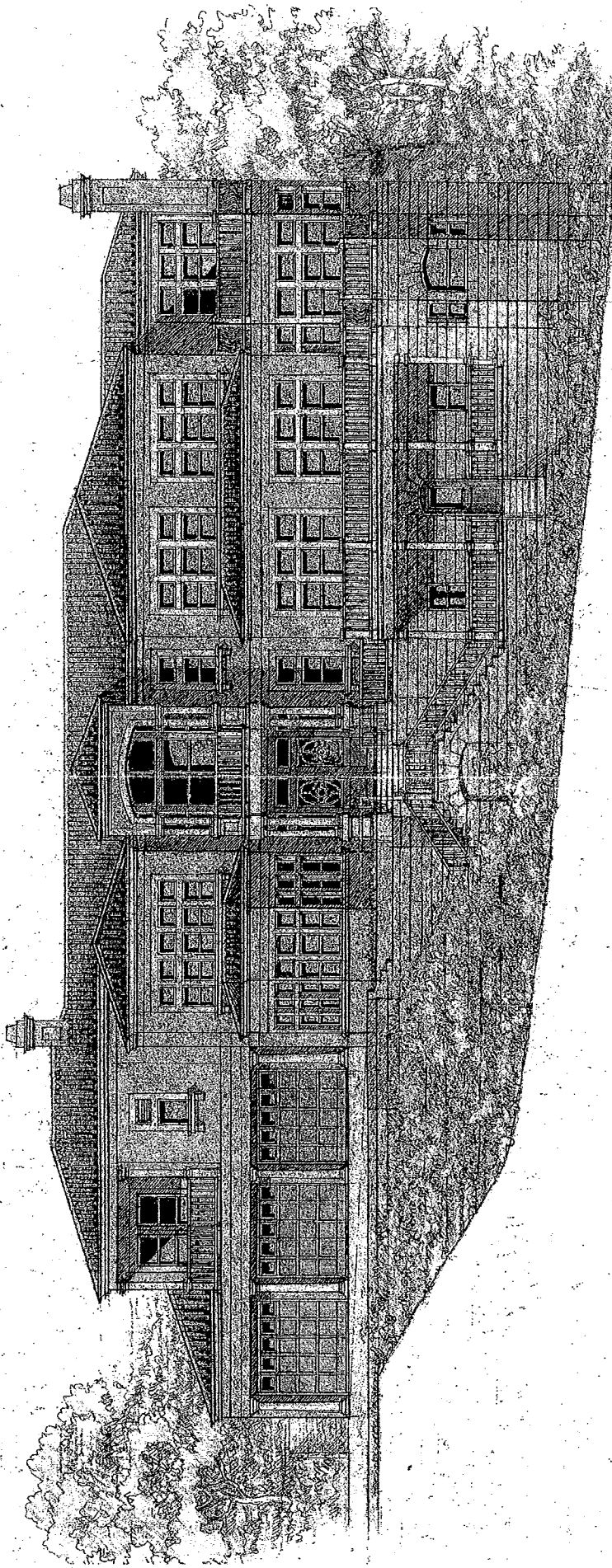
Preliminary Grading & Drainage Plan

San Mateo County Board of Supervisor's Meeting

Owner/Applicant: EHTESHAMI

File Numbers: PLN 2005-00603

Attachment: **D**



NORTH ELEVATION

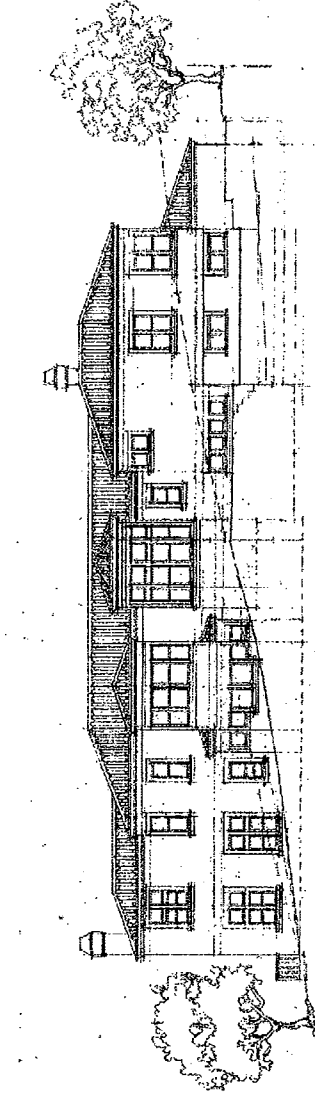
SCALE: 1/8" = 1'-0"

San Mateo County Board of Supervisor's Meeting

Owner/Applicant: **EHTESHAMI**

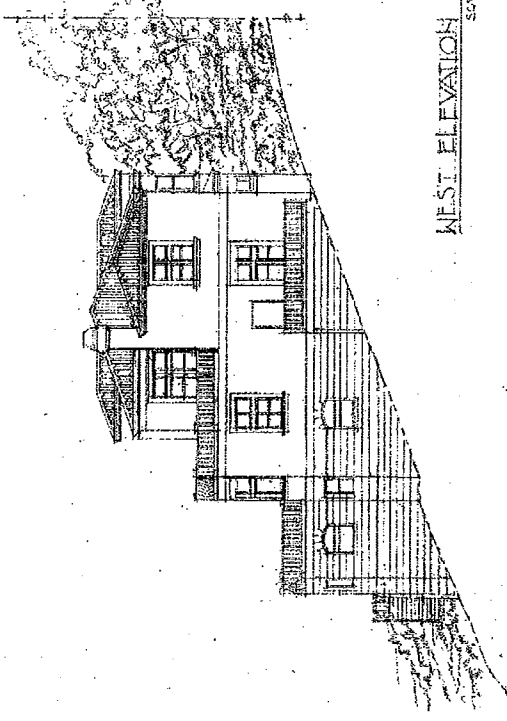
File Numbers: **PLN 2005-00603**

Attachment: **E**



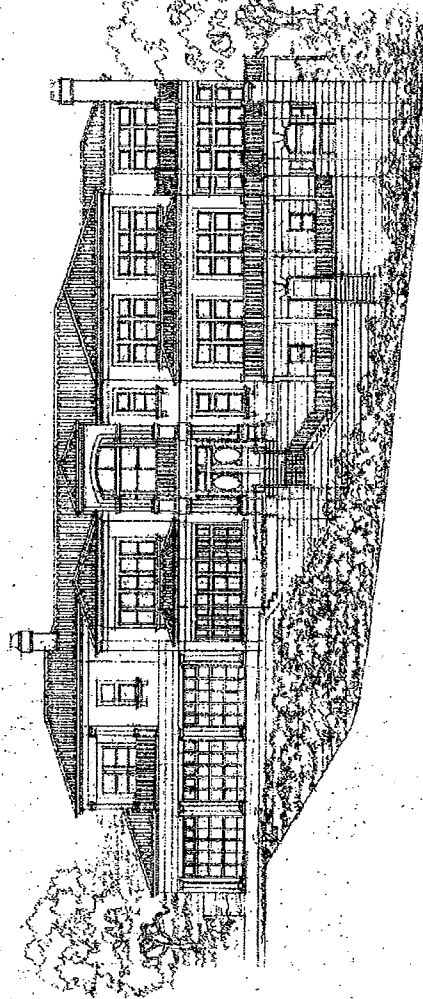
SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



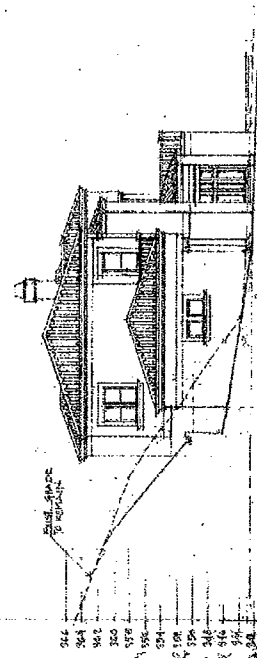
WEST ELEVATION

SCALE: 1/8" = 1'-0"



NORTH ELEVATION

SCALE: 1/8" = 1'-0"



EAST ELEVATION

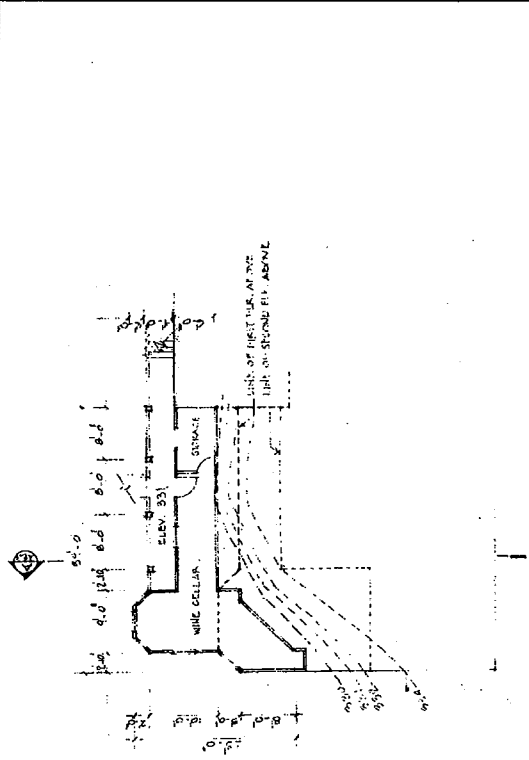
SCALE: 1/8" = 1'-0"

San Mateo County Board of Supervisor's Meeting

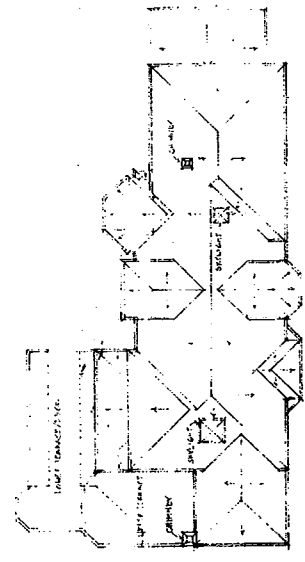
Owner/Applicant: **EHTESHAMI**

File Numbers: **PLN 2005-00603**

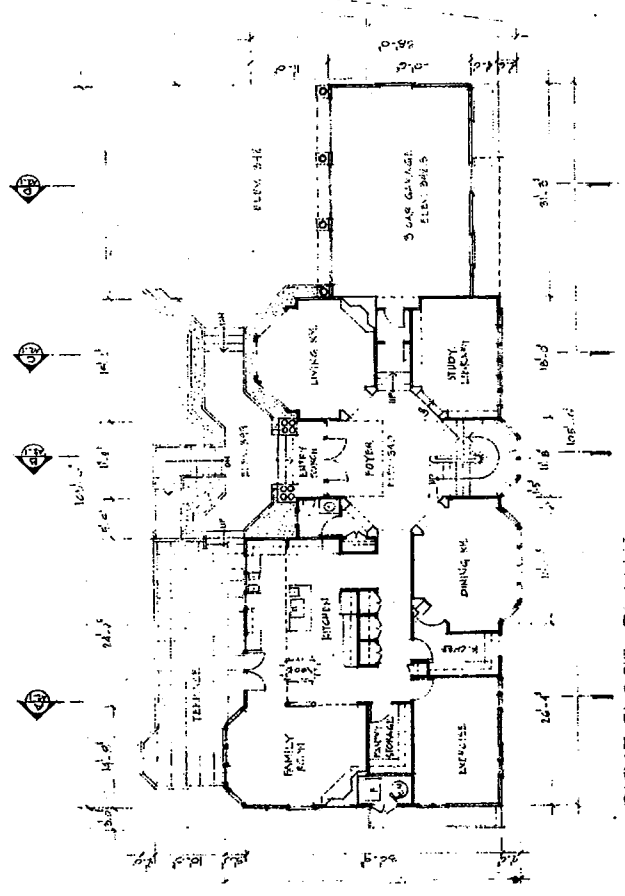
Attachment: **E**



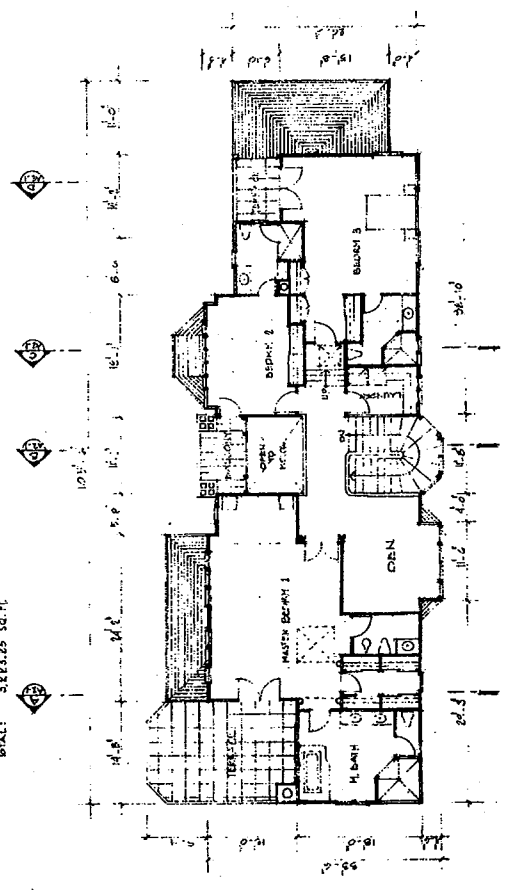
BASEMENT FLOOR PLAN
 AREA: 3551.62 SQ. FT. SCALE: 1/8" = 1'-0"



ROOF PLAN
 SCALE: 1/32" = 1'-0"



FIRST FLOOR PLAN
 AREA: 5155.70 SQ. FT. SCALE: 1/8" = 1'-0"
 PERMITS: 2005-00603
 SCALE: 3/8" = 1'-0"



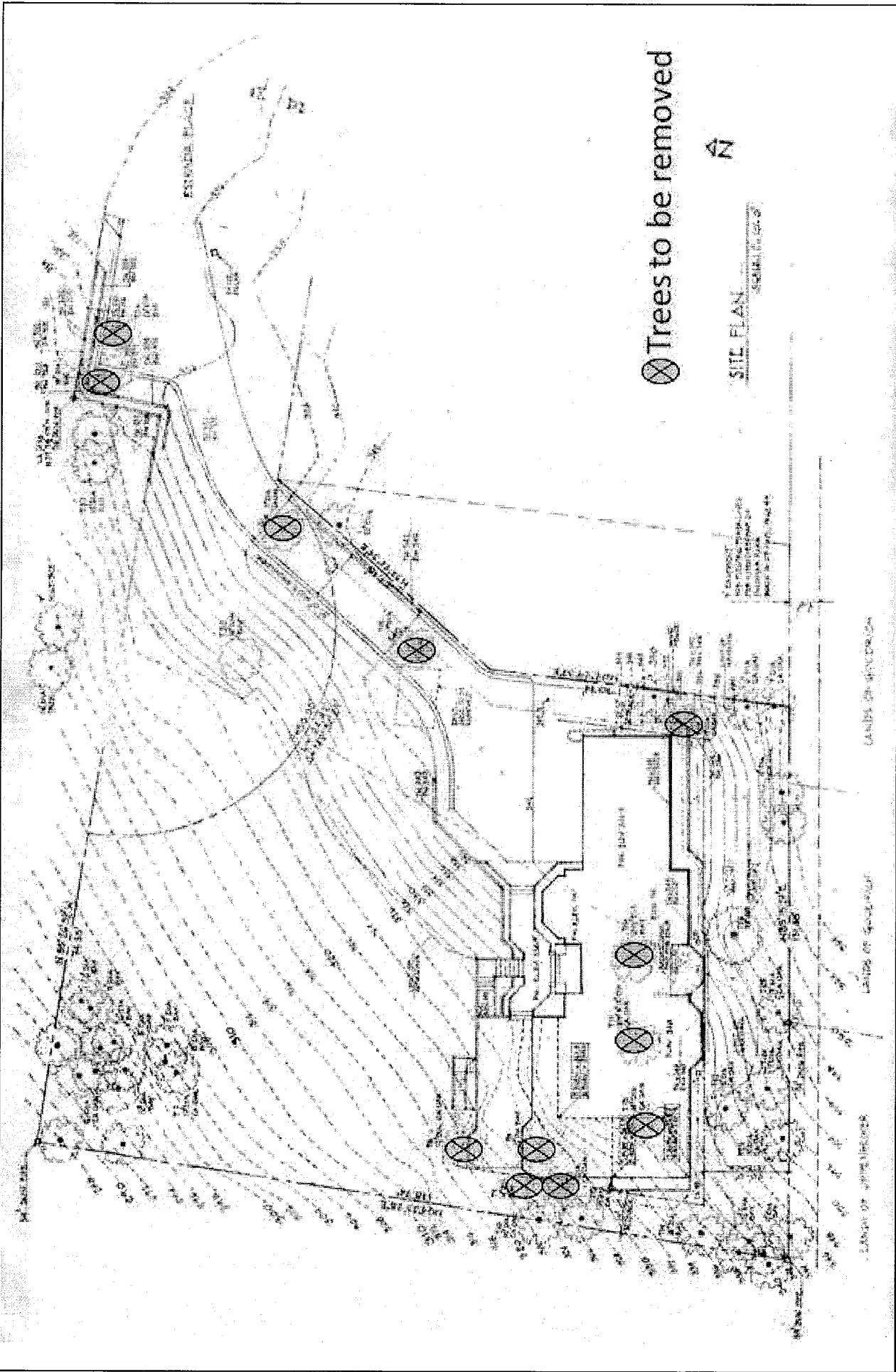
2ND FLOOR PLAN
 AREA: 7412.15 SQ. FT. SCALE: 1/8" = 1'-0"

San Mateo County Board of Supervisor's Meeting

Owner/Applicant: **EHTESHAMI**

File Numbers: **PLN 2005-00603**


Attachment: **F**



San Mateo County Board of Supervisor's Meeting

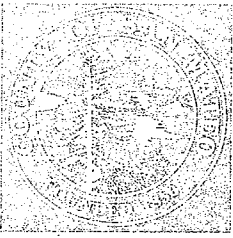
Owner/Applicant: **EHTESHAMI**

File Numbers: **PLN 2005-00603**

Attachment: 

CDR\plan05-00603_rplb_060006

ATTACHMENT H



Planning & Building Department

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

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

**Please reply to: Erica Adams
(650) 363-1828**

June 1, 2009

Mr. Kurt Oppenheimer
632 Palomar Drive
Redwood City, CA 94062

Mr. James Goodrich
524 Manor Ridge Drive
Atlanta, GA 30305

Dear Mr. Oppenheimer:

Subject: Revised Letter of Decision - File Number PLN2005-00603
Location: 21 Estrada Place, Palomar Park
APN: 051-022-420

On May 27, 2009, the San Mateo County Planning Commission considered a Design Review and Grading Permit, pursuant to Section 6565.3 of the San Mateo County Zoning Regulations and Section 8602 of the County Ordinance Code, to allow construction of a 5,364 sq. ft. single-family residence with an attached 635 sq. ft. garage, grading in the amount of 985 cubic yards, and removal of 12 trees on a 20,001 sq. ft. parcel located on Estrada Place in the unincorporated Palomar Park area of San Mateo County (appeal of the recommendation by the Bayside Design Review Committee and final decision by the Community Development Director for approval).

Based on information provided by staff and evidence presented at the hearing the Planning Commission made a motion to support the appeal, which failed by a two to two vote. Therefore, without a majority vote, the Bayside Design Review Committee's (BDRC) recommendation and the Community Development Director's final decision to approve the project was upheld and the appeal was denied.

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 June 10, 2009.**

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Mr. Kurt Oppenheimer
Mr. James Goodrich
June 1, 2009
Page 2

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

Sincerely,

A handwritten signature in black ink that reads "Rosario Fernandez". The signature is written in a cursive style with a large, looping "F" and "S".

Rosario Fernandez
Planning Commission Secretary
Pcd0527T_rf_RevEhteshami(appeal).doc

cc: Department of Public Works
Building Inspection Section
Environmental Health Division
CALFIRE
County Assessor
Alan Fahrenbruch
Kathryn Bedbury
Keith Ohlfs
Evelyn Hagerthey
Rich Landi
Kate Fitzgerald
John Moudino
Barbara Newton
Susan Oppenheimer
Leon Glahn
Shahla Ehteshami
Phyllis Anderson

ATTACHMENT I

RECEIVED

JUN 10 2009

James M Goodrich
624 Palomar Drive
Redwood City, CA 94062

**San Mateo County
Planning Division**

June 9, 2009

Ms. Erica Adams
Planning and Building Department
San Mateo County
455 County Center, Second Floor
Redwood City, California 94063

Re: Approval of a Bayside Design Review Permit and a Grading Permit to allow 985 total cubic yards of cut and fill for a new 5234 sq. ft. single-family dwelling with an attached 3-car garage and a driveway on a 20,001 sq. ft. parcel at 25 Estrada Place, Palomar Park; PLN 2005-00603; APN 051-022-420

Dear Erica:

As you may recall, when I submitted the attached letter dated May 31, 2009, I was told that an appeal to the Board of Supervisors had already been filed by Mr. Kurt Oppenheimer regarding the May 27, 2009 Planning Commission decision regarding 25 Estrada Place and that I could not submit another appeal of the same decision although my letter requesting an appeal hearing was accepted for inclusion in your case record.

Since then I understand that the County Counsel has indicated that there can be multiple appeals of a Planning Commission decision. Therefore, I request that I be included as an appellant in the Board of Supervisors hearing regarding 25 Estrada Place. The basis for my appeal is contained in my May 31 letter. I have authorized Mr. Oppenheimer to deliver this letter to you tomorrow and to pay any fees that I may owe to achieve appellant status, although no additional fees were required when I was included as a co-appellant in the appeal to the Planning Commission.

Thank you for your assistance.

Sincerely,

James M Goodrich

Attached: Letter to Planning and Building Department dated May 31, 2009

000035

James M Goodrich
624 Palomar Drive
Redwood City, CA 94062

May 31, 2009

Planning and Building Department
San Mateo County
455 County Center, Second Floor
Redwood City, California 94063

Re: Approval of a Bayside Design Review Permit and a Grading Permit to allow 985 total cubic yards of cut and fill for a new 5234 sq. ft. single-family dwelling with an attached 3-car garage and a driveway on a 20,001 sq. ft. parcel at 25 Estrada Place, Palomar Park; PLN 2005-00603; APN 051-022-420

Dear Sirs:

I am requesting that an appeal hearing be granted with the Board of Supervisors to overturn the denial of my appeal by the Planning Commission on May 27, 2009. My appeal to the Planning Commission was to overturn the Bayside Design Review Committee's recommendation and the Community Development Director's decision to approve the referenced project at 25 Estrada Place.

I grew up in the home at 624 Palomar Drive and currently own it with my two sons. The property has been in my family since December 1941. It shares a common boundary with 25 Estrada Place.

As I have expressed in prior written correspondence with the County, as well as in direct testimony at a previous public hearing, I believe strongly that the proposed project at 25 Estrada Place is unwise for two principal reasons:

- Further carving out of the hillside, with the removal of many more oak trees, and placing the septic system in a known unstable location with underground water is not sound engineering and should not be condoned by the County. As a boy I witnessed two homes located on a similar geological site less than a few hundred feet from the proposed site destroyed by landslides - see the report prepared by my brother, Joseph Goodrich, dated February 9, 2009, documenting that throughout San Mateo County sites with such characteristics have not been built upon.
- The proposed structure does not follow the Palomar Park Design Guidelines, particularly since it is not contoured to the natural landscape. Instead it is basically a massive box forced into the hillside. The project should be evaluated based on its total impact to the

000036

natural terrain, including the massive cut and fill operation from the 1950's that created the existing flat pad, not just the incremental excavation now proposed.

I believe that the structure should be redesigned and relocated on the property so as to minimize its impact on the unstable area and on the unique character of Palomar Park.

The bases for my appeal are the same as stated in my October 2007 appeal letter to the Planning Commission. I plan to file additional information reinforcing my original appeal once I have studied the audio transcript of the May 27, 2009, Planning Commission proceeding.

Sincerely,

Planning and Building Division

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

Application for Appeal

To the Planning Commission

To the Board of Supervisors

1. Appellant Information

Name: KURT OPPENHEIMER

Address: 632 PALOMAR DR.

Redwood CITY, CA

Phone, W: 430-2556 H: 366-7984

Zip: 94062

2. Appeal Information

Permit Numbers involved:

PLN-2005-00603

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

yes

no

I hereby appeal the decision of the:

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

Appellant's Signature:

[Handwritten Signature]

Date: MAY 29, 2009

made on MAY 27 2009 to approve/deny the above-listed permit applications.

3. Basis for Appeal

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

see ATTACHED LETTER

RECEIVED

MAY 29 2009

San Mateo County
Planning Division

000038

Client

KURT M. OPPENHEIMER

632 PALOMAR DRIVE REDWOOD CITY, CA 94062

May 29, 2009

Planning and Building Department
San Mateo County
455 County Center, Second Floor
Redwood City, CA 94063

Re: Approval of a Bayside Design Review Permit and a Grading Permit to allow 985 total cubic yards of cut and fill for a new 5,234 sq. ft. single-family dwelling with an attached 3-car garage and driveway on a 20,001 sq. ft parcel, at 25 Estrada Place, Palomar Park; PLN 2005-00603 -- APN 051-022-420

Dear Sirs:

I am requesting that an appeal hearing be granted with the Board of Supervisors to overturn the denial of my appeal by the Planning Commission on May 27, 2009. My appeal to the Planning Commission was to overturn the Bayside Design Review Committee's recommendation and the Community Development Director's final decision to approve the above project at 25 Estrada.

In the May 27, 2009 Planning Commission hearing, a motion to support my appeal was made by Commissioner Slocum which failed by a two to two vote. Therefore, without a quorum, the Bayside Design Review Committee's recommendation and the Community Development Director's final decision to approve the project was upheld.

The bases for my appeal are the same as I have stated in my original appeal letter dated October 11, 2007 (attached) and my letter to the Planning Commission - "Comprehensive Summary of submitted material" dated May 19, 2009 (attached).

I will be providing an updated summary of my position after I have reviewed the tapes of the Planning Commission meeting of May 27, 2009.

Sincerely,



Kurt M. Oppenheimer

000039

KURT M. OPPENHEIMER

632 PALOMAR DRIVE REDWOOD CITY, CA 94062

October 11, 2007

Planning and Building Department
San Mateo County
455 County Center, Second Floor
Redwood City, CA 94063

Re: Approval of a Bayside Design Review Permit and a Grading Permit to allow 985 total cubic yards of cut and fill for a new 5,234 sq. ft. single-family dwelling with an attached 3-car garage and driveway on a 20,001 sq. ft parcel, at 25 Estrada Place, Palomar Park; PLN 2005-00603 -- APN 051-022-420

Dear Sirs:

I am requesting that an appeal hearing be granted with the County Planning Commission to overturn the "approval" granted on October 1st, 2007 by the County of San Mateo Planning and Building Department for the Design Review and administrative Grading Permits referenced above. I share two property lines (E4°44'3" N131.88' & N4°33'28" E178.74') with the proposed construction site.

I believe that a review by the County Planning Commission will show this project:

- **Fails to meet several significant Standards for Design in Palomar Park (Section 6565.16). Specifically, the following items are not in compliance:**

Subsection A: Site Planning: **DOES NOT** minimize tree removal, minimize alteration of the natural topography, respect the privacy of neighboring houses or minimize alteration of streams and natural drainage channels.

- This project has had 4 BDRC Design Reviews over 13 months, during which the stated number of significant trees to be removed has increased from 2 to 12, despite BDRC directions to the applicant to revise their plans "with intention to save trees".
- This 6000 sq ft house is sited on topography which is cross-sloped, and yet it features a 3000 sq ft *level pad* resulting in extensive grading and cutting (16.5' vertical cuts) into a 30% slope, despite there being ~1900 sq ft of level, treeless space which is being used for the driveway.
- The house is sited at the minimum setbacks on 3 of 4 sides of a .46 ac lot with an orientation that results in a direct line of sight between neighboring bedroom windows.

Subsection B: Architectural Styles: **IS NOT** architecturally compatible with existing buildings or natural surrounding of the immediate area.

- There are no houses in the immediate area of Palomar Park that are of the size or style of this Mediterranean villa.

Subsection C: Building Shapes and Bulk: **DOES NOT** respect nor conform to the natural topography of the site. Bulk of building **IS NOT** controlled by terracing up or down the hill.

- At the May 3, 2006 meeting the BDRC concluded that "a redesign of the structure is required with emphasis on step-design of the structure" and "the architectural style is incompatible with the site due to its massiveness and character." The applicants were instructed to incorporate the requested changes into revised plans.
- The design approved at the June 2007 BDRC meeting is virtually unchanged with respect to bulk, mass and the lack of a step-design. Both reviewing (voting) members of the BDRC stated that it was large and massive.

Subsection L. Paved Areas: **DOES NOT** keep the amount of visible paved areas to a minimum.

- The approved plans include a 3000 sq ft driveway, 154 feet in length extending from the road to the front of the house in order to create a "grand" entrance.

KURT M. OPPENHEIMER

632 PALOMAR DRIVE REDWOOD CITY, CA 94062

- **Fails to meet Standards for the Protection of Trees and Vegetation (Section 6565.20)**
Subsection A-1: Prohibits the removal of trees unless: there is no alternative building site for a house, driveway, or accessory structure.
 - The house is situated in the most heavily wooded portion of the property and reserves 1900 sq. ft of flat, treeless space for a driveway.

- **Failed to receive a BDRC approval recommendation that was truly a majority consensus and which was made despite an increasing amount of opposition.** A review of all BDRC meeting audio tapes and findings reveals that they are characterized by:
 - various findings neither being resolved nor carried forward to subsequent meetings for completion
 - an increase in public response against the project with seven neighbors either writing letters or attending the final June 6, 2007 meeting to express their concerns for the record.
 - an increasing rather than decreasing amount of disagreement between voting committee members regarding the project design and impact to the environment:
 - At the May 2, 2007 Design Review Meeting--attended by Doug Naaf, the community representative for Palomar Park (now resigned)—Mr. Naaf requested that the applicant should re-site and/or re-size the house in order to mitigate many of the design issues. Mr. John Day (the committee Chairman) would not agree to this proposal, so the project was continued.
 - For the June 6th meeting voting members of the BDRC were John Day and Doug Snow, (Chairman of the Coastside Design Review Committee) acting as substitute architect.
 - Mr. Snow concluded, after reviewing all of the plans and hearing the arguments for and against this project, that **the project should be denied** because
 - The design was not compatible with the design guidelines for Palomar Park due to its massiveness and architectural style.
 - The house was not stepped into the hill.
 - After much further discussion, Mr. Snow and Mr. Day could not agree on the project. Mr. Snow restated that he still felt the **proposal should be denied, but would defer** to Mr. Day's wishes to approve the project.
 - ***Mr. Snow and Mr. Day acknowledged they expected their ruling on the project to be appealed.***

- **Fails to incorporate major geotechnical issues and requirements into the grading plan, rendering it and the Grading Permit incomplete.**

NOTE: Geotechnical issues associated with this lot are documented in file PLN2001-00128 – Lot Line Adjustment for **21 Estrada** – and not in the file for 25 Estrada.) The following geotechnical concerns have not been factored into the design:

- The lot for the proposed house has experienced slides in 2000 and again during the winter of 2006-2007. My property and a stream, which goes to the Bay, are downhill of the active slide and had slide material deposited on/in them in 2000.
- **The proposed leach field is to be placed in this active slide area.**
- This **active slide area with a 40% grade** is covered by ~5-9' of slide and fill debris over competent soil.
- Stabilization of the slide area for the leach field is being required by county geotechnical (on-line notation by JFD dated 6-28-2007 states: "geot.file #11G190; sent note to Planning re need for an updated geotechnical report prior to issuance of grading permit. This must address landslide repair.").

KURT M. OPPENHEIMER

632 PALOMAR DRIVE REDWOOD CITY, CA 94062

- The 2004 proposed/approved solution for the slide repair was the installation of keyways 5' into competent soil (per applicant's geotechnical consultants).
- The grading plan on record is incomplete because it **does not** show the required keyways or include in the grading totals (already at 985 CY) the excavation of 10'-14' of material necessary for the placement of the keyways.
- The drainage plan does not fully protect my property from the increased run off.

The effects of the geotechnical issues on the site plan have been acknowledged continually throughout the approval process, but without any conclusive directives. The applicant has insisted on siting a level-pad design on a hillside and has failed to use available level space for the structure. This has resulted in a design that is unresponsive to the natural topology; history of land slides on the property; drainage and leach field requirements; and to questions regarding soil quality. Every lot in Palomar Park has its challenges to build on but the size and location of the proposed house exacerbate this lot's geotechnical issues.

I request that:

- This **project be rejected** because the approved plans do not meet the Design Standards for Palomar Park and the design and siting do not fully comprehend the major geotechnical issues this lot has.
- The **Grading Permit for this project be rejected** because the grading plan does not address *known issues* which will affect the total amount of grading, including the county's own geotechnical requirements.
- Due to the amount of grading and the large number of geotechnical issues with this property, a **comprehensive grading plan be required** before any revised grading permit application is considered.
- The grading issues not be deferred to later in the approval process when the public will not have the opportunity to participate, but rather that any review be conducted in a **public Zoning Hearing** and not administratively.

I very much believe in the development guidelines for Palomar Park and the design review process. A reasonable application of the guidelines by this committee is the only way for Palomar Park to retain its country like setting in an area of increasing growth pressure.

Sincerely,



Kurt M. Oppenheimer

KURT OPPENHEIMER

632 PALOMAR DRIVE REDWOOD CITY, CA 94062

May 19, 2009

Planning and Building Department
San Mateo County
455 County Centers, Second Floor
Redwood City, CA 94063

COMPREHENSIVE SUMMARY OF SUBMITTED MATERIAL-- PLEASE READ FIRST

Re: San Mateo County Planning Commission Meeting No. 1491 Item 6: 25 Estrada Place, Palomar Park;
PLN 2005-00603 -- APN 051-022-420

Dear Commissioners:

I am writing to refresh and focus the issues that surround this project since I appealed the Bayside Design Review Committee decision in October of 2007. I share two property lines with the proposed construction site-- to the south (N85°15'27"E131.88') and west (NE4°33'28" E178.74')

Over the last 17 months, the applicant has been working to address the major geotechnical issues on the subject property. Their proposal for stabilizing the slide area using stitch pier walls has been deemed feasible per the county Geotechnical team, but has created new questions which have not been addressed. I will speak to that later in this letter.

For your convenience, I have attached the main content of my original appeal letter (October 11, 2007) with the addition of supporting diagrams taken from our various Design Review comment letters and an updated geotechnical section. I feel this presents a comprehensive summary of the material and situation.

A well planned design that works with the natural topography is possible for this difficult site, but unfortunately this project, as approved, does not. The design that was presented at the first review meeting on May 3, 2006 was rejected by the committee. It was characterized by:

- 3000 sq ft level pad,
- ~6000 sq ft house,
- 2 trees removed,
- dug into a hillside requiring a 13ft high retaining wall.

In this and subsequent meetings the applicants were given directions to:

- Reduce the massiveness of the house
- Redesign it to emphasize a step-in design with respect to the hillside
- Reduce the height of the retaining wall
- Reduce impact to trees
- Change the architectural style to make it more compatible with the neighborhood

After 4 review meetings the final design failed to comply with these directives and in fact diverged from them. It is characterized by:

- Substantively unchanged footprint--3000 sq ft level pad; no stepped-in design
- Increased house size by 139 sq ft
- Increased tree removal to 12 trees
- Increased digging into the hillside to a depth of 16.5 ft, requiring 985 cu yds of grading
- Increased public opposition with each meeting

000043

KURT OPPENHEIMER

632 PALOMAR DRIVE REDWOOD CITY, CA 94062

The final decision was rendered by a 2 person committee that was deadlocked. After 4 review meetings they saw little value in a 5th. In order to reach a decision the dissenting member deferred and both members openly acknowledged the decision would be appealed.

I very much believe that a reasonable application of the design guidelines is the only way for Palomar Park to retain its country like setting in an area of increasing growth pressure. Palomar Park has design guidelines in part to reduce the impact of building in our small rural area by:

- Setting standards to protect the trees and natural topography
- Ensuring architectural styles are compatible with immediate area and natural surroundings
- Controlling building bulk and shape so it conforms to the natural topography
- Seeking to minimize paved areas

I do not believe this house meets Palomar Park Design Review Guidelines. The design rules are a combination of objective and subjective guidelines. I have summarized the ones in question and the specific house characteristics they pertain to for your review.

Thank you,



Kurt M. Oppenheimer

NOTES:

All base drawings in this document are from drawings submitted by the applicant in the course of the BDRC reviews and Geotechnical review.

MacLeod Drawing C1, dated 7-26-2008, referred to in this document is attached as last page of this document.

Illustrative photos on the follow pages are of models of 25 Estrada before and after grading/building.

- Blue lines show 10 foot increments of elevation from 290' to 360' above sea level. Driveway is at 340'.
- Trees with red bases are to be removed and yellow bases have construction within 10 feet of tree trunk.
- Pink line is boundary between 25 Estrada and county land. County land will be developed for the driveway; effectively it becomes part of 25 Estrada – see site plan on last page

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632 PALOMAR DRIVE REDWOOD CITY, CA 94062

Summary of the issues:

On June 6, 2007, the Bayside Design Review Committee (BDRC) gave its recommendation for approval of the siting, architectural style, tree removal, and size of the plans for 25 Estrada. The Findings letter from the county states:

"The Committee found the project in compliance with Design Review Standards because the project:

- a) minimizes tree removal and blockage of sunlight on neighboring buildings
- b) respects the privacy of neighboring houses and outdoor living areas
- c) is architecturally compatible with the neighborhood
- d) is step-design to be compatible with the natural topography of the site
- e) has well proportioned and articulated facade
- f) utilized earth-tone colors compatible with the natural setting and the neighborhood"

The proposed design for 25 Estrada does not in fact support the above findings, and a review will show that this project specifically:

1) **Failed to receive a BDRC approval recommendation that was truly a majority consensus and which was made despite an increasing amount of opposition.** A review of all BDRC meeting audio tapes and findings reveals that they are characterized by:

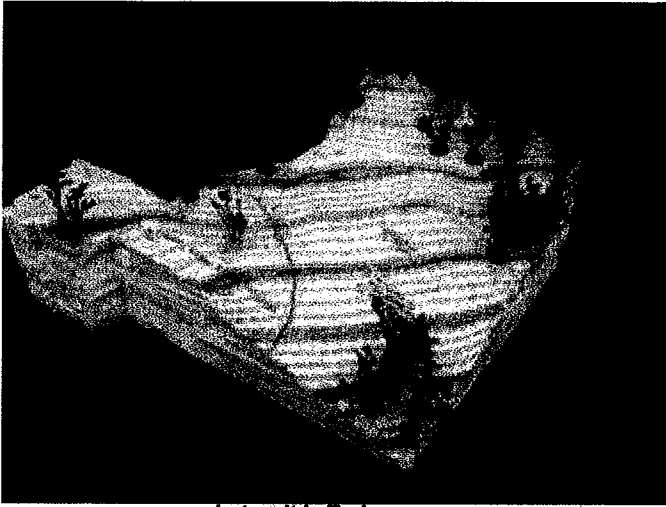
- Various findings neither being resolved nor carried forward to subsequent meetings for completion
- An increase in public response against the project with seven neighbors either writing letters or attending the final June 6, 2007 meeting to express their concerns for the record that the proposed structure was not compatible with the Palomar Park design guidelines due to its bulk, architectural style, tree removal, and excessive grading
- The Board of the Palomar Property Owners wrote a letter reaffirming its' endorsement of the design guidelines for Palomar Park and stating the design guidelines must be strictly adhered to for this and all proposed projects to ensure that the character of the neighborhood and rights of all are protected.
- An increasing rather than decreasing amount of disagreement between voting committee members regarding the project design and impact to the environment:
 - At the May 2, 2007 Design Review Meeting--attended by Doug Naaf, the community representative for Palomar Park (now resigned)—Mr. Naaf requested that the applicant should re-site and/or re-size the house in order to mitigate many of the design issues. Mr. John Day (the committee Chairman) would not agree to this proposal, so the project was continued.
 - For the June 6th meeting voting members of the BDRC were John Day and Doug Snow, (Chairman of the Coastside Design Review Committee) acting as substitute architect.
 - Mr. Snow concluded, after reviewing all of the plans and hearing the arguments for and against this project, that **the project should be denied** because
 - the design was not compatible with the design guidelines for Palomar Park due to its massiveness and architectural style.
 - the house was not stepped into the hill.
- Mr. Day agreed that the house was massive, but felt that given the house was at the end of a cul-de-sac, they had more leeway in enforcing the guidelines.
- Mr. Day subjectively expanded the definition of "immediate area" for architectural compatibility to include Belle Roche and Palomar Oaks which are half a mile from this site.
 - The inclusion of the phrase "immediate area" in the Palomar Park Design Guidelines was done to allow two things to occur:
 - 1) The development of new sub-divisions within Palomar Park like Belle Roche with their own character.

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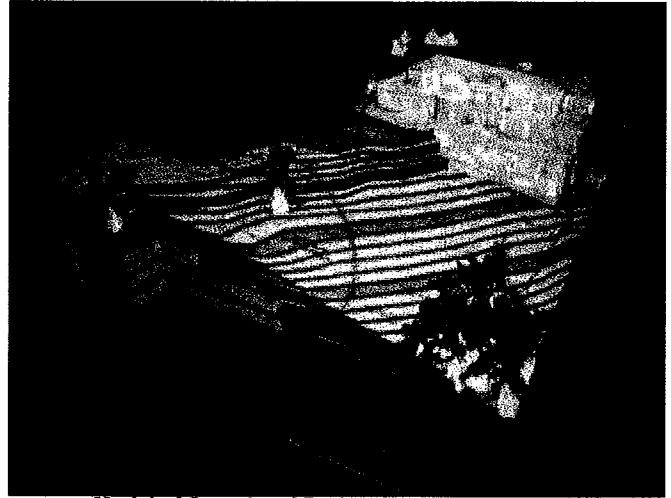
KURT OPPENHEIMER

632 PALOMAR DRIVE REDWOOD CITY, CA 94062

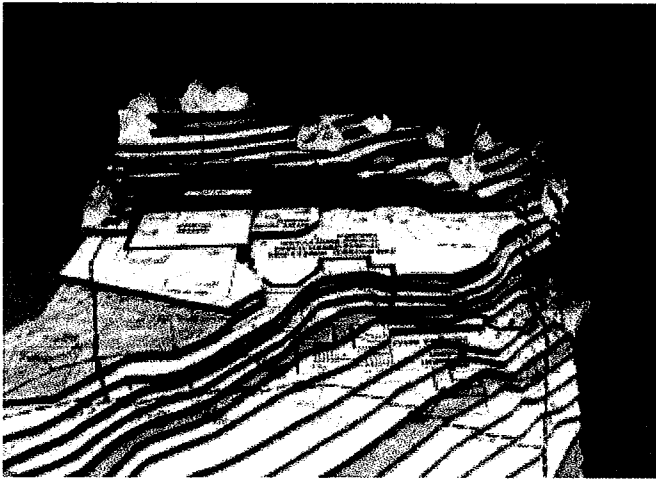
- This 6000 sq ft house is sited on topography which is cross-sloped, and yet it features a 3000 sq ft *level pad* resulting in extensive grading and cutting (16.5' vertical cuts) into a 30% slope, despite there being ~1900 sq ft of level, treeless space which is being used for the driveway.



Lot as it is Today



Model of Completed Project

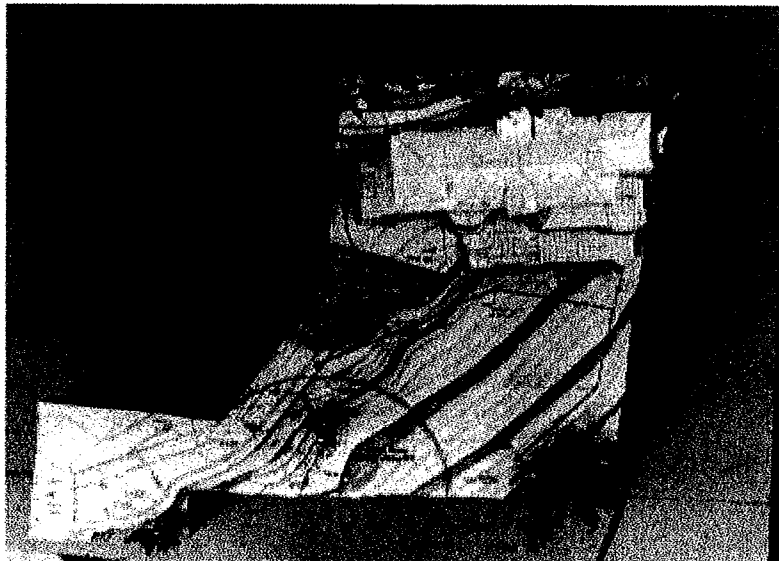


Approved hillside grading – 16 foot cut – to create level pad



Model of complete house

- The house is sited at the minimum setbacks on 3 of 4 sides of a .46 ac lot.



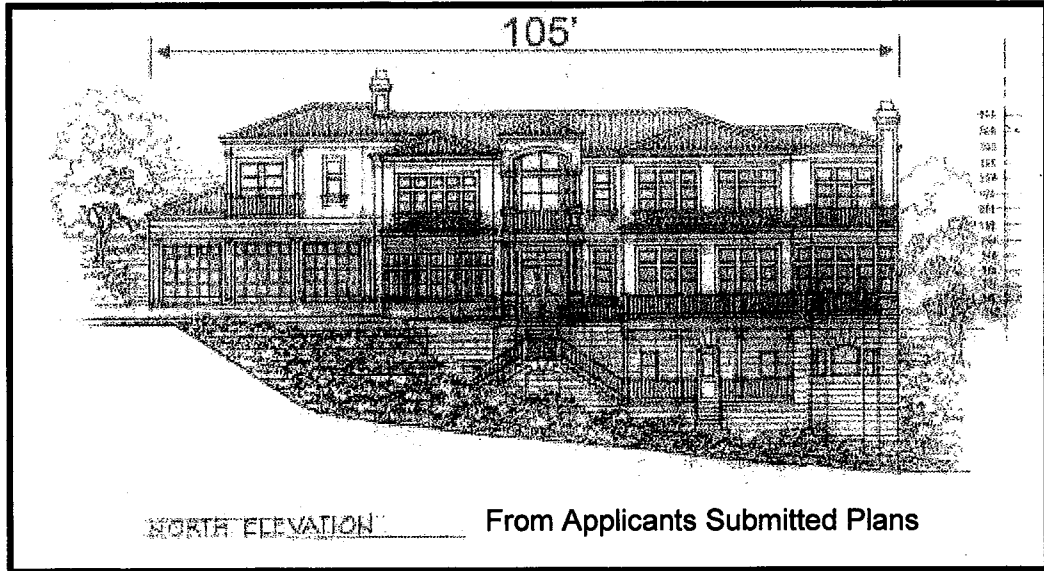
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6565.16 Subsection B: Architectural Styles: **IS NOT** architecturally compatible with existing buildings or natural surroundings of the immediate area.

- There are no houses in the immediate area of 25 Estrada that are of the size or style of this Mediterranean villa.



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KURT OPPENHEIMER

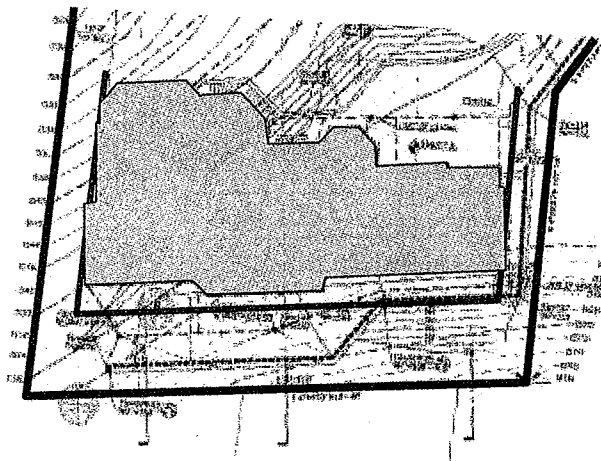
632 PALOMAR DRIVE REDWOOD CITY, CA 94062

6565.16 Subsection C: Building Shapes and Bulk: DOES NOT respect nor conform to the natural topography of the site. Bulk of building **IS NOT** controlled by terracing up or down the hill.

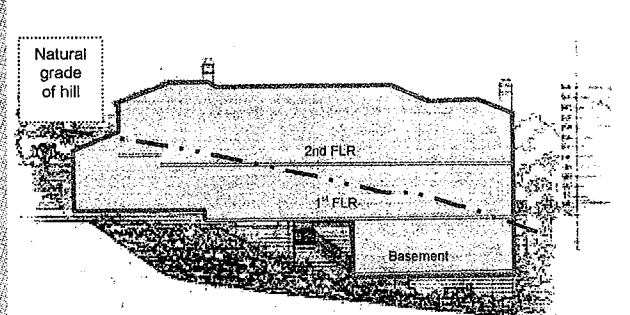
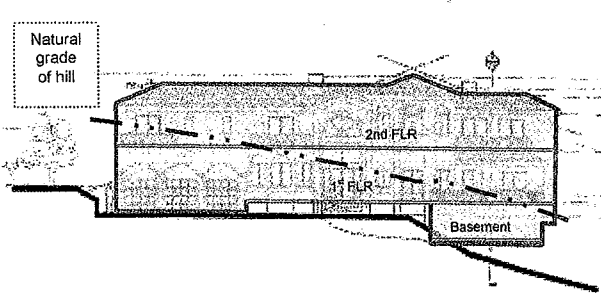
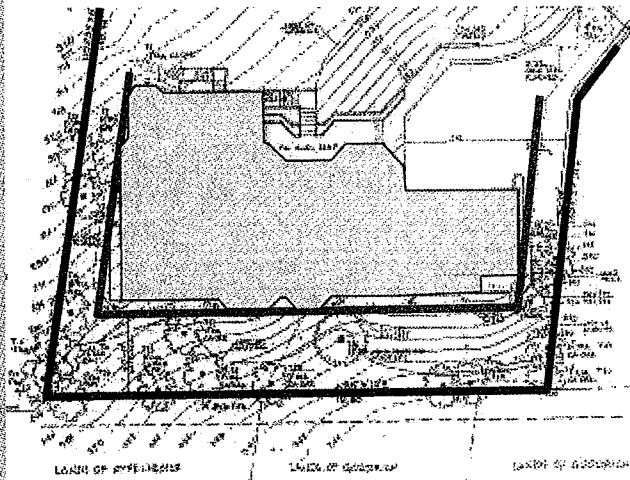
- At the May 3, 2006 meeting the BDRC concluded that "a redesign of the structure is required with emphasis on step-design of the structure" and "the architectural style is incompatible with the site due to its massiveness and character." The applicants were instructed to incorporate the requested changes into revised plans.
- The design approved at the June 2007 BDRC meeting is virtually unchanged with respect to bulk, mass and the lack of a step-design. Both reviewing (voting) members of the BDRC stated that it was a large and massive Mediterranean villa.

- Comparison of the footprint and profile of the original design rejected in May 2006 with the current design. It is virtually unchanged.
- The approved design is the 4th revision and shows an increase in total square footage of 139 sq ft from the first plans submitted. The footprint of the structure has grown.
- From the contour line of the natural grade [dashed red line- lower pair of drawings], it is clear that no attempt has been made to step the structure with the hillside.
- To create the pad for the structure the natural grade is being cut from the dashed red line to the first floor level grade.

May 2006 plan
REJECTED



June 2007 plan
APPROVED



Base drawings from Applicants May '06 and June '07 plans

- Lot lines in green
- Setbacks in pink

6565.16 Subsection L: Paved Areas: DOES NOT keep the amount of visible paved areas to a minimum.

- The approved plans include a 3000 sq ft driveway, 154 feet in length extending from the road to the front of the house in order to create a "grand" entrance.
- See satellite image below

000049

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3) **Fails to meet Standards for the Protection of Trees and Vegetation (Section 6565.20)**

Subsection A-1: Prohibits the removal of trees unless there is no alternative building site for a house, driveway, or accessory structure.

- The house is situated in the most heavily wooded portion of the property and reserves 1900 sq. ft of flat, treeless space for a driveway.



Satellite image with approximate lot lines (red), county land (yellow), house with basement extension outline (light blue), and driveway (dark blue).

4) **Outstanding issues created by the proposed slide repair that need to be resolved before a home of any design is built on this lot:**

A. **Drainage**

The issue of how to effectively collect and discharge the drainage from the site has not been addressed in terms of the effects to neighboring property.

I am concerned with the revised drainage plans for the site regarding water directed toward the western property line. Each of the three catch basins (green dots -see diagram below) is fed by a 2' wide x 6" deep drainage ditch (dash red lines) collecting surface run off and run off from impervious surfaces on the western half of the structure.

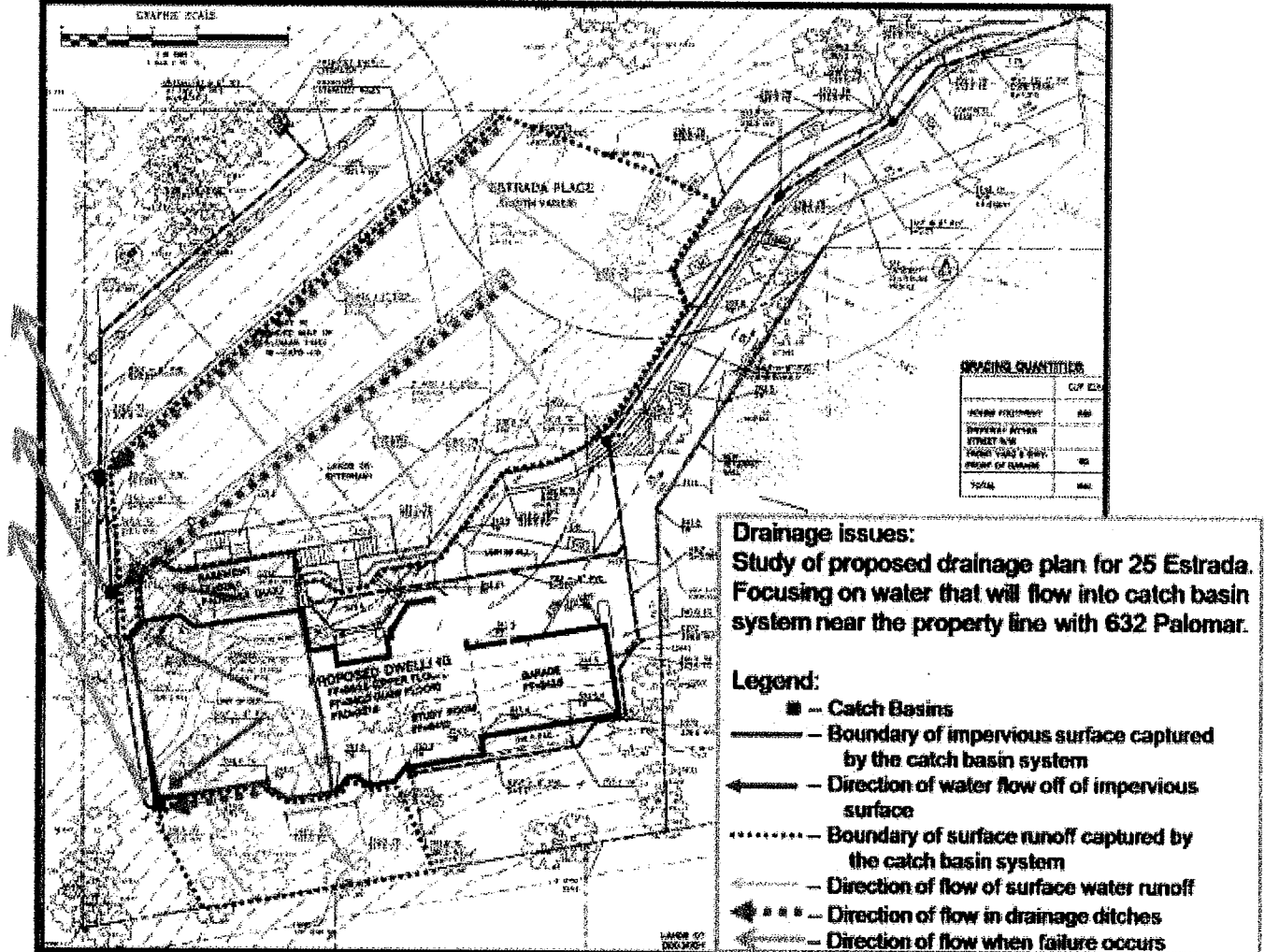
Any significant amount of rain will cause the drainage ditches to direct both water and debris to the catch basins. In the best case the debris will flow through the grate of the basin; in the worst case the debris will clog the grate or plug the 6 inch drainage line. This is based on our experience of living in the Palomar hills for 25+ years and maintaining the 8 inch drainage system on our own property which clogs regularly with twigs and leaves.

000050

KURT OPPENHEIMER

632 PALOMAR DRIVE REDWOOD CITY, CA 94062

Two of the three catch basins are within a few feet of the property line, with our property being downhill of them. With 25 Estrada's drainage plan, any failure will cause the water to flow directly across our property to the creek at the bottom of our property. The end result is that we will experience erosion when this system fails.



The system is not adequate if it is engineered only to accommodate the water flow. It must be able to handle the naturally occurring debris from hillside runoff.

Request: I implore the county to require the drainage system to be engineered so that both the catch basin intakes and the piping can handle the normal accumulation of debris that will be caught by the drainage ditches. It is not acceptable that we be left to face property erosion from a poorly designed system that we neither own nor can maintain or repair

B. Leach Field issues

I am unaware of any septic system plans that have incorporated the slide repair solution using stitch pier walls. This is of particular concern and raises several questions:

- Per the county's geotechnical department, the leach lines must be placed in competent soil. The entire length of each leach line will have to be dug below the lowest depth of slide debris encountered anywhere along that line – see Example of trenching, below. According to Romig's soil borings and typical cross sections on MacLeod's Drawing C-1, the leach lines will have to be trenched across the face of the slope to a depth of:
 - ~12 feet for the lowest 2 lines,
 - ~10 feet for the middle 2 lines,
 - ~7 for the upper 2 lines.

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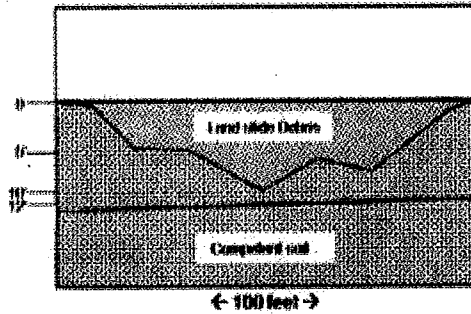
KURT OPPENHEIMER

632 PALOMAR DRIVE REDWOOD CITY, CA 94062

Unanswered questions:

- o Without a detailed soil map for each leach line, how do you know if a leach line remains below the slide debris and does not intersect a deep pocket of slide debris somewhere?
- o What effect, if any, will trenching to this depth have on the stitch piers?
- o Is trenching to such a depth still "trenching" or should it be included in the grading plan?

Example of trenching requirements



- Septic lines need to be placed 2-3' into competent soil below slide debris
- Septic lines are installed with a gentle slope of 1/4" per linear foot

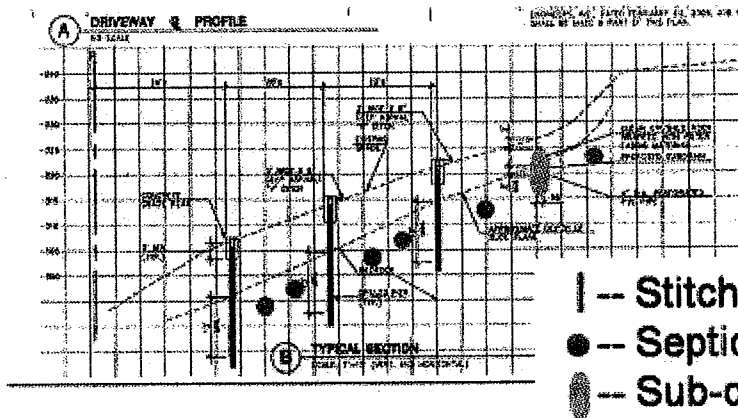
In this example a 12' deep trench will need to be dug, removing

- 10' of debris and 2' of competent soil in the middle of the slope face
- 0' of debris and 12' of competent soil on either side of the slope face

Cross section of septic line running across the face of slope

- A composite leach field schematic combining "figure 7 from Romig's March 2008 report" and "MacLeod drawing C-1 7-26-08" are shown in the "Approximate placement of septic lines" below. When viewed as a composite schematic the most uphill positioned leach line is to be placed uphill of a sub-drain. This sub-drain is to be placed in competent soil per Romig's report.
 - o This raises concerns of seepage of septic water into the drain runoff.

Approximate location of septic lines



Drawing C1 with approximate placement of septic lines from Romig Figure 7 March 2008

- Furthermore, the original septic plan that was submitted in 2006 showed septic lines placed on county property. When I brought this to the attention of Stan Low and the county planner, they looked at the plans and noted that an extra line could be installed.
 - o To my knowledge, the applicants' Environmental engineer has never validated a revised septic plan incorporating this solution. Nor has the septic plan been reviewed in context with the new geotechnical report and formally submitted to the county for review and approval.

Request: A combined slide stabilization plan, drainage plan, and septic system plan be submitted by the applicant and approved by the appropriate planning department before any further approval or permits are issued. This needs to be done since the original sub-division to create this lot was contingent upon proof that a leach field could be installed on this lot.

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KURT OPPENHEIMER

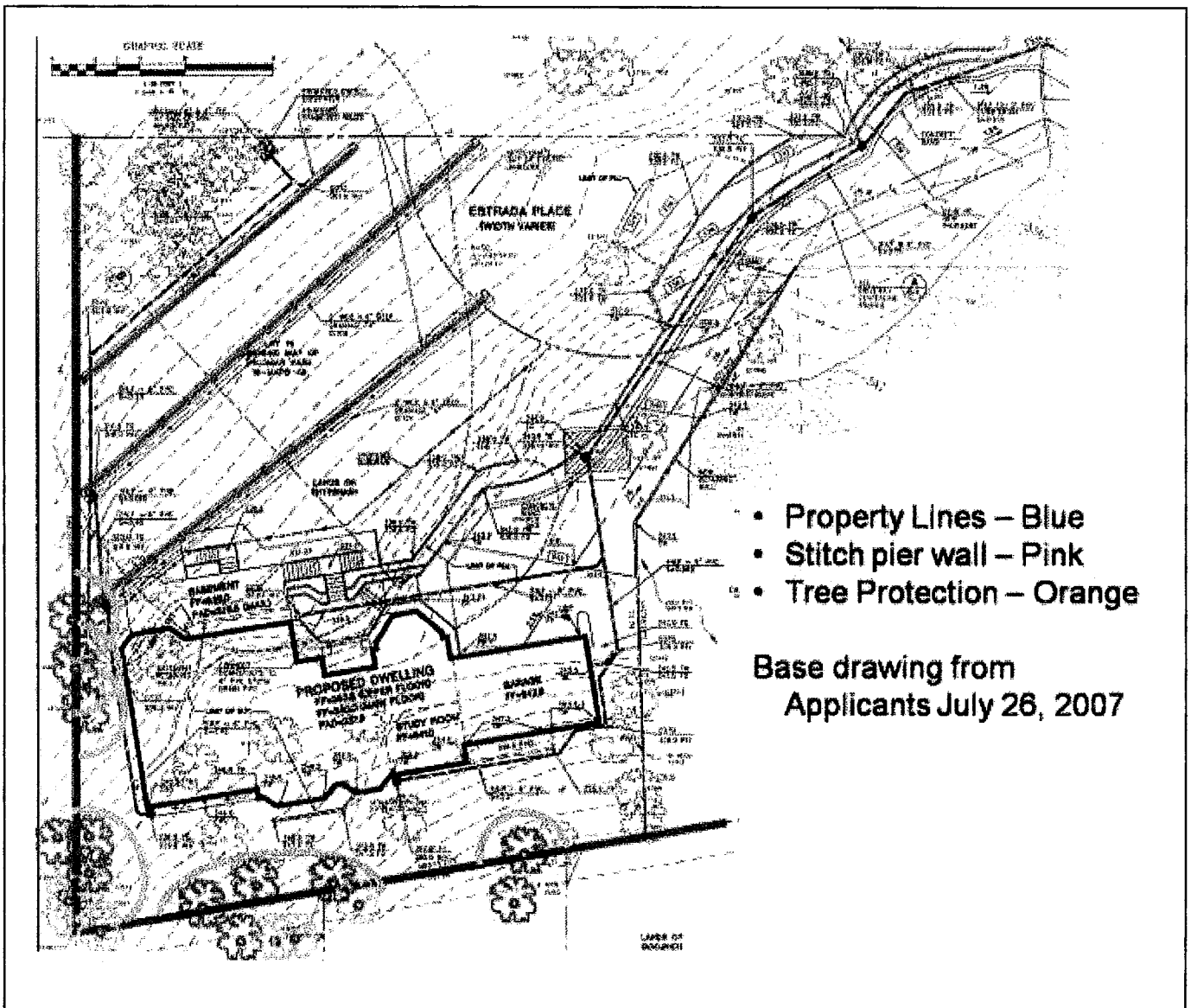
632 PALOMAR DRIVE REDWOOD CITY, CA 94062

C. Construction of the Stitch pier walls—violation of the tree protection plan

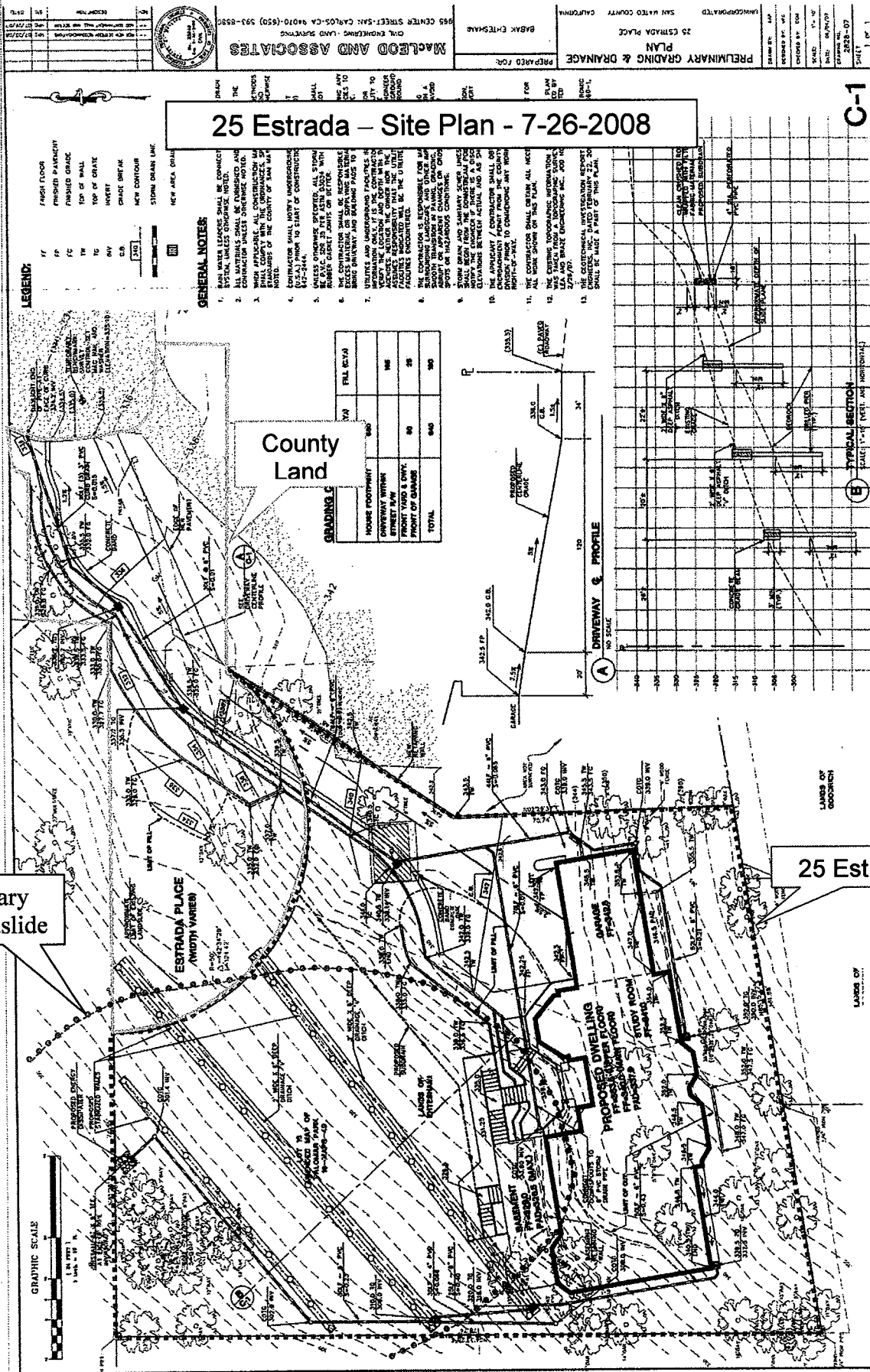
The construction of the lower two stitch pier walls appears to come to within one or two feet of the property line and directly next to oak trees on our property. As part of the BDRC approval in June '07, the applicant was required to provide a 10 foot protective radius of the trees on our property. The current location of the stitch pier walls are not in compliance with this requirement. Approval of the plan by the county to construct the stitch pier wall near our property line does not imply the applicant has any right to access our property with construction equipment, personnel, material or debris in order to execute the construction, nor to damage the root system of any of our trees.

Request:

1. That prior to any grading or construction on this project, a survey is submitted that shows all trees 10 feet into our property on the two shared property lines.
2. The inclusion of these trees under the tree protection plan which provides for a 10 foot radius protective fence within which no construction can occur.



000053



Boundary of landslide

County Land

25 Estrada

000054

Letter of Appeal

Francis M. & Elizabeth L. Taylor
415 Palomar Drive
Palomar Park, CA 94062
June 5, 2009

Erica Adams
San Mateo County Planning & Building Department
455 County Center
Redwood City, CA 94063

Subject: File No. PLN 2005-00603 - 25 Estrada Place

TO WHOM IT MAY CONCERN:

Although we understand that an official appeal has been filed, we would like to submit this letter, **WHICH DIFFERS FROM OTHERS YOU MAY RECEIVE**, to demonstrate our support for the reversal of the Planning Commission decision of May 27, 2009.

The plans have been reviewed by those who attended Design Review and Planning Commission meetings, and it seems clear that this project does not comply with the standards set forth in Section 6565.16.

Specifically, the following items are not in compliance:

- A. Site Planning: **DOES NOT** minimize tree removal, minimize alteration of the natural topography, respect the privacy of neighboring houses or minimize alteration of streams and natural drainage channels.
- B. Architectural Styles: **IS NOT** architecturally compatible with existing buildings or natural surrounding of the immediate area.
- C. Building Shapes and Bulk: **DOES NOT** respect nor conform to the natural topography of the site. Bulk of building **IS NOT** controlled by terracing up or down the hill.
- L. Paved Areas: **DOES NOT** keep the amount of visible paved areas to a minimum.

We are aware of the fact that the Design Review Committee and the Planning Commission, appointed bodies charged with the responsibility of fairly applying and upholding the County's standards, agreed that this project neither satisfies nor meets those standards.

Standards exist for a reason, and it is our feeling that they should be applied and enforced consistently. To do otherwise neutralizes their intent and effect, and encourages subsequent exceptions, rendering the standards pointless. In the present case, failure to uphold this appeal will result in a construction project that threatens the natural features and undermines the stability of the surrounding area, while introducing a home completely out of character with the Palomar Park community.

WE URGE YOU TO UPHOLD THIS APPEAL OF THE PLANNING COMMISSION DECISION.

Sincerely,



cc: Supervisor Rich Gordon

000055

Attachment J

Letter of Appeal

June 8, 2009

Erica Adams
San Mateo County Planning & Building Department
455 County Center
Redwood City, CA 94063

RECEIVED
2009 JUN 10 P 2:56
SAN MATEO COUNTY
PLANNING DIVISION

Subject: File No. PLN 2005-00603 – 25 Estrada Place

To Whom It May Concern:

We understand that an official appeal has been filed but we would like to submit this letter as a further show of support for the reversal of the Planning Commission decision of May 27, 2009.

A number of us have reviewed the plans, attended Design Review and Planning Commission meetings and believe that the project is not in compliance with the standards set forth in Section 6565.16.

Specifically, the following items are not in compliance:

- A. Site Planning: **DOES NOT** minimize tree removal, minimize alteration of the natural topography, respect the privacy of neighboring houses or minimize alteration of streams and natural drainage channels.
- B. Architectural Styles: **IS NOT** architecturally compatible with existing buildings or natural surrounding of the immediate area.
- C. Building Shapes and Bulk: **DOES NOT** respect nor conform to the natural topography of the site. Bulk of building **IS NOT** controlled by terracing up or down the hill.
- L. Paved Areas: **DOES NOT** keep the amount of visible paved areas to a minimum.

As witnessed by those of us who attended the Design Review Committee meetings and the Planning Commission hearing, even those appointed bodies charged with the responsibility of fairly applying and upholding the standards, agree that this project does not satisfy nor meet those standards.

We urge you to uphold the appeal of the Planning Commission decision.

cc: Supervisor Rich Gordon

000056

Alan Schenck
Signature

107 Montalvo Rd
Address

John Landi
Signature

178 South Palomar Drive
Address

Kathryn A. Bedding
Signature

1040 Palomar Dr.
Address

Jeff Owe
Signature

1007 Palomar Dr.
Address

Francis Glala
Signature

1030 Palomar Dr
Address

Richard Landi
Signature

178 South PALOMAR DR.
Address

Daniel Refelin
Signature

347 Palomar Drive
Address

Phyllis Henderson
Signature

107 Montalvo Rd.
Address

Walt Zimmerman
Signature

188 SOUTH PALOMAR
Address

[Signature]
Signature

1021 Palomar Dr
Address

Signature

Address

June 6, 2009

Erica Adams
San Mateo County Planning & Building Department
455 County Center
Redwood City, CA 94063

Subject: File No. PLN 2005-00603 – 25 Estrada Place

Dear Ms. Adams,

I would like to submit this letter in support of the appeal to the Board of Supervisors for the reversal of the Planning Commission decision of May 27, 2009. Please make sure that this letter is in the file for that hearing.

I have reviewed the plans and the site area, and I attended the appeal hearing at the Planning Commission on May 27th, and I believe that the project is not in compliance with the Standards for Design set forth in Section 6565.16. In addition, I believe that the Planning Commission hearing was flawed because all five members were not in attendance, which increased the odds that the appeal would be denied regardless of its merits.

The plan does not conform to the Standards for Design in Palomar Park:

A. Site Planning:

The Standards specifically state that new buildings should be sited to minimize tree removal, alteration of natural topography, and respect the privacy of neighboring houses. Yet this building was sited all the way to one end of the property on a site which actually has the MOST possible impact to all three of these. Moving the house down slope and at the angle of the actual slope and increasing the terracing would minimize all three of these issues, but little attempt was made to do this.

B. Architectural Styles: this project is not architecturally compatible with existing buildings or natural surroundings of the immediate area.

C. Building Shapes and Bulk: The Standards specifically address the issue of Bulk because it is so important. The house was described as "massive" multiple times by the architects during the Design Reviews, yet the massive bulk of the design was still allowed to pass the 4th review. The bulk could be controlled with a change in design that had more terracing but the applicants have not attempted to do this.

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L. Paved Areas: The Standards say that paved areas should be kept to a minimum. By siting the building on the extreme upper portion of the lot, the applicants have created a need for an excessive amount of driveway paving that would not be necessary for a house sited further down the hill.

In reviewing the previous Design Reviews, and attending the appeal to the Planning Commission it was clear to me that most of the members of those bodies also agreed that the design did not meet many of these standards. It may be that the committees have been reluctant not to approve the design because the applicants have spent so much time and money trying to get it approved. I am also sympathetic to this. However, if the applicants had been properly prepared (had proper surveys, correct building heights, etc), and had attempted to consider the design guidelines in their submissions, they would have received the approval they are seeking without opposition from their neighbors.

The Standards for Design were put in place to ensure that development in Palomar Park is done in a manner which allows freedom to build while preserving the rural feel of the neighborhood. None of the Standards are onerous or overly restrictive. I am very concerned that if this project is approved as it now stands, this will set a precedent for any future building in Palomar Park – allowing them to ignore the Standards by pointing to 25 Estrada as their precedent. I believe that this issue needs to be considered carefully in your decision.

I urge you to uphold the appeal of the Planning Commission decision of May 27th.

Thank you for your consideration.

Sincerely,



Kate FitzGerald
500 Palomar Drive
Palomar Park, CA 94062

ATTACHMENT J

LUCE FORWARD

ATTORNEYS AT LAW • FOUNDED 1873
LUCE, FORWARD, HAMILTON & SCRIPPS LLP

JENNIFER E. RENK, ASSOCIATE
DIRECT DIAL NUMBER 415.356.4619
DIRECT FAX NUMBER 415.356.3867
EMAIL ADDRESS jrenk@luce.com

RECEIVED

2009 AUG 17 P 3:48

SAN MATEO COUNTY
PLANNING DIVISION

121 Spear Street
Suite 200
San Francisco, CA 94105
415.356.4600
415.356.4610 fax
www.luce.com

August 14, 2009

38293-01

VIA E-MAIL AND U.S. MAIL

Lisa Grote
Community Development Director
Planning And Building Department
San Mateo County
455 County Center, Second Floor
Redwood City, CA 94063

Re: **25 Estrada Place, Palomar Park; PLN2005-00603**

Dear Ms. Grote:

Attached please find a letter from Sue and Kurt Oppenheimer relative to the proposed septic system for the above-referenced 25 Estrada Place application. On behalf of the Oppenheimers, I would ask that the County investigate the questions raised in the attached August 12th letter and provide a response prior to the October 20, 2009 Board of Supervisors hearing.

Thank you in advance for your attention to this matter.

Sincerely,



Jennifer E. Renk
for
LUCE, FORWARD, HAMILTON & SCRIPPS LLP

cc: John Nibbelin, Deputy County Counsel
Stan Low, Environmental Health
James Mazzetta, Associate Civil Engineer
Jean Demouthe, Acting County Geologist

301148544.1

Attachment J

SUE & KURT OPPENHEIMER

632 PALOMAR DRIVE REDWOOD CITY, CA 94062

August 12, 2009

Lisa Grote
Community Development Director
Planning and Building Department
San Mateo County
455 County Center, Second Floor
Redwood City, CA 94063

Re: 25 Estrada Place, Palomar Park; APN 051-022-420.

Dear Ms. Grote:

Our review of recent documentation provided by the County Planning and Building Department and the County Environmental Health Services Division has given rise again to several questions that remain unanswered relative to the proposed septic system designed for the 25 Estrada Place project.

These questions relate to these areas:

- What are the actual consequences of the County's approval of a septic system designed to accommodate a three bedroom home, when the 25 Estrada proposal provides for a four bedroom home?
- What will be the depth of the leach field lines? That is, are they to be placed within landslide debris or in more competent soil below the landslide debris?
- How will the County take into account the practical requirements for construction of the leach field and the stitch pier walls when considering issuing the grading permit?
- What is the potential impact to the stitch pier walls if deep excavation is required for the leach field?

We are raising these questions now so they can be addressed before the hearing with the Board of Supervisors on October 20, 2009.

Background:

In December 2002, the applicant submitted a septic plan by Steve Brooks for a "proposed three bedroom home" (Attachment #1) based on the GEI geotechnical solution for slide stabilization. The proposed and accepted solution from GEI was to remove the slide debris, bench the hill, install the septic field into competent soil, and then place new compacted fill back to recreate the hillside.

The septic plans were conditioned for a three bedroom house per Stan Low's fax to Mr. Brooks on 7/19/06 (Attachment #2) and the applicants' 2006 Septic Application by Mr. Brooks was received on 9/20/06 (Attachment #3). Mr. Brooks updated his 2002 plans in 2006 which Stan Low approved on 10/12/06 (Attachment #4). The 2006 plans required 2 x 110' primary lines with 220' of expansion line and that the lines be placed in competent soil (per County Geotechnical Department) with 7 feet of drainage rock below each line.

In February 2007, the we brought to the attention of Stan Low and Farhad Mortazavi (Planner) the following issues regarding the plans approved on 10/12/06:

- They are based on inaccurate topological data,
- They show leach lines extending on to County property.

The following language then was placed in the online permit record for 25 Estrada. It appears the septic system was redesigned by Stan Low:

"2-6-07 (S.Low) Farhad and I reviewed the project based on Mr. Kurt Oppenheimer's concern regarding the design of the septic system encroaching onto the driveway. With minor modifications to the design of the

SUE & KURT OPPENHEIMER

632 PALOMAR DRIVE REDWOOD CITY, CA 94062

septic system, the system can fit onto the property meeting Environmental Health standards. An extra drain field immediately above the tank can be installed via a pump. “

It now appears that the above solution by Mr. Low has been incorporated into the applicants' plan but has not been reviewed and approved by the applicant's septic system designer. Nor does it appear that issues regarding incorrect topological data were addressed. Consequently, because the septic plans have not been updated and resubmitted to address the proposed four bedroom house, the County currently has no accurate, approved septic plans on file which reflect the current site plan.

In October of 2007, a new plan for landslide stabilization by Romig was approved - leaving the slide debris in place and using three stitch pier walls for stabilization. In a letter from the County's Geotechnical department to the applicant dated May 20, 2008, item 7 states: "County policy is that leach fields are not allowed to be placed within either fill or landslide deposits. In the event that the County allows the placement of a leach field in landslide debris between sets of stitch piers, as recommended in the report (Romig March 2008)...the lowest wall?"

Please provide answers to the following questions and make this letter and their answers part of the public record.

1. The septic plans that were submitted and approved in October 2006 for this highly constrained lot are only for a three bedroom house, but the proposed house is and has always been a four bedroom home. Attached are:
 - Original septic plans for a three bedroom house for the lot line adjustment, dated 12/02 - (Attachment #1)
 - Mr. Low's fax to Mr. Brooks conditioning the septic design for a 3 bedroom house, dated 7/19/06 - (Attachment #2)
 - Mr. Brooks 2006 Septic Application for 3 bedroom house, dated 9/20/06 - (Attachment #3)
 - Septic plan for Proposed Resident at 25 Estrada approved on 10/12/06 (note: disposal field length is the same as the 12/02 plans) - (Attachment #4)
 - Floor plans of the original four bedroom house as submitted in May '06 - (Attachment #5)
 - Current floor plan of the proposed four bedroom house - (Attachment #6)
 - i. ***The granting of the original lot line adjustment was based on the viability of the septic system for the proposed house. Therefore, shouldn't the applicant be required to submit engineered septic plans which evidence support for a four bedroom house?***
 - ii. ***A four bedroom house will require a larger leach field than the approved septic plans for a three bedroom house. The approved septic system for a three bedroom home requires 220' of primary line and 220' of expansion line. Won't a four bedroom house require the length of the disposal field to increase?***
 - iii. ***How will the county review the septic plans to ensure that they incorporate what is currently being proposed for the house -- size, location, driveway, foundations, etc -- and the challenges of the lot? For example:***
 - ***landslide***
 - ***poor percolation***
 - ***steep slope***
 - ***area for the leach field must also accommodate three stitch pier walls and drainage system***
 - ***18' beyond the northern property line is a stream which flows to the Bay?***
2. ***Has the County approved putting a leach field in landslide debris, contrary to County policy?***
 3. If the leach field is allowed to be placed in landslide debris (Figure 1) please address the following:
 - i. ***What were the reasons for allowing an exception to County policy, given the leach field is directly above a stream that flows to the Bay?***
 - ii. ***Shouldn't the applicant submit engineer approved plans that reflect the current septic system solution as they have changed from those originally designed? For example, with respect to:***
 - ***The layout and location of the leach field on the lot***
 - ***The leach field is now placed in landslide debris versus the engineers' original plan for competent soil***
 - ***Topological data used in the original design was wrong and has since been corrected***

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SUE & KURT OPPENHEIMER

632 PALOMAR DRIVE REDWOOD CITY, CA 94062

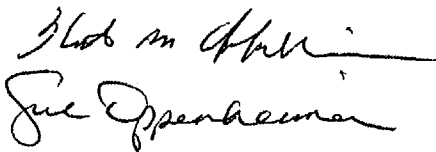
- **Any impact stitch pier walls would have on the leach field design**

4. If the leach field needs to be placed in competent soil below the landslide debris (Figure 2) in accordance with County policy, please address the following:
 - i. The County's position is that trenching for the septic field is not included in a grading permit as the amounts are small. This will not be the case if the leach field is required to be placed below the landslide debris, considering:
 - The septic lines will be placed two feet into competent soil below the slide plane
 - The approved septic plans called for 7 feet of drainage rock below the septic lines
 - Based on the Romig report and MacLeod C-1 drawing, there is between 5 to 10 feet of landslide debris above the slide plane. (Figure 3)
 - a. ***Digging down 14' to 19' through loose slide debris to place the drainage rock is not trenching. Won't this cause the installation of the leach field to become a major excavation task?***
 - b. ***Is there any impact to the stitch pier wall with digging to these depths near the piers? (Figure 3)***
 - c. ***The exact depth of the slide debris is not known across the entire slope face for the length of each septic line. Doesn't this mean that for each of the septic lines, excavation for the entire length of the line must be done before any installation of the septic line or backfilling occur? (Figure 4)***
 - d. ***If this is not done what happens if a deeper pocket of debris is hit? The septic line, per code, must be placed with a gentle downward slope from one end to the other, with no depression of the line to collect waste water.***
 - ii. OSHA Regulations for "Sloping and Benching – 1926 Subpart P App B" deals with how to safely dig to these depths in different soil conditions. If you apply these regulations using a slope face ditch design, you are left with a top opening that is 38 feet wide; however, the distance between stitch piers is only ~20 feet. (Figure 5) Therefore, some combination for shoring and side sloping must be used to comply with this OSHA requirement. Benching will not eliminate this safety issue as the septic line furthest down the slope will still require ~17 feet of excavation. (Figure 6)
 - a. ***To safely excavate for the septic lines, the trenches will be much larger than a simple one foot wide by 7' deep "trench". Shouldn't the resulting amounts of cut and fill required to safely excavate the septic lines be included in the grading permit?***
5. Construction of both the stitch pier walls and septic system will take place on a slope of 22 degrees (Figure 7). The safety literature of Caterpillar and Bobcat state that the maximum slope upon which their backhoe's and track excavators can operate are 25 degrees up/down a slope, but only 15 degrees across a slope. While operating on a 15 degree slope, the operator is directed to use extreme caution while lifting and swinging the bucket.
 - i. ***In order to safely operate the construction equipment, won't benching between the stitch pier walls be required? (Figure 8)***
6. Based on the typical cross section from MacLeod and Associates drawing C-1 dated 04-08-09, benching for all six septic lines could be over 485CY (Figure 9). Replacing the benching to the original slope line requires 485CY of compacted fill. The approved grading amounts were only for the construction of the house and driveway.
 - i. ***Shouldn't the benching and fill required to safely construct the stitch pier wall and septic field be included in the grading permit?***
 - ii. ***If the above needs to be included, the current grading permit approval will not allow for construction of the stitch pier wall and septic field. How will a new grading permit be issued for the total amount of 1525CY (985CY per applicant plans and 970CY for benching/fill)?***
 - iii. ***If the benching is filled back in, doesn't this limit the applicants' ability to maintain the septic field and stitch pier walls?***
7. If benching is required for the safe construction of the septic field, then the downhill side of the middle and upper stitch pier wall would be exposed by ~ 5' to 7'.

000063

- i. What impact would such benching have on these stitch pier walls? (Figure 8)*
8. Construction of the septic field will require feed lines from the septic tank to the lower and upper pairs of septic lines to be dug at some depth (~10 feet) under the middle and upper stitch pier wall.
 - i. What is the impact to stitch pier walls from digging under the stitch pier wall? (Figure 10)*
9. No access is provided to the lower portions of the property for maintenance of the stitch pier walls, leach field, or drainage field. The proposed plans give the applicants exclusive use of county land which was held for the extension of Estrada Place. The proposed plans cut off all access beyond the arc of the driveway with a series of retaining walls. This means that no equipment can access the lower portions of 25 Estrada to maintain the leach field, stitch pier walls, or drainage system without going through San Carlos' Eaton Park land. (Figure 11) Romig's report on page 13 calls out that future repair of localized failures may be necessary, and could require lagging between piers on the lower wall.
 - i. Wouldn't it be wise to require better access to the lower part of the applicants' property for maintenance?*

Sincerely,



Kurt and Sue Oppenheimer

CC:

John Nibbelin –Deputy County Counsel
Stan Low – Environmental Health
James Mazzetta -- Associate Civil Engineer
Jean Demouthe -- Acting County Geologist

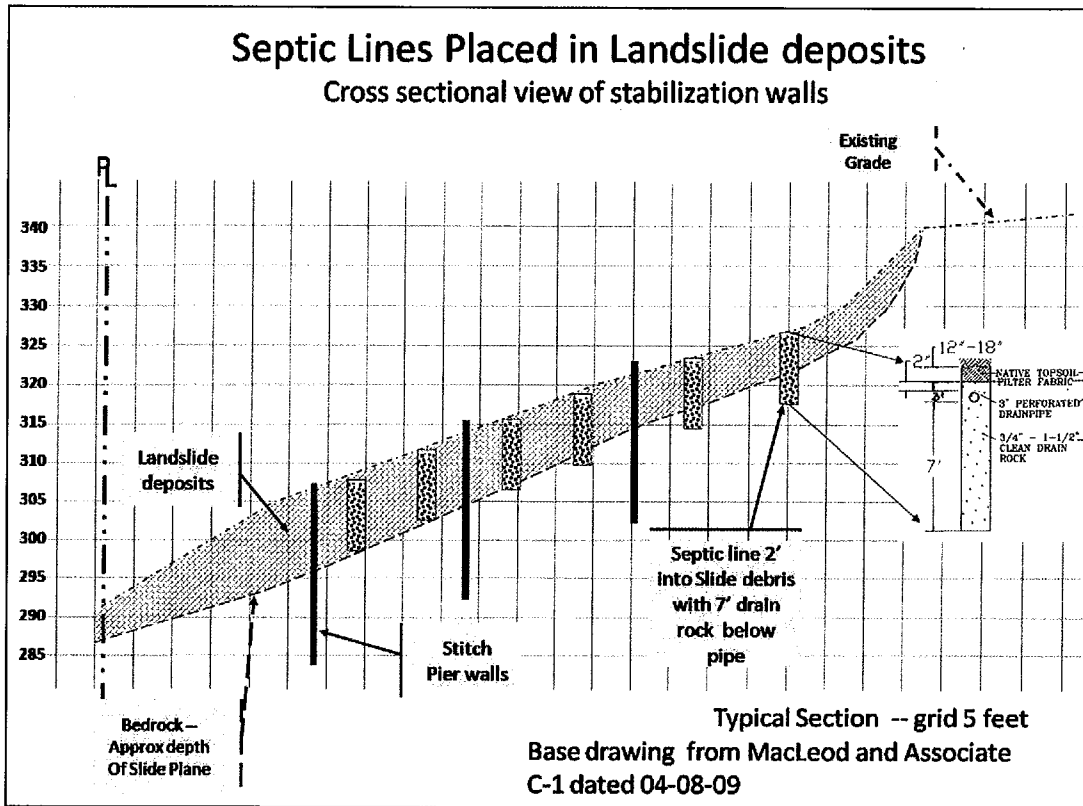


FIGURE 1 – Septic lines placed in landslide deposits

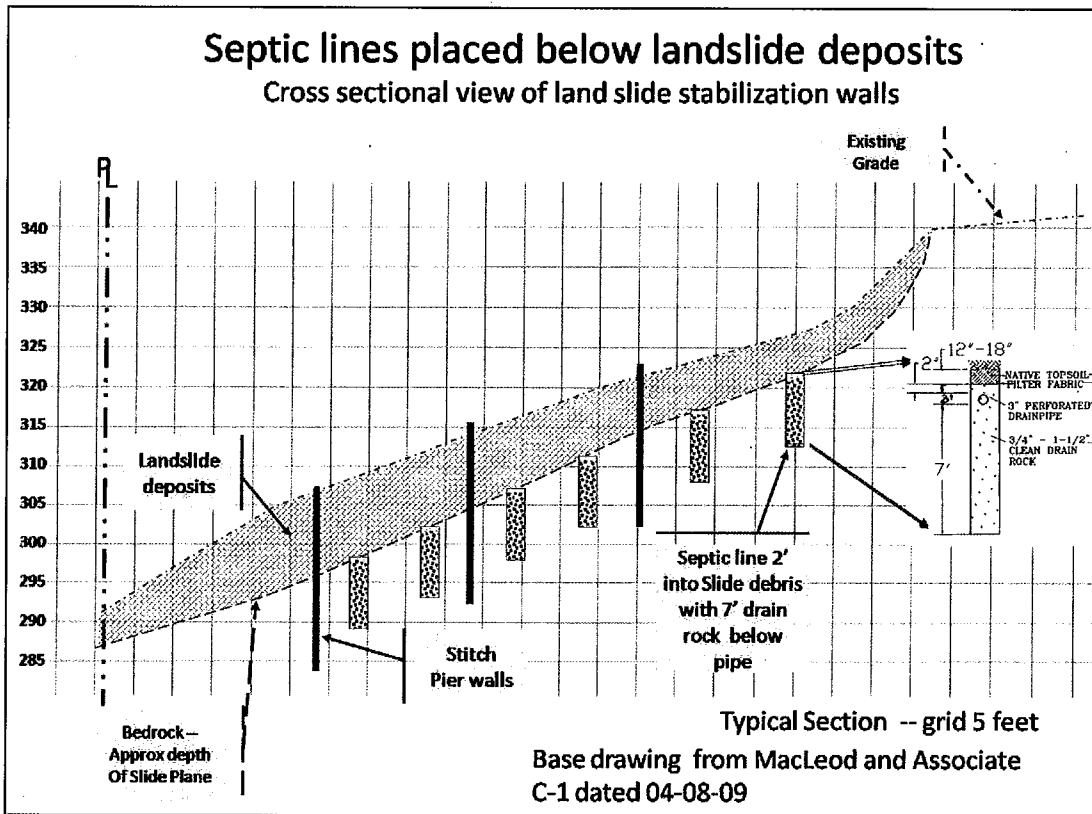


FIGURE 2 – Septic lines placed below landslide deposits

Cross sectional view of landslide stabilization walls and Septic lines to scale

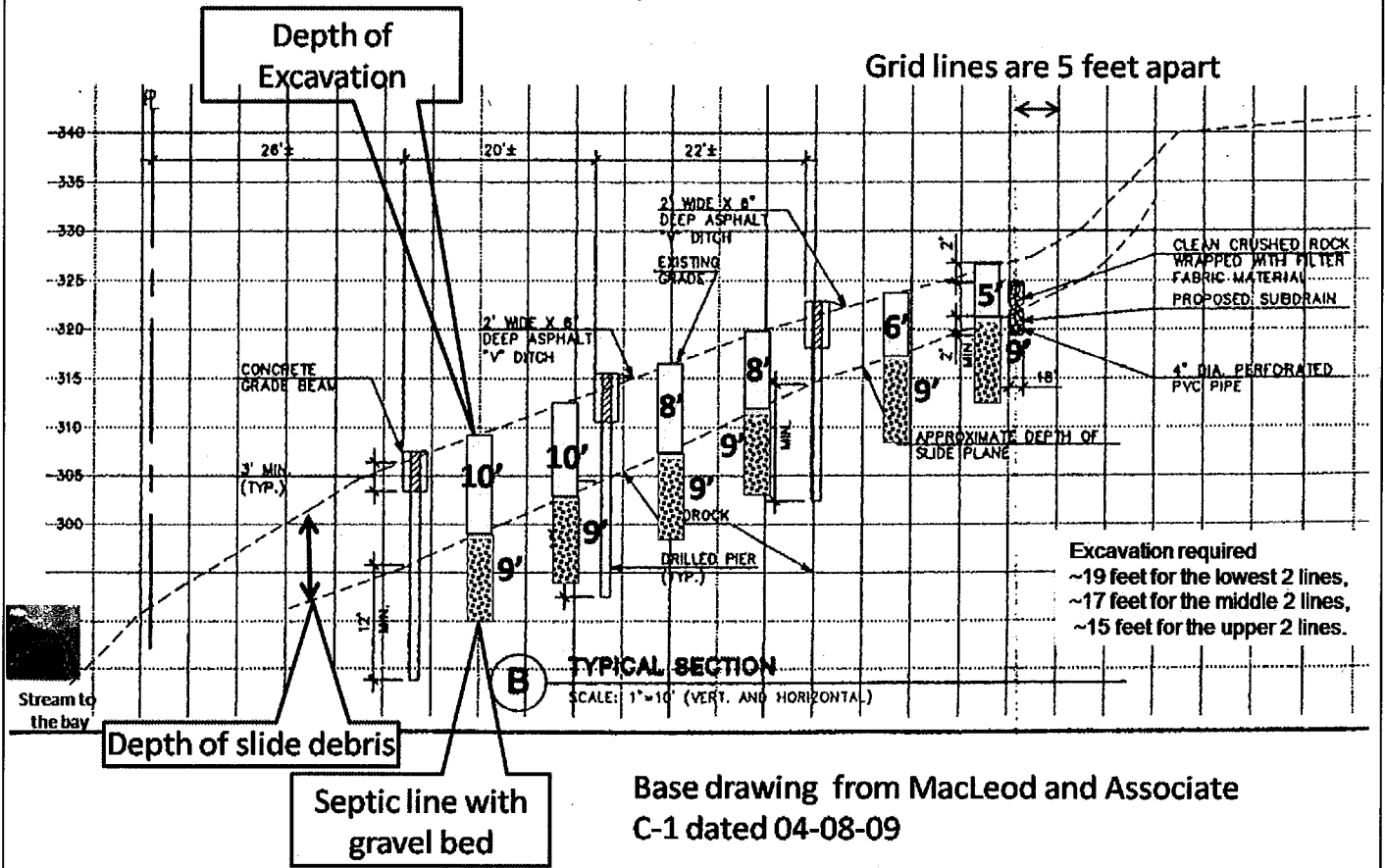
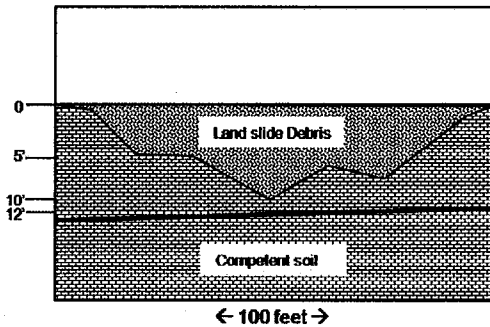


FIGURE 3 - Depth of Septic Lines

Example of trenching requirements



- Septic lines need to be placed 2-3' into competent soil below debris
- Septic lines are installed with gentle slope of 1/8" to 1/4" per linear foot

In this example the trench will need to remove

- 10' of debris and 2' of competent soil in the middle of the slope face
- 0' of debris and 12' of competent soil on either side of the slope face

Resulting in a 12 foot deep trench dug across the entire face of the slope

Cross section of septic line running across the face of slope

FIGURE 4 – Septic placement below slide debris

OSHA 1926-B-1.2 Excavations Made in Type B Soil

1. All simple slope excavations 20 feet or less in depth shall have a maximum allowable slope of 1:1.

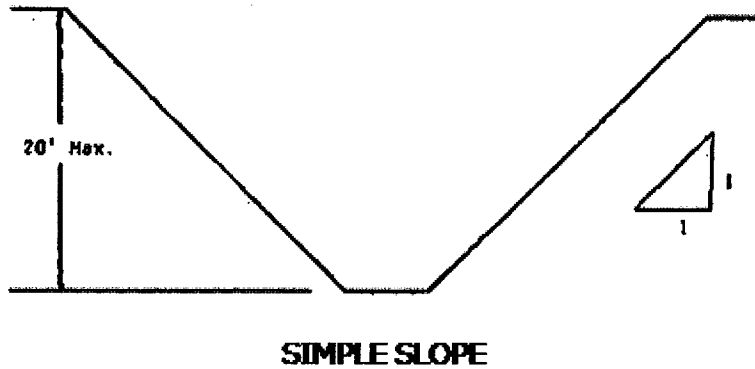
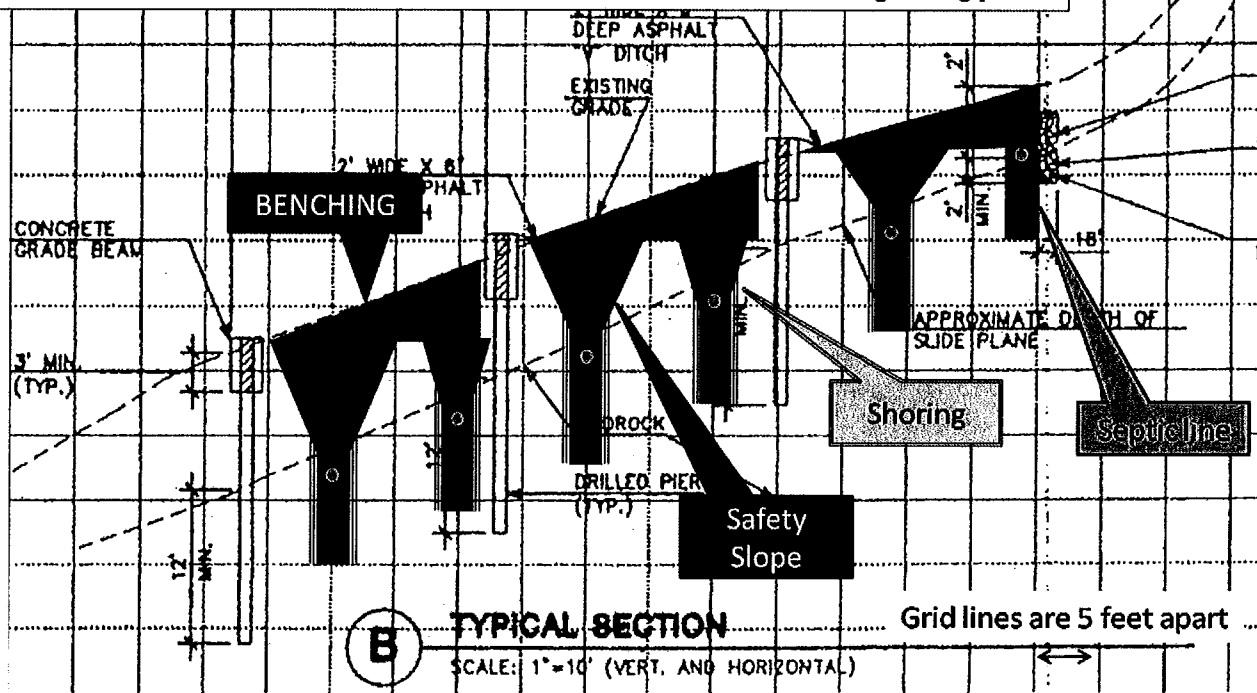


Figure 5 – OSHA 1926-b-1.2 excavation and shoring

An example of Benching, Shoring, and Safety Sloping for safe operation of equipment and meeting OSH regulations to install Septic lines

All blue areas will need to be cut and filled and is not included in grading plan!



Base drawing from MacLeod and Associate C-1 dated 04-08-09

Figure 6 – Example of excavation and shoring

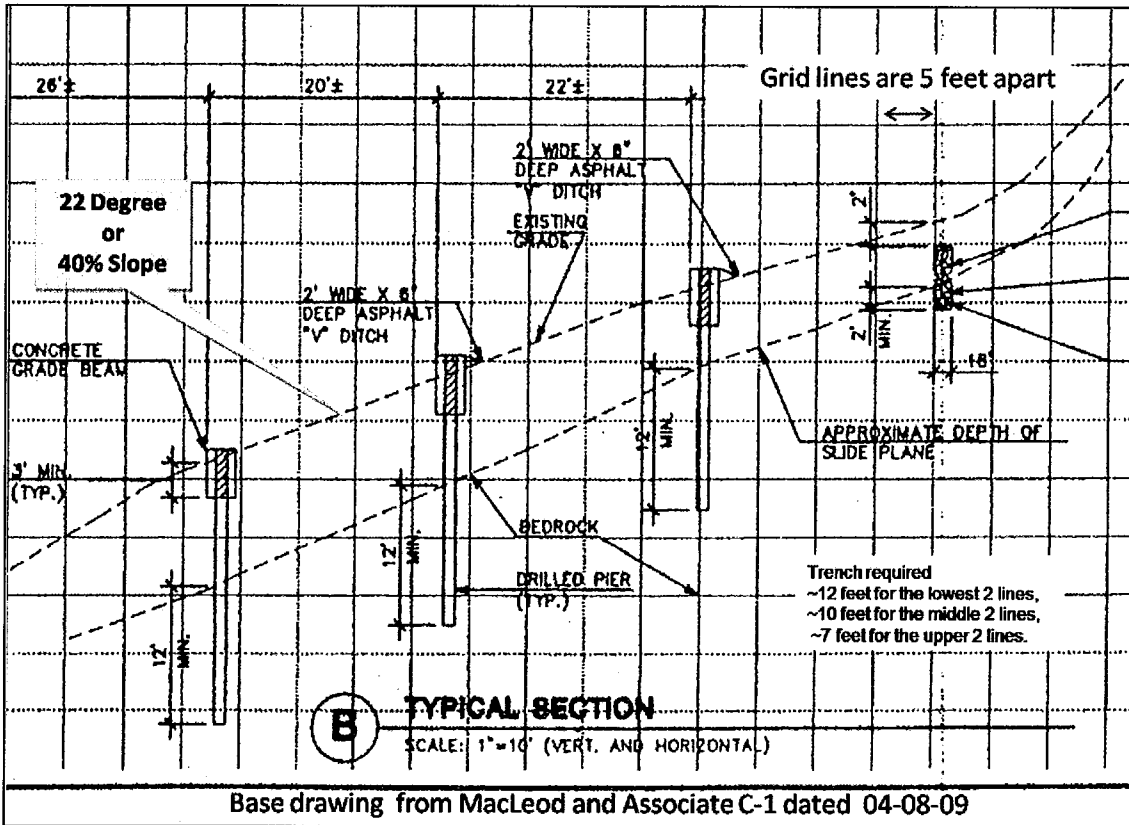


FIGURE 7 – 22 degree slope

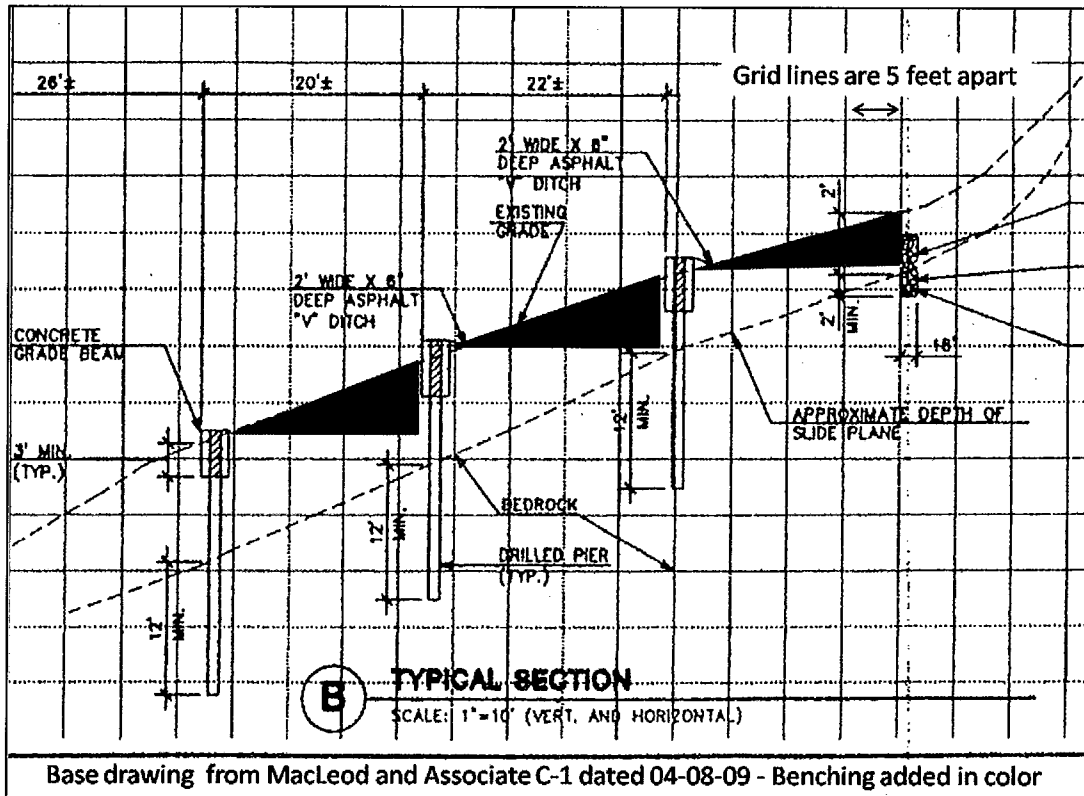


FIGURE 8 – Highlighted Benching

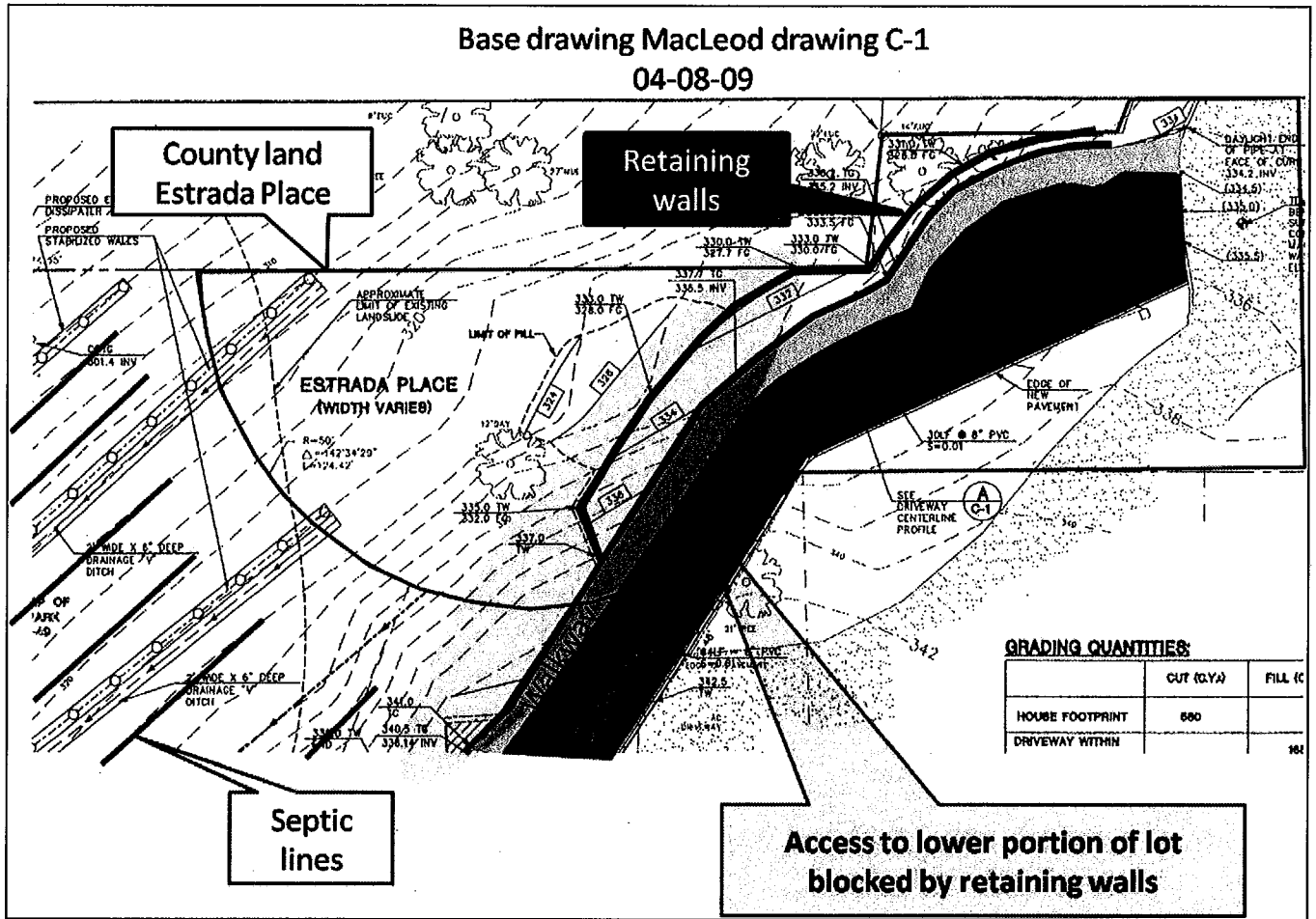


Figure 11 – “Estrada Extension”

SUE & KURT OPPENHEIMER

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ATTACHMENT #2: Mr. Low's fax to Mr. Brooks ok'ing septic design for a 3 bedroom house, dated 7/19/06

ENVIRONMENTAL HEALTH
SAN MATEO COUNTY



Environmental Health
455 County Center 4th Floor
Redwood City, CA 94063

FACSIMILE COVER SHEET

DATE: 7/19/06

TO: Steve Brooks

COMPANY NAME: _____

FAX# (408) 288-8476

FROM: STAN LOW

AT: ENVIRONMENTAL HEALTH - FAX# 650-363-7882

PHONE#: (650) 363-4702

Number of Pages (including cover page): 1

COMMENTS: Steve: For # 21 Estrada, 051-022-030.
The proposed project for a 3 bedroom house has been
conditional to have a 1500 gal concrete tank, 2 lines of
107 ft with 7 ft of drain-walk.

Stan

The information contained in this FAX transmission is confidential and may be privileged and exempt from disclosure under applicable law. This information is intended only for the use of the individual or entity to which it is addressed. If you are not the intended recipient, or the agent of employee responsible to deliver it to the intended recipient, you are hereby notified that any use, dissemination, distribution, or copying of this communication is strictly prohibited. If you have received the FAX transmission in error, please immediately notify us by telephone and return the original message by mail to the address above (postage available, upon request). Thank you.

SUE & KURT OPPENHEIMER

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ATTACHMENT #3: Mr. Brooks 2006 Septic Application for 3 bedroom house, dated 9/20/06



SAN MATEO COUNTY ENVIRONMENTAL HEALTH SERVICES

SAN MATEO COUNTY ENVIRONMENTAL HEALTH SERVICES

455 County Center 4th Floor, Redwood City, CA 94063
(650) 363-4305 ♦ FAX (650) 363-7882

SEP 20 2006

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2006 SEPTIC APPLICATION

NEW CONSTRUCTION: (check one or more)

- Other \$ _____
- Site Exam \$ 748
- Perc Test \$1,360
- Final Permit
- 1. <2500 ft² \$1,360
- 2. <3500 ft² \$2,070
- 3. >3501 ft² \$2,845
- Filing Fee/ Water Test \$ 27
- Repair/Alteration \$1,187
- Minor Repair/Alter \$ 653
- Alternative System \$1,294
- Insp. Cancellation \$ 257
- Permit Appeal \$ 213
- Permit Extension (current fee) 50%

(Fees must be submitted with application)

FEES SUBJECT TO CHANGE

- Wet Weather Testing \$ 712
- Pressure Dosed \$1,294
- Alt/Press Dose Annual \$ 321
- Re-submittal for: _____ \$ 425
- Tank Destruction \$ 653
- Variance \$ 516

APPLICATION FOR INDIVIDUAL SEWAGE DISPOSAL SYSTEM PERMIT

Three plot plans **MUST** be submitted with this application
(Make plans to scale 1"= 20' preferred)

OWNER: BABAK SHAHLA EHTESHAMI
MAILING ADDRESS: 21 Estrada Pl
(Street No. & Name)
Redwood City 94062-3247
(City) (Zip)

CONTRACTOR: Lanley Hill Quarry
(MUST BE CERTIFIED SEPTIC CONTRACTOR)
ADDRESS: Hayne Rd, Portola Valley
(Street No. & Name)
Portola Valley
(City) (Zip)

PHONE: () PHONE: ()

SITE ADDRESS: _____

APN: 051-022-030 LOT SIZE: _____
(9-Digit Number Required)

NUMBER OF BEDROOMS: 3 ADDITION TO HOUSE: YES NO
SOURCE OF WATER SUPPLY: PUBLIC WATER WELL SPRING

- San Mateo County Certified Percolation Tester No: _____
- San Mateo County Certified Installer's No: _____
- Workmen's Compensation Insurance Coverage: _____

I certify that in the performance of the work for which this permit is being issued, I shall not employ any person in any manner so as to become subject to the Workmen's Compensation Laws of California.

APPLICANT SIGNATURE: Steve Brooks DATE: 9/20/06

SUBMIT METHOD OF ABANDONMENT ON A SEPARATE SHEET.

APPLICATION WILL BE VOID AFTER 1 YEAR FROM DATE OF SUBMITTAL.

OFFICE USE ONLY

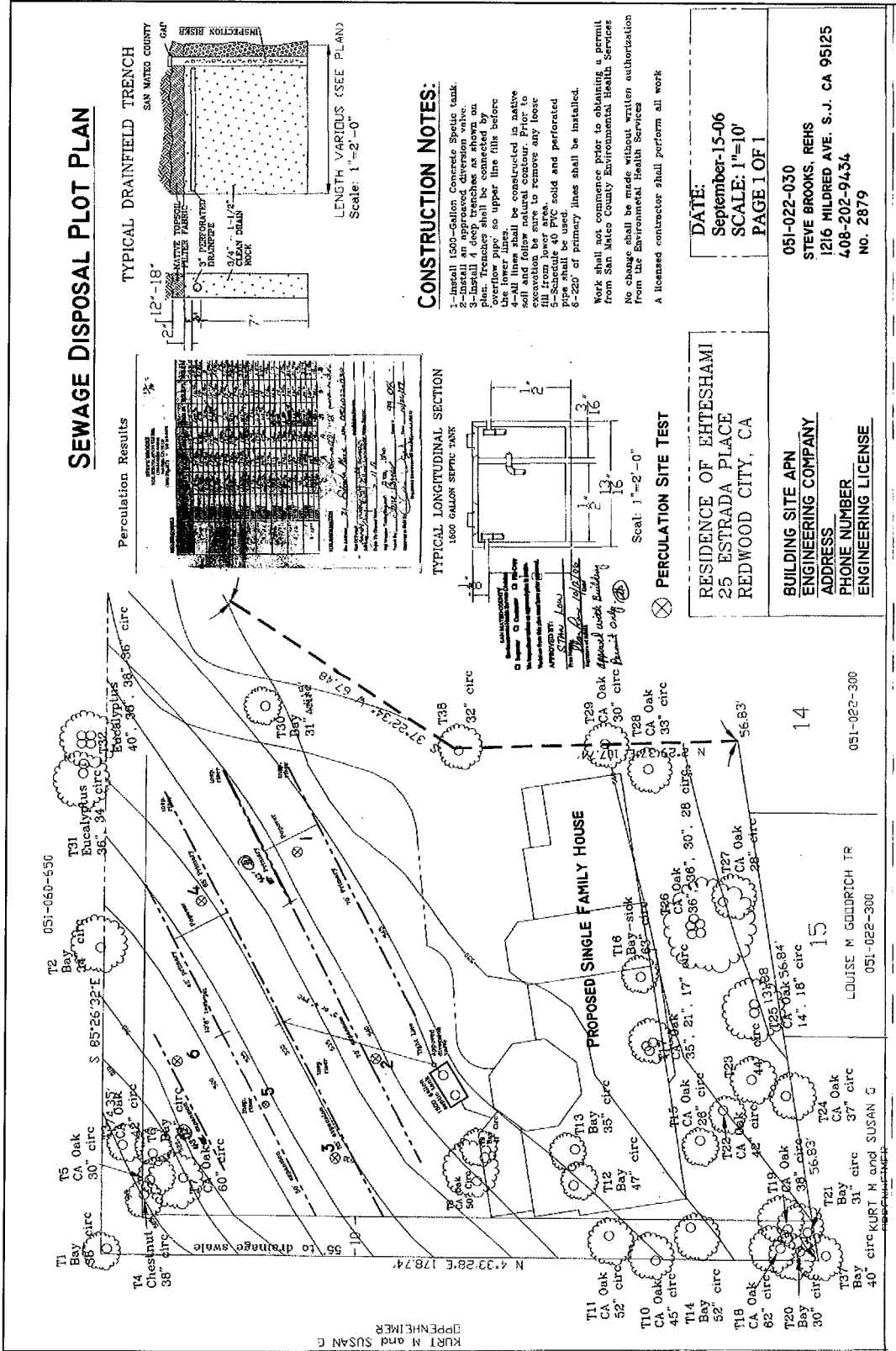
SOIL PERC RATE:	1	2	3	4	5	6	Average
			PERMITTED		INSTALLED		# OF LINES
SEPTIC TANK CAPACITY:			<u>1500 gals</u>				
DISPOSAL FIELD LENGTH:			<u>2 x 110'</u>				
DISPOSAL FIELD DEPTH:			<u>7' ROCK FILL</u>				
DISPOSAL FIELD WIDTH:							
MAKE & MODEL OF PUMP:							
FAILURE:							
CONDITIONS:			▶ TANK	▶ FIELD	▶ GROUNDWATER	▶ OTHER	

PERMIT APPROVED BY: _____ DATE: _____

SEPTICAPP2006

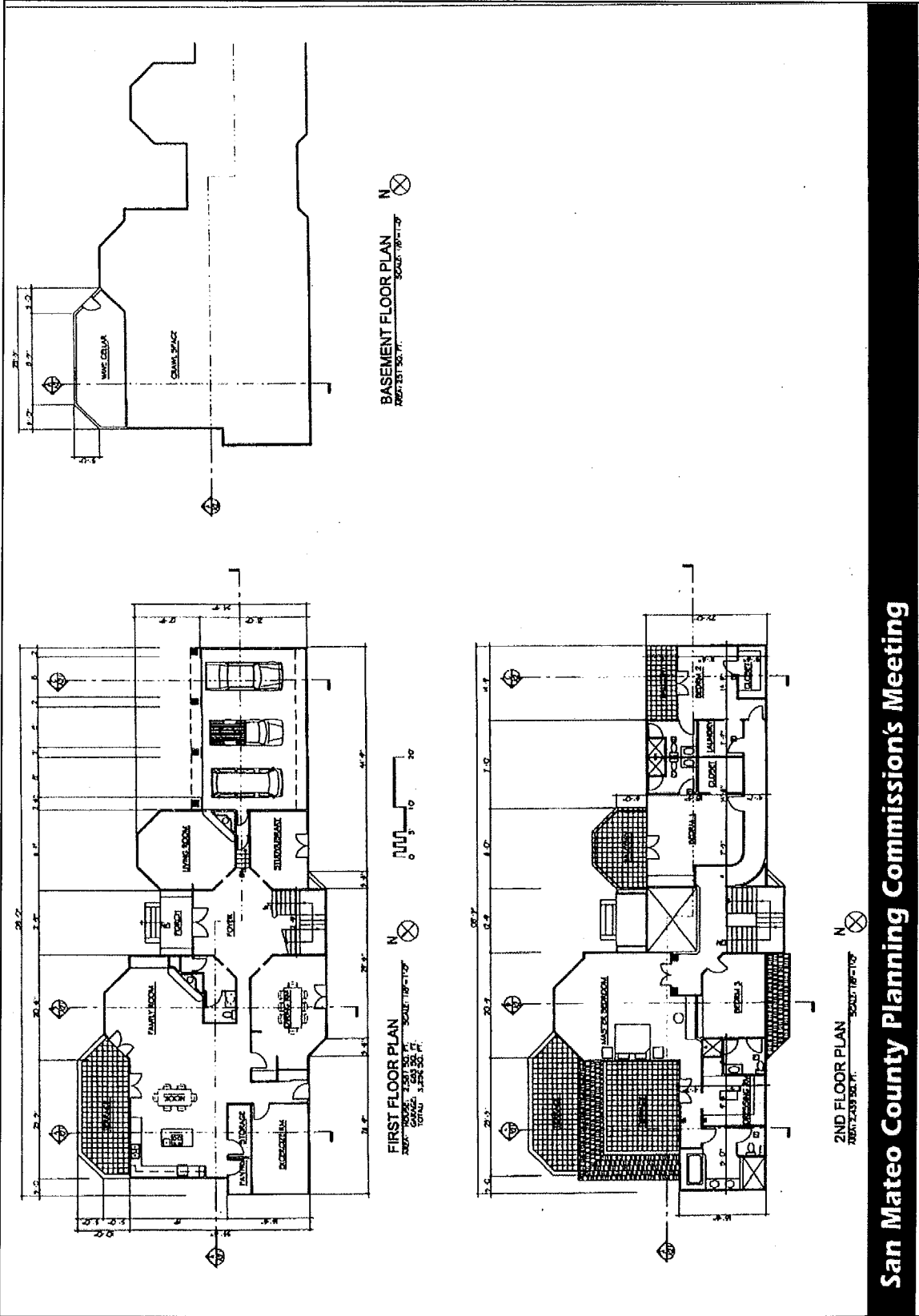
000073

ATTACHMENT #4: Septic plan for Proposed Resident at 25 Estrada approved on 10/12/06
 (note: disposal field length is the same as the 12/02 plans)



KURT N and SUSAN G OPPENHEIMER

ATTACHMENT #5: Floor plan of the original four bedroom house as submitted in May '06



San Mateo County Planning Commission's Meeting

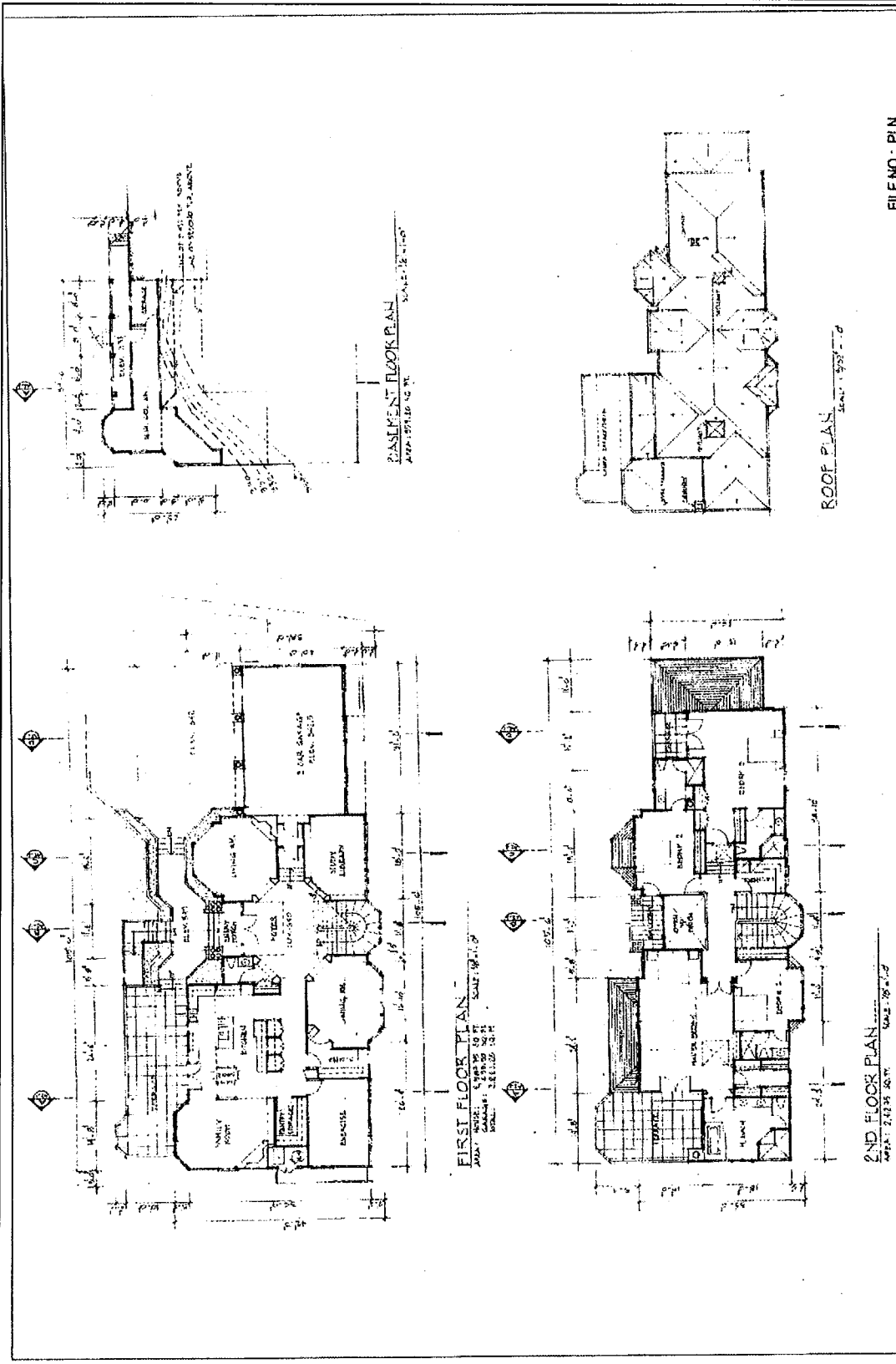
Owner/Applicant: **EHTESHAMI**

File Numbers: **PLN 2005-00603**

Attachment: **000038**

(PLN) (PLN) (PLN) 4.31.07

ATTACHMENT #6: Current floor plan of proposed four bedroom house



FILE NO.: PLN
 Attachment: **000044**
San Mateo County Planning Commission's Meeting
 Owner/Applicant: **EHTESHAMI**
 File Numbers: **PLN 2005-00603**

4/16/05 4:08:43 PM

ATTACHMENT K

Gloria and Lee da Silva
18 Estrada Place
Redwood city CA 94062

May 20, 2009

Erica Adams
County Planning
400 County Plaza, Redwood city CA

Dear Ms. Adams,

We are the neighbors across the cul-de-sac from the Ehteshami's and support their project at 25 Estrada Place. We have reviewed their new home at 25 Estrada Place and as we showed up and supported their project the first time at BDRC meeting on May 3, 2006, we continue to support and wish for this house to be approved.

Thank You



Gloria da Silva

Cc: Shahla and Babak at 21 Estrada Place, RC

... 00007

Sterling Hammock
14 Estrada Place
Redwood city CA 94062

May 21, 2009

Erica Adams
County Planning
400 County Plaza, Redwood city CA

Dear Ms. Adams,

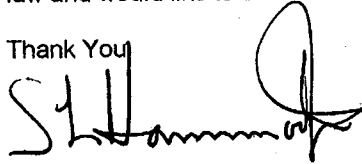
My wife and I have been living at 14 Estrada Place since 1978. We love this neighborhood for its serene setting and being surrounded by good neighbors. We have known the Ehteshamis since 1996 when they first moved across the street.

We have reviewed the plans of 25 Estrada Place with Babak and Shahla and like their plans. Our house is very similar to theirs in size and think so long as their project meets the requirements it should be permitted for construction. Their proposed house is well designed for its lot and the topological layout.

We also have reviewed and seen the trees to be removed and the settings and do not believe it to be excessive, especially when considering the trees' poor condition and the fact the Ehteshami's are committed to planting 2 for every one sick tree removed.

We believe that people should be able to build their dream house if it is within the law and would like to see the Ehtehami's project approved.

Thank You



Sterling Hammock Jr.

Cc: Babak at 21 Estrada Place
George at 10 Estrada Place

000078

September 21, 2009

Erica Adams

San Mateo County Planning & Building Department

455 County Center

Redwood City, CA 94063

Subject: File No. PLN 2005-00603 – 25 Estrada Place

Dear Ms. Adams,

The Palomar Property Owners (PPO) is a voluntary association of property owners in the Palomar Park area. As members of the Board of the PPO, we were elected to represent the interests of the neighborhood, and have worked over the years with various county and state officials to help maintain the character and safety of Palomar Park – including the introduction of Design Review standards into the building code.

Because we care deeply about the integrity and beauty of our neighborhood, we urge the Board of Supervisors to support the appeal by Oppenheimer/Goodrich to reverse the Planning Commission decision of May 27, 2009. This decision supported the approval of the Design Review for 25 Estrada Place in Palomar Park. We believe that the Design Review decision was flawed, and that the design for the house at 25 Estrada should not have been approved because it violates the letter and the intention of the Standards for Design set forth in Section 6565.16 of the San Mateo County Zoning Regulations.

The PPO board does not normally get involved in Design Review decisions. However, in this case, the violation of the Design Standards will set a dangerous precedent which threatens the very existence of those same standards. If 25 Estrada is approved as it now stands, we believe that subsequent construction projects also will feel justified in ignoring the Standards, and that this will change the character of Palomar Park for the worse.

The Standards for Design were put in place to ensure that development in Palomar Park is done in a manner which allows freedom to build while preserving the rural feel of the neighborhood. None of the Standards are onerous or overly restrictive.

In particular, the design at 25 Estrada Place violates the following parts of the Design Standard:

A. Site Planning:

The Standards specifically state that new buildings should be sited to

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"minimize tree removal, alteration of natural topography, and respect the privacy of neighboring houses". Yet this house was situated in a way which actually has the MOST possible impact to all three of these. The house could easily be moved further from the edge of the lot, and this single change would eliminate most of the tree removal, and give the neighbors back the privacy which is destroyed by the current design.

- B. Building Shapes and Bulk: The Standards specifically address the issue of bulk because it is so important to neighborhood character - requiring that houses be designed to *"control the bulk of buildings on hillsides by requiring them to be terraced up or down the hill at uniform height"*. This house was described as "massive" multiple times by the architects during the Design Reviews, yet the massive bulk of the design was still allowed to pass the 4th review. This issue is NOT about size – it is about how the house is laid out on the site. The current design of the house results in over 100 feet of running back wall directly in the view of several neighbors.

- L. Paved Areas: The Standards say that paved areas should be kept to a minimum. By siting the building on the extreme upper portion of the lot at the furthest edges of three setbacks, the applicants have created a need for an excessive amount of driveway paving that would not be necessary for a house sited closer to the middle of the lot.

We would like to make it clear that Kurt Oppenheimer, the PPO Board president and one of the neighbors making the appeal, has not been involved in any way in the PPO Board discussions or decisions. Mr. Oppenheimer has recused himself at the outset from all PPO Board discussions related to this issue. In addition, the PPO Board had objected in writing to the approval of the 25 Estrada project before Mr. Oppenheimer even joined the PPO Board.

We urge you to uphold the appeal of the Planning Commission decision of May 27, and ask that you require the owners of 25 Estrada to make the design changes necessary to meet the Design Standards for Palomar Park.

Sincerely,



Kate FitzGerald, Director, PPO Board and
The Board of Directors, Palomar Property Owners

*Jeff Garratt - Vice-President
John Claude - Treasurer
Carol Mondino - Secretary
Bernie Wooster-Wong - Editor, Newsletter*

*Kathryn Bedbury - Traffic Committee Chair
Joe Marshall - Director
Chris Myers - Director
Kate FitzGerald - Director*

Cc: Mark Church, District 1
Carole Groom, District 2
Richard S. Gordon, District 3
Rose Jacobs Gibson, District 4
Adrienne J. Tissier, District 5

000081

SUE & KURT OPPENHEIMER
632 PALOMAR DRIVE REDWOOD CITY, CA 94062

September 25, 2009

Erica Adams
Planning and Building Department
San Mateo County
455 County Center, Second Floor
Redwood City, CA 94063

Re: Staff report for October 20 BoS appeal hearing of 25 Estrada Place, Palomar Park; APN 051-022-420.

Dear Ms. Adams:

Please make the attached zoning regulations for Palomar Park and the San Mateo County Community Design Manual part of the permanent record for 25 Estrada Place to be included in the staff report to the Board of Supervisors.

Please ensure that the correct tree replacement ratios are used in the staff report to the BoS. In the staff report to the Planning Commission dated May 27, 2009 (Section C.1.a paragraph 6) on page stamped "000008" it was incorrectly stated that the required tree replacement ratio in Palomar Park is 1-1. Section 6565.20.B.1 states:

"For each loss of a significant indigenous tree there shall be a replacement with three (3) or more trees of the same species using at least five (5) gallon size stock."

Sincerely,



Kurt Oppenheimer

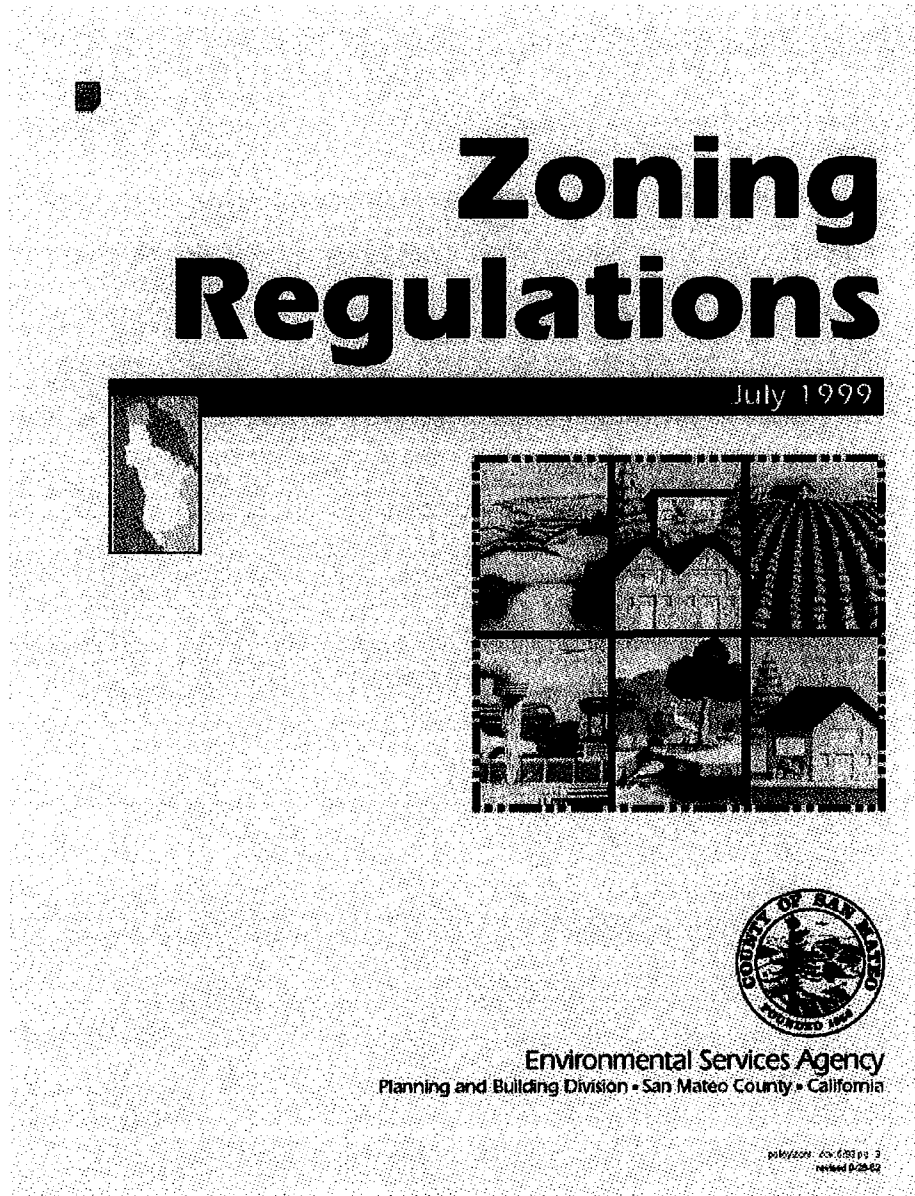
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SEP 25 2009

**San Mateo County
Planning Division**

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Palomar Park Specific Zoning Regulations from:



CHAPTER	SECTION	SUBJECT
Chapter 28.1 "DR" (Design Review District)	6565.1.	ESTABLISHMENT AND PURPOSE OF DESIGN REVIEW DISTRICT
	6565.16.	STANDARDS FOR DESIGN IN PALOMAR PARK
	6565.20.	STANDARDS FOR THE PROTECTION OF TREES AND VEGETATION

CHAPTER 28.1. "DR" DISTRICTS
(DESIGN REVIEW DISTRICTS)

SECTION 6565.1. ESTABLISHMENT AND PURPOSE OF DESIGN REVIEW DISTRICT.

1. In any district which is combined with the "DR" District, the regulations of this Chapter shall apply.
- B. In addition to the regulations set forth in Chapter 27, Section 6550 et seq., proceedings for the determination of an area for the application of these regulations may also be initiated by a petition of the majority of the property owners in a given area. Upon receipt of such a petition, the Planning Director shall set a date of hearing thereof, and give a notice as set forth in Section 6551 of the San Mateo County Ordinance Code.
28.1.2
- C. In establishing the Design Review District, the Board of Supervisors hereby determines that:
 1. Many communities, neighborhoods and areas in this County have deteriorated through poor planning, neglect of proper design standards, and the erection of buildings and structures unrelated to the sites, incompatible with the character of the neighborhood and insensitive to the natural environment, especially in older undeveloped or partially developed platted areas, existing and proposed communities, clustered developments and areas with unique environmental and/or resource value.
 2. These conditions promote disharmony, reduce property values, and impair the public health, comfort, convenience, happiness and welfare.
 3. The lack of appropriate guidelines and criteria for the design of new buildings and structures contributes to these conditions.
 4. It is necessary and desirable to alleviate these conditions by providing appropriate guidelines and criteria for the maintenance and enhancement of property values, the visual character of especially fragile communities, the natural environmental resources and the public health, safety, comfort, convenience, happiness and welfare of the citizens of the County.
 5. The review procedures of this Chapter will more effectively preserve and enhance the property values, the visual character of especially fragile communities, the natural environmental resources, and the public health, safety, comfort, convenience, happiness, and welfare of the citizens of the County.
- D. The purposes of this Chapter are:
 1. To recognize the interdependence of land values and aesthetics and to provide a method by which the County may encourage builders to develop land so that its value and attractiveness will endure
 2. To encourage development of private property in harmony with the desired character of the community or area in conformance with an adopted set of community design principles as well as the County General Plan and other Precise Plans;
 3. To avoid and prevent community deterioration and to encourage the preservation and enhancement of property values and the visual character of communities and natural resources;
 4. To improve the general standards of orderly and stable development in the County through review of the design of individual buildings, structures and their setting;

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5. To improve and augment the regulations now included in ordinances related to planning, building and health in order to promote development which is in the best interest to the public health, safety and welfare of the County;
6. To establish standards and policies that will promote, preserve, and enhance building design, proper site development, and other environmental characteristics in communities and areas where previous planning and zoning controls have been found inadequate for these purposes and the economic and physical stability is threatened by new development.

It is not the purpose of this Chapter that regulation of design should be so rigidly interpreted that individual initiative is precluded in the design of any particular building or substantial additional expense is incurred. It is the intent of this Chapter that any regulation exercised shall be that necessary to achieve the overall objectives of this Chapter.

- E. Furthermore, it is the intent of this Board that, prior to the review of any application under the procedures set forth in this Chapter, a set of specific design review standards shall be developed for the communities in which the regulations of this Chapter apply. The design review standards shall be developed in accordance with procedures that will insure opportunity for the citizens of such communities to present their view. The design review standards so developed shall be incorporated as part of these regulations and shall be supplemental to the Community Design Manual approved and adopted by the Board of Supervisors as policy for the application of this Chapter.

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SECTION 6565.16. STANDARDS FOR DESIGN IN PALOMAR PARK.

The following design standards shall apply within Palomar Park.

A. Site Planning

As much as possible, site new buildings on a parcel in locations that:

1. Minimize tree removal;
2. Minimize alteration of the natural topography;
3. Respect the privacy of neighboring houses and outdoor living areas;
4. Minimize the blockage of sunlight on neighboring buildings; and
5. Minimize alteration of streams and natural drainage channels.

B. Architectural Styles

Design new buildings that are architecturally compatible with existing buildings by requiring them to reflect and emulate, as much as possible, the predominant architectural styles and the natural surroundings of the immediate area. Avoid revivalist historical styles.

C. Building Shapes and Bulk

Design buildings with shapes that respect and conform to the natural topography of the site by requiring them to step up or down hillsides in the same direction as the natural grade.

Control the bulk of buildings on hillsides by requiring them to be terraced up or down the hill at a uniform height.

D. Unenclosed Spaces

As much as possible, avoid the creation of unattractive, useless space beneath buildings by prohibiting buildings that are predominantly built on stilts.

E. Facades

Design well articulated and proportioned facades by:

1. Avoiding the dominance of garages at street level;
2. Considering the placement and appearance of garages and the width of garage doors;
3. Prohibiting massive blank walls by creating aesthetic and proportioned patterns of windows and shadows, and
4. Relating the size, location, and scale of windows and doors to adjacent buildings.

F. Roofs

Design buildings using primarily pitched roofs. Design buildings with roofs that reflect the predominant architectural styles of the immediate area.

G. Materials and Colors

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Make varying architectural styles compatible by using similar materials and colors which blend with the natural setting and the immediate area. Avoid the use of building materials and colors which are highly reflective and contrasting by requiring them to blend and harmonize with the natural woodland environment and vegetation of the area.

1. Use colors such as warm grays, beiges, natural woods, and muted greens.
2. Encourage the use of building materials that are compatible with the predominant architectural styles of the immediate area. In areas where bungalow, craftsman, and ranch architectural styles are predominant, use real wood and stone building materials such as board and batten, wall shingles, fire-resistant roof shingles, flagstone, and rock. Ensure that all roof materials have Class "C" or better fire resistive ratings.

H. Utilities

Install all new service lines underground.

I. Signs

Control the use of signs so that their number, location, size, design, lighting, materials, and colors harmonize with their surroundings and are compatible with the architectural style of the building.

J. Lighting

Exterior lighting should be subdued and indirect, and glaring fixtures should be avoided.

K. Retaining Walls

Retaining walls should be surfaced, painted, landscaped or otherwise treated to blend with their surroundings.

L. Paved Areas

As much as possible, keep the amount of visible paved areas (e.g., driveways, walkways, etc.) to a minimum.

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SECTION 6565.20. STANDARDS FOR THE PROTECTION OF TREES AND VEGETATION.

The following standards shall apply in all areas zoned DR. In Emerald Lake Hills, Oak Knoll Manor, Palomar Park and Devonshire, the following standards shall apply to trees 6 inches or more in diameter or 19 inches or more in circumference (measured at 4 1/2 feet above the ground), while in all other areas the following standards shall apply to trees 12 inches or more in diameter or 38 inches or more in circumference (measured at 4 1/2 feet above ground).

A. Prohibit the removal of a tree unless:

1. There is no alternative building site for a house, driveway, or accessory structure, or
2. Except for any property in the Coastal Zone, tree removal is necessary: (a) to utilize the property in a manner which is of greater public value than any environmental degradation caused by the action, or (b) to allow reasonable economic or other enjoyment of the property, or
3. A tree: (a) is diseased, (b) could adversely affect the general health and safety, (c) could cause substantial damage, (d) is a public nuisance, (e) is in danger of falling, (f) is too closely located to existing or proposed structures, (g) acts as a host for a plant which is parasitic to another species of tree which is in danger of being infested or exterminated by the parasite, or (h) is a substantial fire hazard.

The Planning Director or other reviewing body for the project shall have the authority to request a written report substantiating the removal of any tree in accordance with this subparagraph.

B. The replacement of lost trees when required shall be in a manner prescribed by the Design Review Committee or Design Review Administrator, as is applicable, but shall not exceed the following specifications:

1. **For each loss of a significant indigenous tree there shall be a replacement with three (3) or more trees of the same species using at least five (5) gallon size stock.**
2. For each loss of a significant exotic tree there shall be a replacement with three (3) or more trees from a list maintained by the Planning Director. Substitutes for trees listed by the Planning Director may be considered but only when good reason and data are provided which show that the substitute tree can survive and flourish in the regional climatic conditions.
3. Replacement trees for trees removed shall require a surety deposit for both performance (installation of tree, staking, and providing an irrigation system) and maintenance. Maintenance shall be required for no less than two (2) and no more than five (5) years.
4. Loss of any particular replacement prior to the termination of the maintenance period shall require the landowner at his/her expense to replace the lost tree or trees. Under such circumstances, the maintenance period will be automatically extended for a period of two (2) additional years.
5. Release of either the performance or maintenance surety shall only be allowed upon the satisfactory installation or maintenance and upon inspection by the County.
6. Where a tree or trees have been removed on undeveloped lands and no existing water system is available on the parcel, the replacement tree or trees, if required to be installed, shall be of sufficient size that watering need not be done by automatic means. Under such circumstances, water can be imported by tank or some other suitable method which would ensure tree survival in accordance with subparagraphs (4) and (5), above.

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7. Postponing the planting of replacement trees can be done if approved by the Design Review Administrator.

C. Plant additional drought-tolerant trees from a list maintained by the Planning Director and shrubs as may be required for screening to minimize and soften the appearance and impact of development on the street, adjacent homes, and the community. Substitutes for trees listed by the Planning Director may be considered but only when good reason and data are provided which show that the substitute tree can survive and flourish in the regional climatic conditions.

D. On parcels with no or few trees, plant additional indigenous or other drought tolerant trees and shrubs as may be required. All trees shall be at least five (5) gallon size stock unless otherwise required by the Design Review Committee or Design Review Administrator, as is applicable.

E. Protect all existing significant and heritage trees (as defined in Parts Two and Three of Division VIII of the San Mateo County Ordinance Code) from damage during construction activities including grading. Additional protective measures shall be required for landscaping around significant or heritage trees. The following criteria are to be followed unless topography, proximity of proposed structures, or other valid reason determined by the Design Review Committee or Design Review Administrator, as is applicable, are found to restrict construction so much that protecting any particular significant or heritage tree is not practicable and would mandate less restrictive measures. Any exception to the below listed criteria shall be determined in advance by a licensed landscape architect and best management practices in lieu shall be presented to the decision maker for review and approval:

1. Compaction of soils within the dripline of the tree is to be avoided. Only very limited use of heavy equipment within the dripline shall be allowed and should be brought to the attention of the Design Review Administrator prior to such incursion.
2. Grading in the vicinity of any indigenous significant or heritage oak, bay or madrone tree shall be done with detailed plans provided in advance by a licensed landscape architect. Under no circumstances will fill or excavation at the base of any significant or heritage oak, bay or madrone tree exceed four (4) inches from existing grade.
3. Additional protective measures such as fencing shall be required to prevent damage to the trunks and root systems of trees during grading and construction.
4. Trimming of low lying limbs of indigenous trees should be avoided by rerouting construction equipment or by bracing or guying such limbs out of the way of construction equipment. Any such work to shift limbs shall be done under the strict supervision of a licensed landscape architect or arborist.
5. The transplanting of significant sized or heritage trees is not considered practicable and is to be avoided.
6. Existing significant or heritage trees shall be protected from damage by construction equipment and during felling operations while trees are being removed. Any damage to such a tree shall require the immediate attention of a licensed landscape architect or arborist to determine the extent of the damage and to determine if replacement trees will be required in accordance with the provisions of Subparagraph B, above, of this section. In order to assist construction crews in protecting existing trees, a licensed landscape architect or arborist will fence off the trees in advance of any construction work in order to meet the intent of this section. Any such required fencing shall be removed when all construction work has been terminated.
7. Existing significant or heritage trees shall be protected from improper landscape management practices. A program shall be developed by a licensed landscape architect or arborist intended to provide the landowner with guidelines for the care, maintenance and protection of any existing significant and heritage trees.



SAN MATEO COUNTY • CALIFORNIA
COMMUNITY DESIGN MANUAL

ADOPTED BY THE PLANNING COMMISSION • FEBRUARY 25, 1976
ADOPTED BY THE BOARD OF SUPERVISORS • JULY 20, 1976

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INTRODUCTION

This Community Design Manual was created to provide guidelines by which the County Design Review Administrator may evaluate individual building permits where the Design Review Zoning District is combined with existing zoning districts. The Manual is designed to be flexible in structure and organization so that additional guidelines and criteria may be added in the future.

Good design can create a Community which is clearly definable, pleasant to live in, and economically viable.

The appearance of spaces, buildings, and structures has a material and substantial relationship to property values. In the past, many communities and neighborhoods have deteriorated through poor planning, neglect of proper design standards, and the erection of buildings and structures unrelated to the sites and incompatible with the character of the neighborhood. This has resulted in the destruction of desirable natural land and vegetative forms, the creation of drainage and erosion problems on adjacent property, and the construction of structures out of scale and harmony with their neighborhoods.

It is the policy of San Mateo County to avoid and prevent possible Community deterioration, through the implementation of the design criteria set forth in this Manual. These criteria will help to preserve and enhance property values, the visual character of communities, natural resources, and the public health, safety, and welfare of the citizens of San Mateo County.

It is the intent of the County, through the implementation of this Design Manual, to accomplish the following:

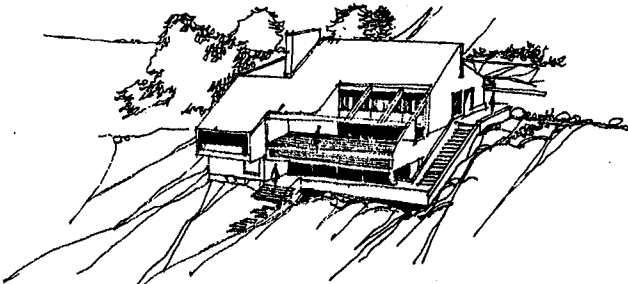
1. To improve the general standards of orderly development of the County through design review of individual buildings, structures, and their environs.
2. To improve and augment the controls now included in ordinances related to planning and building in order to promote development which is in the best interest to the public health, safety, and welfare of the County.
3. To establish standards and policies that will promote and enhance good design, site relationships, and other aesthetic considerations in the County.

In order to accomplish these goals, the Community Design Manual does not set forth rigid rules for designing structures but rather establishes general guidelines in which considerable latitude remains, so as to not stifle individual initiative.

SITE DESIGN

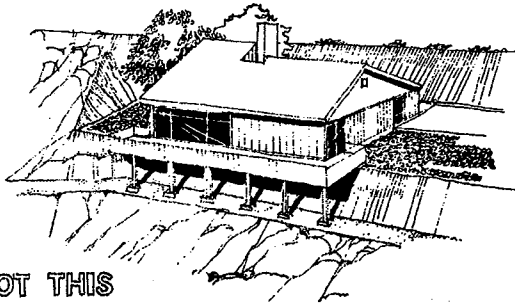
SITING

- Structures and accessory structures should be located, designed, and constructed to retain and blend with the natural vegetation and natural land forms of the site (i.e., topography, rock out-croppings, ridgelines, tree masses, etc.), and should be complementary to adjacent neighborhood structures.



THIS

Structure is designed to blend with the natural contours and features of the site. Only grading necessary for construction was used.

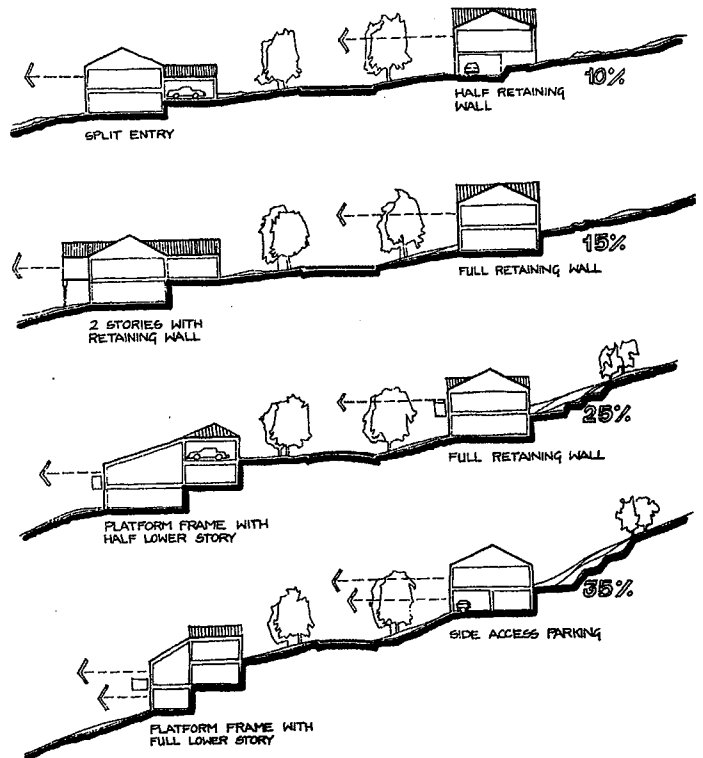


NOT THIS

Structure is not suited to the terrain. Extensive grading was required to create building pad.

GRADING

- Grading and vegetation removal should be minimized and allow for only the construction of the structure and paved areas such as driveways and paths. Should grading be required, such work should blend into adjacent land forms through the utilization of contour grading rather than cutting, filling, padding or terracing the site.
- To ensure minimal impact on the physical setting of the site and adjacent properties, site preparation, grading and structure location should be carefully controlled to reduce erosion, soil exposure, impacts on natural drainage systems, and to maintain surface runoff at or near existing levels. Grading or removal of vegetation which could contribute to the instability of the site or adjacent property should not be permitted.



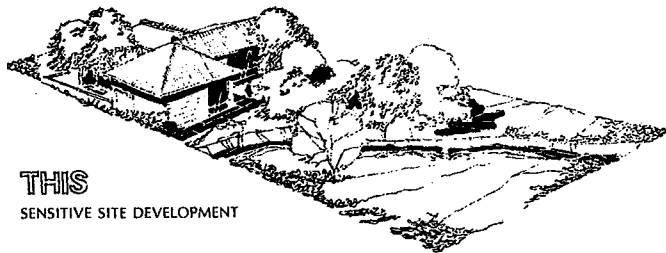
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VEGETATIVE PRESERVATION

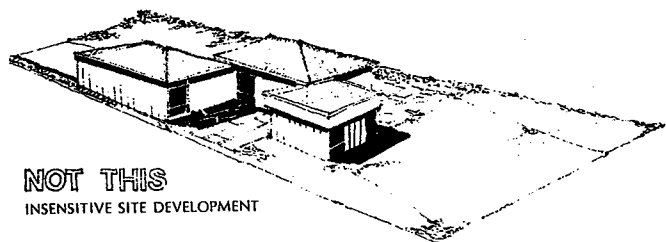
- Structures should blend with the natural vegetative cover of the site and only that vegetation should be removed which is necessary for the construction of the structure.
- Structures should be designed around major trees or tree stands.



EXISTING SITE



THIS
SENSITIVE SITE DEVELOPMENT



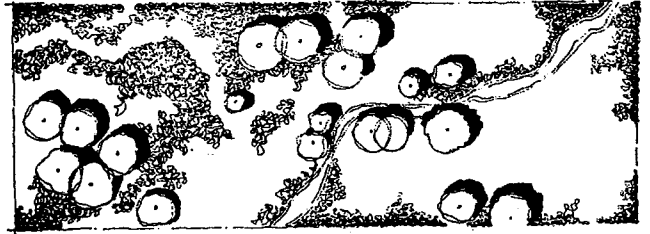
NOT THIS
INSENSITIVE SITE DEVELOPMENT

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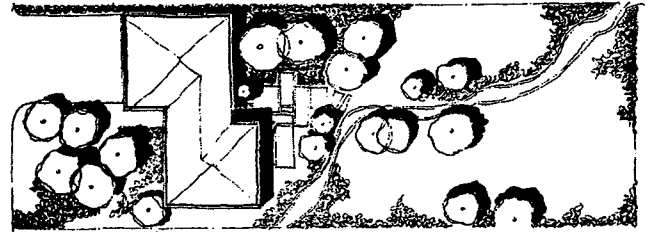
EXISTING SITE

Physical conditions prior to development. Note the stream channel and the wide variety of vegetation.



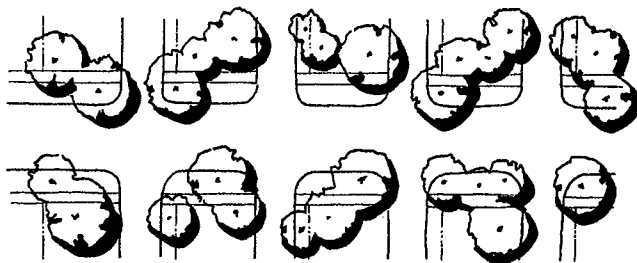
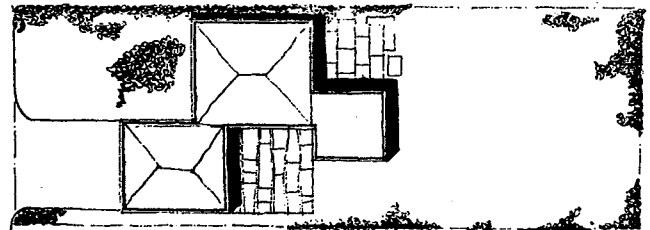
SENSITIVE SITE DEVELOPMENT

Structure has been designed to integrate with site conditions. Note that the major vegetative and tree masses and the stream channel have been retained in their natural state, reducing the physical and visual impact of the structure on the site.



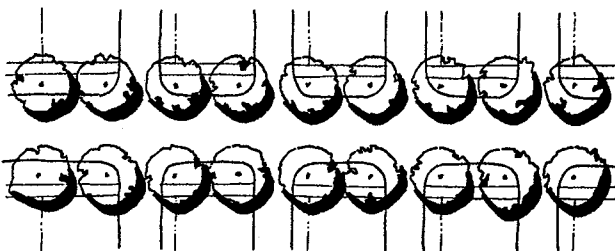
INSENSITIVE SITE DEVELOPMENT

Structure design and location did not consider the natural features of the site. Major vegetative and tree masses were removed and the stream channel obliterated creating potential erosion and flood problems on the site and adjacent property.



THIS

Introduced vegetation is planted in an irregular fashion to give an informal character.



NOT THIS

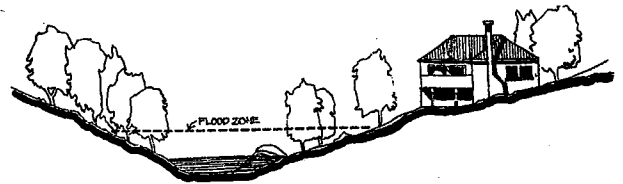
Introduced vegetation is planted in a linear pattern which produces a rigid appearance.

LANDSCAPING

- Landscaping material should have an informal character and should provide a smooth transition between the development and adjacent open space areas.
- Only tree and plant materials native to the area should be used to assure against non-native plant intrusion to reduce irrigation and maintenance requirements, and to minimize visual impact.
- Additional planting may be required where existing or proposed plant material is considered insufficient. Planting should be placed so that it does not constitute a safety hazard.
- On coastal terrace and open foothill lots, landscaping should be placed only around structures.

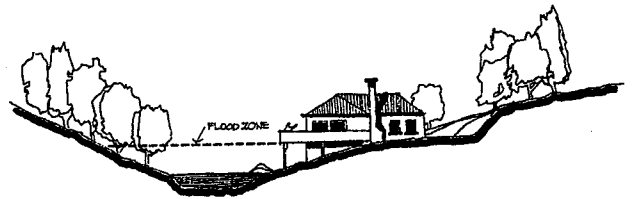
WATER

- With the exception of trails and paths, and related appurtenances, structural development should be set back from and not permitted to be constructed where such development will adversely affect a stream, drainage area, or body of water.



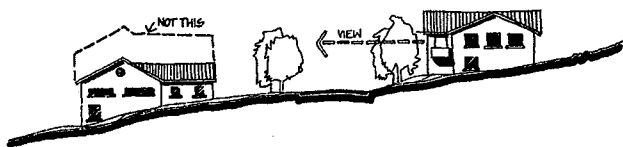
THIS

Structure is located outside dangerous flood zone or drainage channel, and does not affect the character of the stream or water habitat.

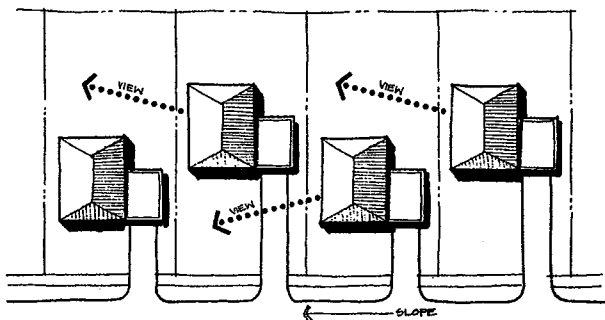


NOT THIS

Structure is located within dangerous flood zone, impairing drainage, changing stream character, and impacting water habitat.



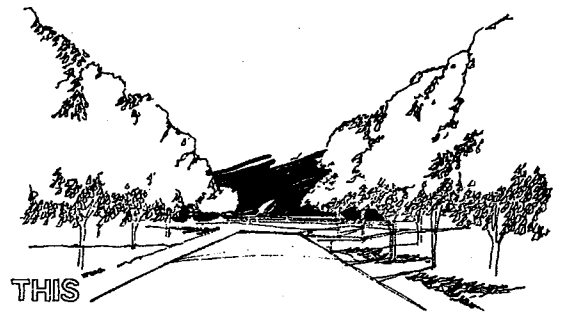
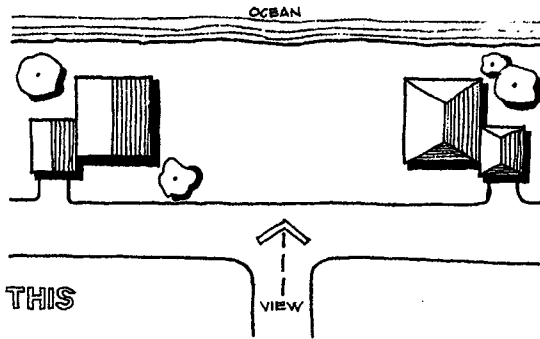
Height of structure is designed to protect views from uphill structures.



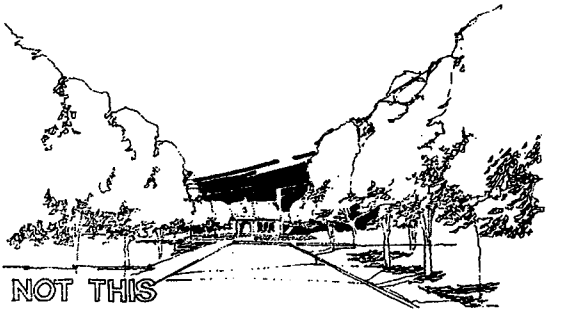
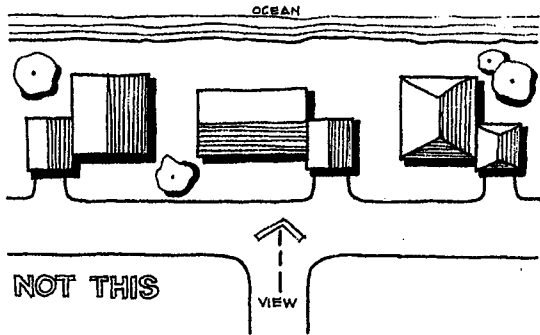
Structures are located to maximize views on sloping lots.

VIEW PRESERVATION

- Views should be preserved by limiting structure height. Introduced vegetation should be located so as to not block views from uphill structures or views from scenic corridors and vista points.
- Public views within and from scenic corridors should be protected and enhanced, and development should not be allowed to significantly obscure, detract from, or negatively affect the quality of these views. Visual screening or increased setbacks may be used to mitigate such impacts.
- Structures should be located to retain views of prominent scenic features, i.e., bodies of water, mountains, valleys, etc.
- Trees and vegetation may be selectively pruned or removed at the end of view corridors to enhance scenic vistas.

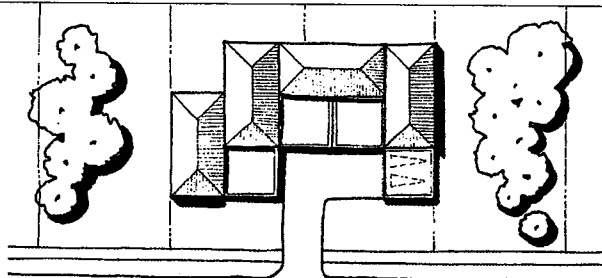


Views are maintained by the preservation of open space at the end of view corridor.

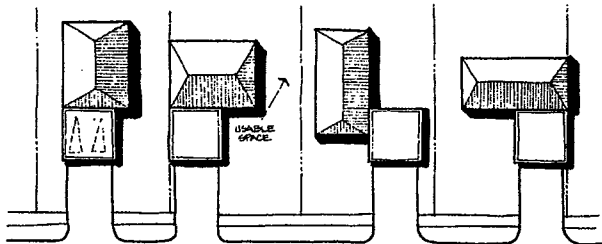


Views are blocked by the construction of structure at the end of view corridor.

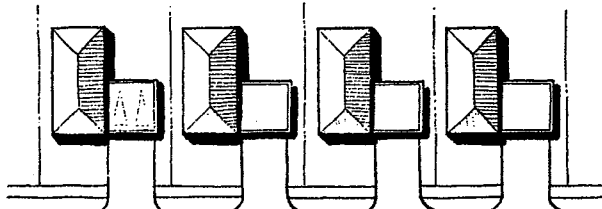
13



Structures are clustered to create a greater amount of usable open space.



Sideyard setbacks have been varied to create more usable open space between structures.



Rigid sideyard setbacks break open space into small unusable sections.

OPEN SPACE PRESERVATION

- Structures should be sited to retain maximum open space and to reduce the visual impact in scenic open space areas.
- Where possible, structures should be clustered near existing natural and man-made vertical features such as tree masses, hills, and existing structures.
- Contiguous undeveloped lots, especially those under the same ownership, should be consolidated to create large building sites and encourage clustering, thereby retaining a greater area in open space.
- Where conditions permit, minimum sideyard requirements may be reduced or increased as long as the total required setback is maintained.

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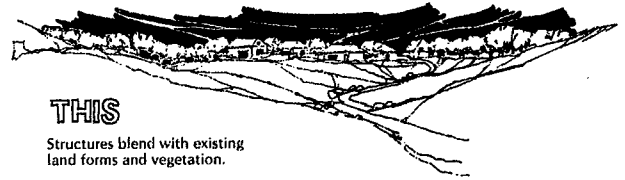
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RIDGELINES

- Any construction on ridgelines should blend with the existing silhouette and not break or cause gaps within ridgeline silhouettes, such as the removal of tree masses or the construction of structures which do not relate to the ridgeline form.
- In forested or wooded areas, no structures or appurtenance should extend above the height of the forest or tree canopy or break the continuity of the existing canopy.



Existing conditions.



THIS

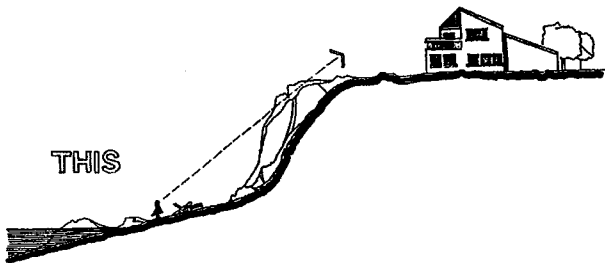
Structures blend with existing land forms and vegetation.



NOT THIS

Ridgeline silhouette has been destroyed through the removal of vegetative masses and natural land forms.

CLIFFS AND BLUFFS

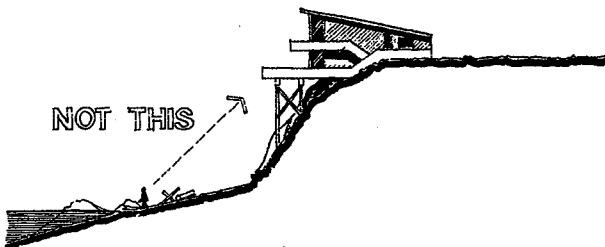


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Structure is set back to protect cliff and view from scenic area.

- Structures should be set back from bluffs and cliffs so as to not destroy natural land forms.

- Intrusion of structures into views from scenic areas should be minimized.

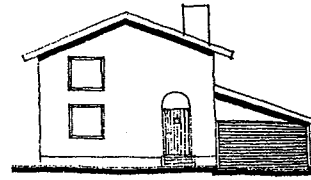


NOT THIS

Structure erected on cliff destroys natural features and view from scenic area.

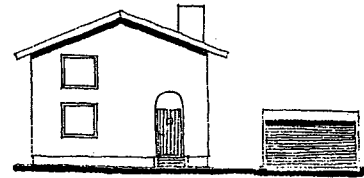
ACCESSORY STRUCTURES

- Accessory structures should be located in the immediate vicinity of the main structure(s), should be visually integrated with the main structure(s), and blend in with the natural terrain and vegetation of the site.
- Fences should be built to fit the natural contours of the land. Use of living (vegetative) fences in conjunction with earth berms, and fences made of natural materials are encouraged.



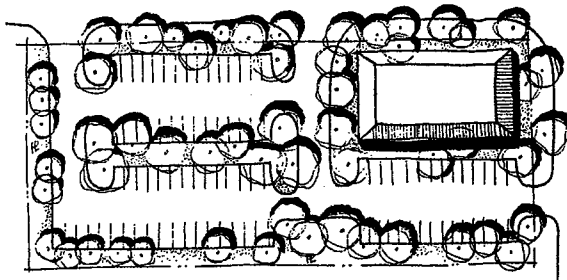
THIS

Accessory structure is visually integrated with the main building.



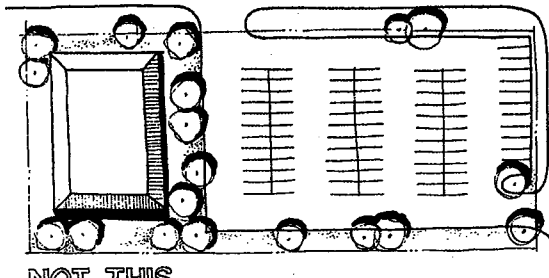
NOT THIS

Accessory structure does not relate in form or appearance to the main building.



THIS

Visual interest is added to the parking lot through the extensive use of landscaping.

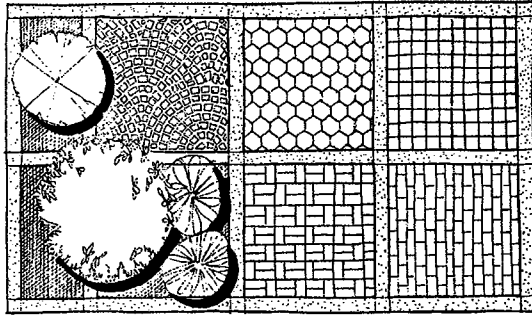


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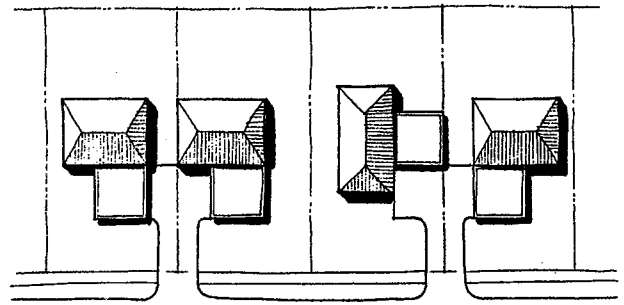
Large unbroken expanses of parking area with little landscaping lack visual interest.

PAVED AREAS

- Paved areas such as parking lots, driveways, sidewalks, etc., should be well integrated into the site, relate to existing and proposed structures and landscaped to reduce visual impact.
- Small separate paved parking lots are preferred to large single paved lots.
- Parking areas should be screened from residential areas and from scenic roadways.
- Driveways should be shared when feasible to reduce curb cuts, especially along major arterials and scenic roads.
- Paving materials used for pathways, sidewalks, driveways, and parking areas should be varied, textured, colored or patterned to add visual interest, especially where visible from above.

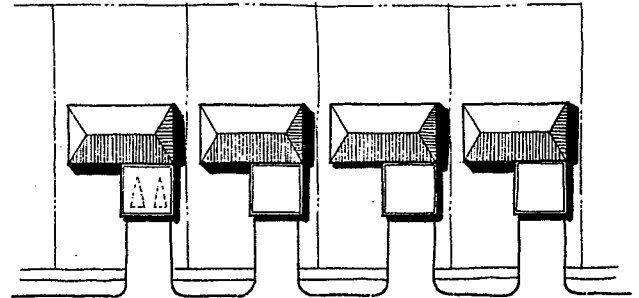


- This illustrates various material patterns and textures which can be used for paved areas to create visual interest.



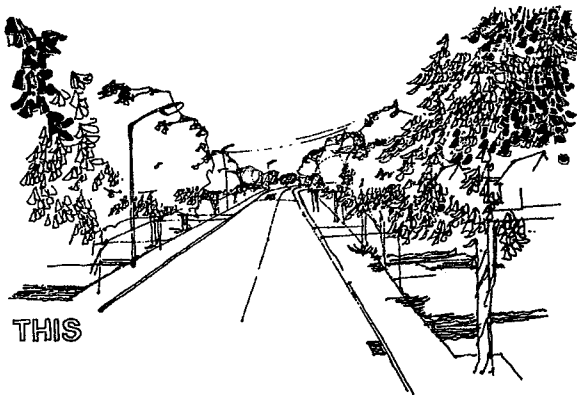
THIS

Common driveways are used to reduce curb cuts and to increase the amount of usable open space.



NOT THIS

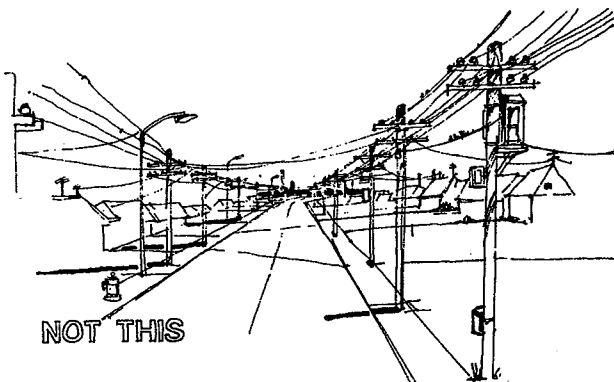
Individual driveways increase the number of hazardous curb cuts and create smaller, less usable open space areas.



THIS

UTILITIES

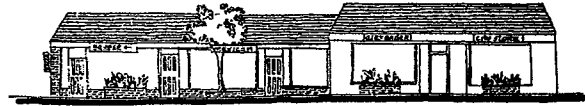
- Public utility structures, including luminaries, overhead wires and utility poles should be of minimum bulk and height, should be designed to have an uncluttered appearance, and should be subordinate to or blend with the natural setting and community.
- Underground utility lines should be required except where such undergrounding would result in significant adverse environmental impacts. Utility structures should not be visible above ridgelines.



NOT THIS

SIGNS

- On-premise signs should be integrated with the architectural design of the structure and should not extend above the roof line of the structure.
- Signs should be simple, well designed and constructed of materials which harmonize with their surroundings.
- Brightly illuminated, colored, rotating, reflective, blinking, flashing or moving signs, pennants or streamers should not be permitted.



THIS

Signs are in scale with the structure and do not distract from it.



NOT THIS

Large, gaudy signs which are out of scale and do not relate to the structure are visually distracting.

EXTERIOR APPEARANCE

COLORS AND MATERIALS

- Exterior colors and materials should blend with the natural setting and surrounding neighborhood. The use of natural materials and earth colors are encouraged; highly reflective surfaces and colors are discouraged.



Varying architectural styles can be made compatible through the use of similar materials and colors.

STRUCTURAL SHAPES

- Simple structural shapes should be used to unify building design and to maintain an uncluttered community appearance.
- As roofs are a visually dominant feature in a community, it is important that simple shapes, non-reflective surfaces, and a simple range of materials and colors be used in their construction.
- Stacks, vents, antennas and other equipment should be organized to emerge together, screened from view and located on the least noticeable side of the roof.



THIS

Structure relates in size and scale with adjacent buildings.



NOT THIS

Continuous repetition of shapes and forms without variation creates a dull, uninteresting appearance.



NOT THIS

Conflicting shapes, forms and styles create an unharmonious appearance.

SCALE



THIS

Structures relate in size and scale, creating a harmonious appearance from the street.

- Structures should relate in size and scale to adjacent buildings and to the neighborhood in which they are located.

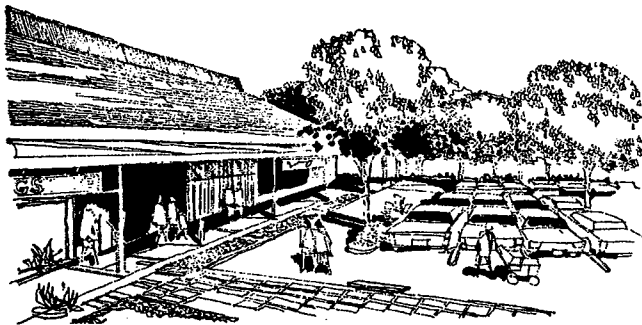


NOT THIS

Structure does not relate to adjacent buildings, interrupting the visual rhythm of the streetscape.

NON-RESIDENTIAL DEVELOPMENT

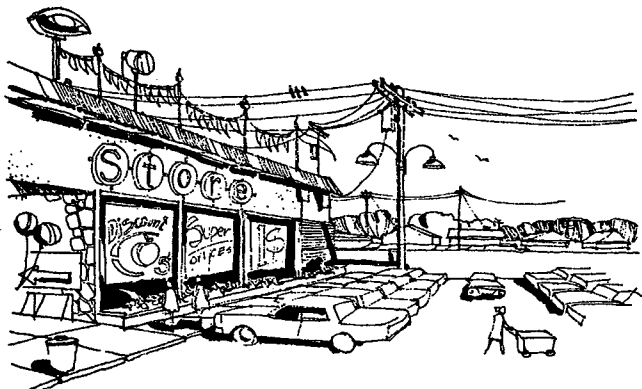
COMMERCIAL



THIS

Here the character of the commercial center is compatible with the surrounding community. An arcade provides a human scale at the edge of the building as well as providing sun control, weather protection and an organized framework for signs. Materials have been chosen that blend with site environment. The introduction of decorative paving and planting make the center a pleasant place to visit. Handsome graphics advertise the center yet do not overpower the surroundings.

In the parking area, trees have been used to break up the hot expanse of parked cars with pools of shade. Denser tree plantings are provided around the site to shield the surrounding residential development. Parking rows are laid out so that the aisles lead conveniently towards the store.



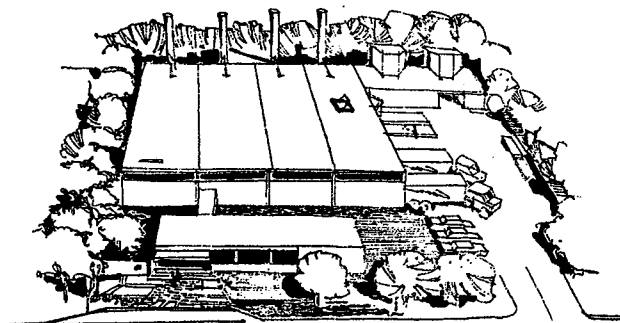
NOT THIS

This neighborhood commercial center illustrates a number of design problems. The project is not well integrated with the environment of the surrounding community. The building is much larger in scale than the surrounding houses, is set in a large bare parking lot and makes use of shiny materials, flapping pennants, and large signs.

Landscaping of the site is at a bare minimum. The parking lot consists of an expanse of unrelieved asphalt and is laid out with rows running parallel to the storefront, forcing shoppers to thread their way between parked cars.

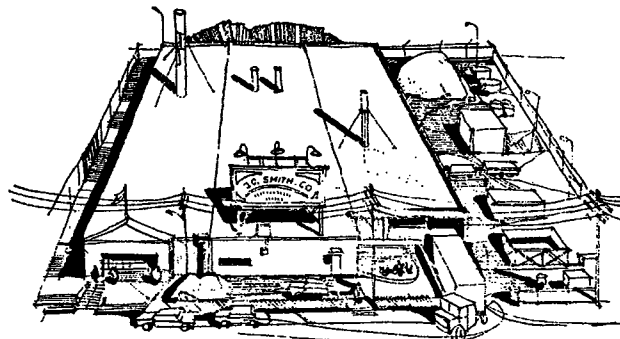
INDUSTRIAL

In this illustration, the building is in scale with the site. Outside storage has been organized in a functional, yet visually appealing way. The service yards are suitably paved, and provisions have been made for parking and loading on the side. An inviting entrance is provided with a prominent but fitting sign. Extra effort has been spent to make this factory and its surroundings a humane place for people to work. Trees and lawns provide outlooks and a relief from hard surfaces and presents a handsome appearance from the street.



THIS

This illustrates an industrial plant which has been poorly designed; storage of materials and equipment is not organized. The traffic area of the site is unpaved or poorly paved. The loading dock at the front is small so trucks often project into the street. The building is devoid of character. On one corner an effort has been made to improve the office area with an unrelated facade and a small patch of grass. The large sign on the roof is out of scale. Outside of the minimal landscaping of the office entrance, the lot is barren of vegetation.



NOT THIS

DESIGN REVIEW CHECKLIST

APPLICATION

The application submitted for review by the Design Review Administrator shall contain the following information:

1. Site Plan Showing: (Minimum scale: 1 inch = 20 feet)
 - a. Property lines.
 - b. Existing and proposed ground contours.
 - c. Easements and utility lines.
 - d. Existing and proposed buildings.
 - e. All proposed improvements, including paving, fences, etc.
 - f. All existing trees and size.
 - g. Trees to be removed.

2. Building Elevations Showing: (Minimum scale: ¼ inch = 1 foot)

- a. All exterior walls.
- b. Type of roof and exterior materials to be used.
- c. Color of materials.
- d. Location of roof equipment, trash enclosures, fences, exterior lights, or other structure or fixtures to be located outside the building.
- e. Sign location showing relationship to building's architecture.

3. Location map showing the building site, adjacent lots and streets. Indicate if adjacent lots are developed or vacant.

4. Any additional information as determined by the Design Review Administrator necessary for evaluation of the development plans.

DESIGN REVIEW (DR) ZONING ORDINANCE

GENERAL

In any district which is combined with the "DR" District, the regulations specified in this chapter shall apply.

In addition to the regulations set forth in Chapter 27, Section 6550 et seq., proceedings for the determination of an area for the application of these regulations may also be initiated by a petition of the majority of the property owners in a given area. Upon receipt of such a petition, the Planning Director shall set a date of hearing thereof, and give a notice as set forth in Section 6551 of the San Mateo County Ordinance Code. This chapter shall apply to all new exterior construction, grading and signs which require a permit. No such permit shall be issued in any area subject to the regulations of this chapter as determined by the Board of Supervisors unless the design of the project has been approved by the Design Review Administrator in compliance with this chapter. Before an occupancy permit is issued, the completed building must be inspected by the Zoning Investigator for compliance with the decision of the Design Review Administrator.

Grading shall not be started until after a grading permit has been approved by the Design Review Administrator in compliance with this chapter, if a grading permit is required under Chapter 70 Unified Building Code or under the provisions of Section 8600 of the County Ordinance Code.

FINDINGS

The Board of Supervisors hereby finds that:

1. Many communities, neighborhoods and areas in this County have deteriorated through poor planning, neglect of proper design standards, and the erection of buildings and structures unrelated to the sites, incompatible with the character of the neighborhood and insensitive to the natural environment, especially in older undeveloped or partially developed platted areas, existing and proposed communities, clustered developments and areas with unique environmental and/or resource value;
2. These conditions promote disharmony, reduce property values, and impair the public health, safety, comfort, convenience, happiness, and welfare;
3. The lack of appropriate guidelines and criteria for the design of new buildings and structures contributes to these conditions;
4. It is necessary and desirable to alleviate these conditions by providing appropriate guidelines and criteria for the maintenance and enhancement of property values, the visual character of especially fragile communities, the natural environmental resources, and the public health, safety, comfort, convenience, happiness, and welfare of the citizens of the County.

- The review procedures of this chapter will more effectively preserve and enhance the property values, the visual character of especially fragile communities, the natural environmental resources and the public health, safety, comfort, convenience, happiness, and welfare of the citizens of the County.

PURPOSES

The purposes of this chapter are:

- To recognize the interdependence of land values and aesthetics and to provide a method by which the County may encourage builders to develop land so that its value and attractiveness will endure;
- To encourage development of private property in harmony with the desired character of the community or area in conformance with an adopted set of community design principles as well as the County General Plan and other Precise Plans;
- To avoid and prevent community deterioration and to encourage the preservation and enhancement of property values and the visual character of communities and natural resources;
- To improve the general standards for orderly and stable development in the County through design review of individual buildings, structures, and their setting;
- To improve and augment the regulations now included in ordinances related to planning, building and health in order to promote development which is in the best interest to the public health, safety and welfare of the County;

- To establish standards and policies that will promote, preserve, and enhance building design, proper site development, and other environmental characteristics in communities and areas where previous planning and zoning controls have been found inadequate for these purposes and the economic and physical stability is threatened by new development.

It is not a purpose of this chapter that regulation of design should be so rigidly interpreted that individual initiative is precluded in the design of any particular building or substantial additional expense is incurred. Rather, it is the intent of this that any regulation exercised be the minimum necessary to achieve the overall objectives of this chapter.

Furthermore, it is the intent of this Board that, prior to the Design Review Administrator's reviewing any application under the procedures set forth in this chapter, a set of specific design review guidelines shall be developed for the communities in which the regulation of this chapter apply. The design review guidelines shall be developed in accordance with procedures that will insure opportunity for the citizens of such communities to present their views. The design review guidelines so developed shall be supplemental to and a part of the Community Design Manual approved and adopted by the Board of Supervisors as policy for the application of this chapter.

REVIEW OF PLANS

All applications for building or grading permits for any construction in any district which is combined with the "DR" District must be submitted for approval by the Design Review Administrator in accordance with this chapter.

ESTABLISHMENT OF DESIGN REVIEW ADMINISTRATOR.

The Director of Planning is the Design Review Administrator. He may appoint in writing an assistant to act as the Design Review Officer, who may exercise all of the powers of the Design Review Administrator.

Duties:

The Design Review Administrator shall be empowered to review applications for building and grading in any area subject to the provisions of this chapter. He may refer any matter directly to the Planning Commission when, in his opinion, such action will be in the public interest.

Applications:

Applications shall be submitted on forms supplied by the Design Review Administrator. He may prescribe the form and scope of all applications and establish filing deadlines subject to any provisions of State statutes or County ordinances or policies.

The Design Review Administrator shall: a) approve the application as submitted; b) approve the application with modifications; c) refer the application to the Planning Commission; or d) disapprove the application. If modifications are required of the proposed design or if it is disapproved, the Administrator shall state reasons in writing for his actions. The Administrator shall act upon each application within fifteen (15) days from filing unless the applicant consents to a longer period of time. The approval of the Design Review Administrator is valid for no longer than one (1) year, at the end of which time, if a building permit has not been issued, the design approval is void.

Decisions.

Written notice of the decision and the findings, if required, shall be mailed to the applicant by first-class mail at the address set

forth in the application and to any other person who has filed a written request with the Design Review Administrator.

APPLICATION

The application submitted for review by the Design Review Administrator shall contain the following information:

- Site Plan Showing: (Minimum scale: 1 inch = 20 feet)
 - Property lines.
 - Existing and proposed ground contours.
 - Easements and utility lines.
 - Existing and proposed buildings.
 - All proposed improvements, including paving, fences, etc.
 - All existing trees and size.
 - Trees to be removed.
- Building Elevations Showing: (Minimum scale: ¼ inch = 1 foot)
 - All exterior walls.
 - Type of roof and exterior materials to be used.
 - Color of materials.
 - Location of roof equipment, trash enclosures, fences, exterior lights, or other structure or fixtures to be located outside the building.
 - Sign location showing relationship to building's architecture.
- Location map showing the building site, adjacent lots and streets. Indicate if adjacent lots are developed or vacant.
- Any additional information as determined by the Design Review Administrator necessary for evaluation of the development plans.

STANDARDS FOR REVIEW.

1. The Design Review Administrator and, on appeal, the Planning Commission and the Board of Supervisors, in reviewing proposals under this chapter, shall find that the proposal conforms with the following guidelines and standards before approving issuance of a permit:
 - a. proposed structures are designed and situated so as to retain and blend with the natural vegetation and land forms of the site and to insure adequate space for light and air to itself and adjacent properties;
 - b. where grading is necessary for the construction of structures and paved areas, it blends with adjacent land forms 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;
 - c. streams and other natural drainage systems are not altered so as to affect their character and thereby causing problems of drainage, erosion or flooding;
 - d. structures are located outside flood zones, drainage channels and other areas subject to inundation;
 - e. trees and other vegetative 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;
 - f. 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;
 - g. 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;
 - h. construction on ridgelines blends with the existing silhouette by maintaining natural vegetative masses and land forms and does not extend above the height of the forest or tree canopy;
 - i. structures are set back from the edge of bluffs and cliffs to protect views from scenic areas below;
 - j. varying architectural styles are made compatible through the use of similar materials and colors which blend with the natural setting and surrounding neighborhood;
 - k. 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;
 - l. overhead utility lines are placed underground where appropriate to reduce the visual impact in open and scenic areas;

- m. 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;
- n. paved areas are integrated into the site, relate to their structure, and are landscaped to reduce visual impact from residential areas and from roadways.

2. In making such findings, the Design Review Administrator and, on appeal, the Planning Commission and the Board of Supervisors shall apply the following principles:

- a. regulation of design should not be so rigidly enforced that individual initiative is precluded in the design of any particular building or substantial additional expense incurred; rather, the regulation exercised should only be the minimum necessary to achieve the overall objectives as set forth in Section 6565.3;
- b. appropriate design is based upon the suitability of a building for its purposes, upon the appropriate use of sound materials and upon the principles of harmony and proportion in the elements of the building;
- c. appropriate design is not based on economic factors alone.

FINAL ACTION

No building permit for a building, sign, or other structure coming within this ordinance, nor any grading permit, shall be issued until the plans either as submitted or as modified by agreement with the applicant are approved by the Design Review Administrator or upon appeal by the Planning Commission or Board of Supervisors. Upon approval, and provided all other provisions of law are complied with, the Director of Building Construction shall issue a permit for such building, sign, or structure, or for such grading.

APPEALS

All decisions of the Design Review Administrator shall be subject to appeal by the applicant or any interested party to the Planning Commission within fifteen (15) calendar days of the decision. Appeals shall be by written notice to the Director of Planning on a form provided by the Planning Department. The fee for such appeal shall be the same as for filing an appeal from a decision of the Planning Commission, as set forth in Section 6583 of the Zoning Annex. The decision of the Planning Commission may be appealed to the Board of Supervisors in accordance with the provisions of the San Mateo County Ordinance Code.

PREPARED BY THE SAN MATEO COUNTY
PLANNING DEPARTMENT
REDWOOD CITY ▪ CALIFORNIA

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ATTACHMENT L