

COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit File Number: PLN 1999-00015

Board Meeting Date: December 7, 2010

Prepared By: Angela Chavez

For Adoption By: Board of Supervisors

RECOMMENDED FINDINGS

For the Environmental Review, Find:

1. That this project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), Section 15303, Class 3, relating to new construction of small structures. A Notice of Exemption will be filed with the County Clerk's Office and posted as required by CEQA.

For the Coastside Design Review, Find:

2. That this project has been reviewed under and found to be in compliance with the Standards of Review Criteria as stipulated in Chapter 28.1 of the San Mateo County Zoning Regulations, except insofar as they may relate to parcel legality.

For the Coastal Development Permit Exemption, Find:

3. That the proposed residence conforms to Section 6328.5.e of the County Zoning Regulations and is located within the area designated as a Categorical Exclusion Area, except insofar as they may relate to parcel legality.

RECOMMENDED CONDITIONS OF APPROVAL

1. This approval applies only to the proposal described in this report and indicated in materials formally submitted for consideration by the Board at its December 7, 2010 hearing. These plans supersede all previously submitted and reviewed plans. The Community Development Director may approve minor adjustments to the project if they are consistent with the intent of and in substantial conformance with this approval.

2. This permit shall be valid for one year from the date of approval within which time a building permit must be applied for and issued. Any extension of these permits will require submittal of a request for permit extension and payment of applicable fees no less than 30 days prior to expiration.
3. Applicant shall either (1) demonstrate that the parcel configuration depicted on the submittal plans was the result of land division in compliance with County regulations and the Subdivision Map Act in a manner supporting the issuance of a Certificate of Compliance pursuant to Cal. Gov't Code § 66499.35 or a Conditional Certificate of Compliance under that section; or (2) shall apply for and receive approval of a subdivision pursuant to any applicable laws and regulations that establishes the parcel configuration depicted on the approved submittal plans.
4. The applicant shall submit exterior color samples (no larger than approximately 4 square inches) for roof, walls and trim to the Planning Counter for review and approval by the Community Development Director prior to planning approval of the associated building permit. The colors and materials used shall be in keeping with the surrounding neighborhood. The applicant shall include the file/case number with all color samples. Color verification by a building inspector shall occur in the field after the applicant has painted the structure an approved color but before the applicant schedules a final inspection.
5. The applicant shall submit a landscape plan (may be shown on the site plan of the submitted building permit application) depicting the location, type, and size of trees and shrubs for review and approval by the Planning Department. The landscaped areas shall be designed to reduce excess irrigation runoff and require minimal and appropriate use of fertilizers, herbicides and pesticides. The goal of the required landscape plan is to soften the building elevations and to increase surface filtration. The plan shall include a minimum of two (2) trees (minimum 5 gallons) in the front of the residence, one (1) tree (minimum 36-inch box) in the front of the residence, a minimum of three (3) trees (minimum 5 gallons) in the rear of the residence and a minimum of twenty (20) shrubs (minimum 1 gallon) shall be included in the design. Areas in the front and rear of the property that do not contain trees or shrubs shall be covered with a combination of turf or groundcover and/or a minimum of 2 inches of mulch on all exposed soil areas to minimize erosion.
6. Prior to the issuance of a building permit, the applicant shall provide an erosion and sediment control plan, which demonstrates how erosion will be mitigated during the construction of the new addition subject to the review and approval of the Community Development Director. This mitigation will be in place for the life of the construction project.
7. The applicant is responsible for ensuring that all contractors minimize the transport and discharge of pollutants from the project site into local drainage systems and water systems by adhering to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines" including:

- a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15.
 - b. Removing spoils promptly and avoiding stockpiling of fill materials when rain is forecast. If rain threatens, stockpiled soils and other materials shall be covered with a tarp or other waterproof material.
 - c. Storing, handling and disposing of construction materials and wastes so as to avoid their entry to a local storm drain system or water body.
 - d. Avoiding cleaning, fueling or maintaining vehicles on site, except in an area designated to contain and treat runoff.
8. The applicant is responsible for ensuring that all contractors are aware of all stormwater quality measures and implement such measures. Failure to comply with the construction BMPs will result in the issuance of the correction notices, citations or a project stop order.
- a. All landscaping shall be properly maintained and shall be designed with efficient irrigation practices to reduce runoff, promote surface filtration and minimize the use of fertilizers, herbicides and pesticides that can contribute to runoff pollution.
 - b. Where subsurface conditions allow, the roof downspout systems from all structures shall be designed to drain to a designated, effective infiltration area or structure (refer to BMPs Handbook for infiltration system designs and requirements).
9. The submitted plans do not indicate any trees to be removed. Prior to the issuance of a building permit, the applicant shall submit a plan showing the location of all existing trees on the property. The applicant shall submit a tree protection plan for the tree located towards the rear of the parcel, near Farallone Avenue. Such measures shall be identified on the building permit site plan and shall be implemented prior to the start of any construction or grading activities on the site. Removal of any additional trees with a diameter equal to or greater than 12 inches as measured 4.5 feet above the ground shall require a separate tree removal permit.
10. The noise from construction activity shall not exceed that as indicated in the County Noise Ordinance.

11. To ensure the height of the structure and/or structures do not exceed the maximum height permitted, staff requires the applicant to adhere to the height verification procedure during the building permit process. The applicant shall provide "finished floor elevation verification" to certify that the structure is actually constructed at the height shown on the submitted plans. The applicant shall have a licensed land surveyor or engineer establish a baseline elevation datum point in the vicinity of the construction site. The applicant shall maintain the datum point so that it will not be disturbed by the proposed construction activities until final approval of the building permit.
 - a. The datum point and its elevation shall be shown on the submitted site plan. This datum point shall be used during construction to verify the elevation of the finished floors relative to the existing natural or to the grade of the site (finished grade).
 - b. Prior to planning approval of the building permit application, the applicant shall also have the licensed land surveyor or engineer indicate on the construction plans: (1) the natural grade elevations at the significant corners (at least four) of the footprint of the proposed structure on the submitted site plan, and (2) the elevations of proposed finished grades.
 - c. In addition, (1) the natural grade elevations at the significant corners of the proposed structure, (2) the finished floor elevations, (3) the topmost elevation of the roof and (4) garage slab elevation must be shown on the plan, elevations, and cross-section (if one is provided).
 - d. Once the building is under construction, prior to the below floor framing inspection or the pouring of the concrete slab (as the case may be) for the lowest floor(s), the applicant shall provide to the Building Inspection Section a letter from the licensed land surveyor or engineer certifying that the lowest floor height--as constructed--is equal to the elevation specified for that floor in the approved plans. Similarly, certifications on the garage slab and the topmost elevation of the roof are required.
 - e. If the actual floor height, garage slab, or roof height--as constructed--is different than the elevation specified in the plans, then the applicant shall cease all construction and no additional inspections shall be approved until a revised set of plans is submitted to and subsequently approved by both the Building Official and Community Development Director.
12. The plans submitted at the building permit stage shall clearly show the location of the existing well and that the proposed development complies with the required Environmental Health setbacks from that well.
13. All new power and telephone utility lines from the street or nearest existing utility pole to the main dwelling and/or any other structure on the property shall be placed underground.

14. The applicant shall, pursuant to Section 5023 of the San Mateo County Code, submit a stormwater control/drainage plan, prepared by their civil engineer or erosion control consultant. The plan shall be included as part of the project's building permit application and construction plans. The County Building Inspection Section and County Planning Department shall ensure that the approved plan is implemented prior to the issuance of a building permit. The required drainage plan shall show the necessary mechanisms to contain all water runoff generated by on-site impervious surfaces and shall include facilities to minimize the amount and pollutants of stormwater runoff through on-site percolation and filtering facilities to control stormwater runoff from the project site once the project is completed. In addition, the plan shall indicate that:
 - a. All landscaping will be properly maintained and shall be designed with efficient irrigation practices to reduce runoff, promote surface filtration, and minimize the use of fertilizers, herbicides and pesticides.
 - b. Where subsurface conditions allow, all building roof downspout systems shall be designed to drain into a designated, effective infiltration or structure (refer to BMPs Handbook for infiltration system designs and requirements).



COUNTY OF SAN MATEO
Inter-Departmental Correspondence

PLANNING AND BUILDING DEPARTMENT

DATE: April 20, 2009
BOARD MEETING DATE: April 28, 2009
SPECIAL NOTICE/HEARING: 10 days, within 300 ft.
VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors

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

SUBJECT: EXECUTIVE SUMMARY: Consideration of a Coastside Design Review Permit, pursuant to Sections 6565.4 (Coastal) and 6328.5 of the County Zoning Regulations as they existed in 1999, to construct a new 2,548 sq. ft. single-family residence on a 5,000 sq. ft. parcel located at 286 Second Street, in the unincorporated Montara area of the County. (Appeal from decision of the Planning Commission denying the Design Review Permit.) This project is not appealable to the California Coastal Commission.

RECOMMENDATION

Approve the applicant's revised plans submitted to the Planning Department on April 16, 2009, as directed by the Board of Supervisors at its March 31, 2009 hearing thereby approving the Design Review Permit, County File Number PLN 1999-00015, by making the findings and adopting the conditions of approval as listed in Attachment A.

VISION ALIGNMENT

Commitment: Partnerships, "Effective and Collaborative Government."

Goal: Number 20, "Government decisions are based on careful consideration of future impact, rather than temporary relief or immediate gain."

The revised plans further Goal 20 because they now bring the project into compliance with Design Review standards all of which require consideration of a project's future impact on the surrounding neighborhood's character.

BACKGROUND

Proposal: The applicant is proposing to construct a new 2,548 sq. ft. two-story single-family residence on a 5,000 sq. ft. parcel.

The Planning Director approved the subject project's Design Review Permit in April 2004.

Planning Commission Action: On November 10, 2004, the Planning Commission voted 4-0 (one Commissioner absent) to uphold the appeal and deny the decision of the Planning Director to approve this project.

Prior Board of Supervisors Action: On February 8, 2005, the Board of Supervisors voted unanimously to deny the appeal and uphold the decision of the Planning Commission to deny this project. The San Mateo County Superior Court set aside that decision and required the appeal from the Planning Commission to be reheard.

DISCUSSION

The Board of Supervisors reheard this item at its March 31, 2009 hearing and after considering staff recommendations, the applicant's presentation and public comment continued the item to its April 28, 2009 hearing. The Board of Supervisors continued the item to allow the applicant an opportunity to submit revised plans in accordance with the suggested design revisions discussed in the "Alternative" section of the March 31, 2009 staff report. Subsequently, the applicant submitted revised plans on April 16, 2009, which incorporate essentially all of the recommended design changes. The revisions include a stepped design, a hip-roof structure, a lowered garage plate height, a smaller entry, and the reduction of proposed fill on the site. The proposed revisions result in a project that complies with the 1999 Design Review standards that require: (1) structures to be designed and situated so as to retain and blend with the natural vegetation and landforms of the site and to ensure adequate space for light and air to itself and adjacent properties; and (2) structures to be designed so that they are appropriate to the use of the property and are in harmony with the shape, size and scale of adjacent building in the community.

FISCAL IMPACT

No fiscal impact.



COUNTY OF SAN MATEO
Inter-Departmental Correspondence

PLANNING AND BUILDING DEPARTMENT

DATE: April 20, 2009
BOARD MEETING DATE: April 28, 2009
SPECIAL NOTICE/HEARING: 10 days within 300 ft.
VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors

FROM: Lisa Grote, Community Development Director *LG.*

SUBJECT: Consideration of a Coastside Design Review Permit, pursuant to Sections 6565.4 (Coastal) and 6328.5 of the County Zoning Regulations as they existed in 1999, to construct a new 2,548 sq. ft. single-family residence on a 5,000 sq. ft. parcel located at 286 Second Street, in the unincorporated Montara area of the County. (Appeal from decision of the Planning Commission denying the Design Review Permit.) This project is not appealable to the California Coastal Commission.

County File Number: PLN 1999-00015 (Mahon)

RECOMMENDATION

Approve the applicant's revised plans submitted to the Planning Department on April 16, 2009, as directed by the Board of Supervisors at its March 31, 2009 hearing thereby approving the Design Review Permit, County File Number PLN 1999-00015, by making the findings and adopting the conditions of approval as listed in Attachment A.

VISION ALIGNMENT

Commitment: Partnerships, "Effective and Collaborative Government."

Goal: Number 20, "Government decisions are based on careful consideration of future impact, rather than temporary relief or immediate gain."

The revised plans further Goal 20 because they now bring the project into compliance with the 1999 Design Review standards all of which require consideration of a project's future impact on the surrounding neighborhood's character.

BACKGROUND

Proposal: The applicant proposes to construct a new 2,548 sq. ft. two-story single-family residence including an attached two-car garage on a 5,000 sq. ft. parcel. The proposed house fronts onto and is accessed from Farallone. No trees are proposed for removal.

The Planning Director approved the subject project's Design Review Permit in April 2004.

Planning Commission Action: The Planning Director's approval was appealed to the Planning Commission by 22 neighbors. The appeal was upheld at the November 10, 2004 hearing before the Planning Commission. Based on a review of the project and considering the community's comments, the Planning Commission found there was not adequate evidence to support two applicable Design Review standards: (1) a requirement that the house be designed and situated so as to retain and blend with the natural vegetation and landform of the site, and (2) a requirement that the house be in harmony with the shape, size and scale of adjacent buildings in the community.

Prior Board of Supervisors Action: The Planning Commission's denial of the Design Review Permit was appealed to the Board of Supervisors by the applicant. The Board of Supervisors denied the appeal on February 8, 2005. The applicant submitted revised plans in December 2004, which included only minor roof articulation improvements, and which were essentially no different from an earlier iteration submitted by the applicant on May 4, 2000.

The San Mateo County Superior Court set aside the February 8, 2005 Board decision and required the appeal from the Planning Commission to be reheard.

The Board of Supervisors reheard this item at its March 31, 2009 hearing and after considering staff recommendations, the applicant's presentation, and public comment continued the item to the April 28, 2009 hearing. The Board continued the item to allow the applicant an opportunity to submit revised plans in accordance with the suggested design revisions discussed in the "Alternative" section of the March 31, 2009 staff report. Subsequently, the applicant submitted revised plans on April 16, 2009, which incorporate essentially all of the recommended design changes. The revisions result in a project that complies with the 1999 Design Review standards that require: (1) structures to be designed and situated so as to retain and blend with the natural vegetation and landforms of the site and to ensure adequate space for light and air to itself and adjacent properties; and (2) structures to be designed so that they are appropriate to the use of the property and are in harmony with the shape, size and scale of adjacent buildings in the community.

Report Prepared By: Angela Chavez, Project Planner, Telephone 650/599-7217

Applicant/Appellant: Thomas Mahon

Location: 286 Second Street and Farallone Avenue, Montara

APN: 036-014-210

Size: 5,000 sq. ft.

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

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

Sphere-of-Influence: City of Half Moon Bay

Existing Land Use: Vacant

Water Supply: Existing domestic well

Sewage Disposal: Montara Water and Sanitary District

Flood Zone: FEMA Flood Insurance Rate Map Zone "C" (Area of Minimal Flooding); Community Panel Number: 060311 0092B; Effective Date: July 5, 1984.

Environmental Evaluation: Exempt under Section 15303, Class 3 of the California Environmental Quality Act (CEQA), construction of a minor structure.

Setting: The project site is located on the north side of Second Street, at the corner of Farallone Avenue, two blocks east of Cabrillo Highway. The 5,000 sq. ft. parcel slopes upward from both Second Street and Farallone Avenue. The parcel to the west is vacant (pending Design Review application, PLN 1999-00215). The surrounding neighborhood is developed with one- and two-story single-family residences.

DISCUSSION

A. KEY ISSUES

The applicant's revised plans submitted on April 16, 2009 address essentially all of the design revisions recommended in March 31, 2009 staff report. Below is a summary of: the two 1999 Design Review standards that the revisions were required to address; modifications recommended in the March 31, 2009 staff report, the applicant's proposed revisions; and the staff analysis of those revisions.

1. **1999 Design Review Standard:** *Proposed structures are designed and situated so as to retain and blend with the natural vegetation and landforms of the site and to ensure adequate space for light and air to itself and adjacent properties.*

March 31, 2009 Staff Recommended Modifications: The primary component of the staff recommendations included redesigning the house by incorporating a "step-design" and introducing three distinct plates. The garage plate would remain basically unaltered, but the bedroom, second bathroom and laundry room could be recessed by 18 inches into the ground as a separate plate (i.e., stepped down from the garage by two steps). The third plate (entry, bedroom, first bathroom and family room) could be recessed by another 18 inches (i.e., two additional steps). These modifications would: (1) better follow the natural contour lines of the lot; (2) create a subjective impression of a step-design; and (3) reduce the overall height by 36 inches (3 feet). All three of these benefits would create less visual mass and bulk, and keep the house more in scale with the neighborhood.

Applicant Response: In response, the applicant submitted revised plans on April 16, 2009, which include an overall redesign of the roof incorporating a hip design for the entire roof structure. The garage and the second story above a portion of the garage have been set back an additional 2 feet. The floor plans have been revised to include three separate levels that follow the rise in topography. The entryway has been reduced in size so that it is in better proportion to the size of the building. The projection at the front (east) elevation was removed which reduces the massing of the structure. The building length has been reduced by 2 feet, which reduces the bulk of the house and increases the rear yard setback to 22 feet. The plate height of the second story area directly above the entryway was lowered reducing the overall height of the structure in this area. The elevation at the garage is approximately 1 foot 8 inches lower than previously shown. For a complete description of the applicant's proposed revisions, please see Attachments C – M.

Staff Analysis: The revisions bring the project into compliance with the 1999 Design Review Standard. The overall height of the house is proposed to be 27 feet 8 inches and the lowering of the garage elevation by approximately 1 foot 8 inches contributes to the reduced height and mass of the house. Additionally, the revised roof design greatly reduces the massing of the structure. A break in the rooflines between the garage section and the main house provides a clear step down between these areas which is consistent with the existing topography. The creation of three separate levels in the floor plan also aids in creating a more stepped design, which reduces the visual mass and bulk of the structure. The reduced elevation at the garage enables an existing graded area to be used for the driveway, which minimizes disturbance of the site. The decreased entryway and lowered plate height also aid in reducing the bulk of the building. The cumulative

effect of these revisions is that the mass and bulk of the house would be reduced and it would conform with the natural contours of the site.

2. **1999 Design Review Standard:** *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.*

March 31, 2009 Staff Recommended Modifications: Staff recommended modifications addressing this 1999 Design Standard included redesigning the house to incorporate the previously discussed step design as well as removing proposed fill from the plans. Staff also recommended that a landscaping plan and color and material samples be submitted in order to evaluate the project's cohesiveness with the neighboring properties.

Applicant Response: In response, the applicant submitted a revised plan on April 16, 2009, which removes most of the proposed fill at the north elevation. A stone material retaining wall would be placed in this area to create a planting area that will aid in providing a visual buffer for the house from both Second Street and Farallone Avenue. Staff has received an informal landscaping plan, which proposes indigenous plants and trees to be used throughout the site including in new window planter boxes. The applicant has also provided information that the existing mature vegetation at the property perimeter is to remain in an effort to provide additional screening. Information has also been provided indicating that the house will be painted a beige/gray color consistent with the existing development in the area and will emphasize the traditional design theme of the building. The revised design also includes large bead-board style trim above the windows and "stool" style trim below the window trim to further the design theme. The driveway has also been slightly revised to curve off Farallone Avenue to soften the direct approach and utilize the existing entrance and driveway.

Staff Analysis: The revisions bring the project into compliance with the 1999 Design Review Standard. The combination of the existing mature vegetation with the proposed new landscaping and retaining wall will provide effective buffering from the street. The removal of proposed fill will aid in reducing the looming effect of the structure on surrounding properties and streets. The revised design features such as the corbelling under some of the windows, changes to window trims, planter boxes, curved driveway, colors, and materials all aid in providing visual interest to the house and a more cohesive blending with the surrounding properties.

B. COMPLIANCE WITH COUNTY REGULATIONS

1. Conformance with General Plan

The revised project complies with the Design Review standards in effect in 1999, which are also supported in the County's General Plan. The following specific General Plan policies are applicable:

Visual Quality and Urban Land Use. Visual Quality Policy 4.35 (*Urban Area Design Concept*) seeks to: (a) maintain and, where possible, improve upon the appearance and visual character of development in urban areas (of which the Montara area is included); and (b) ensure that new development in urban areas is designed and constructed to contribute to the orderly and harmonious development of the locality. Urban Land Use Policy 8.14 (*Residential Land Use Compatibility*) seeks to protect and enhance the character of existing single-family areas. The revised plans now show that the project incorporates a design that does blend into the natural landforms and is in harmony with adjacent buildings in the community, which therefore is in conformance with the General Plan.

2. Conformance with Local Coastal Program Policies

This project site is located within the Single-Family Exclusion Area of the Coastal Zone and thus qualifies for a Coastal Development Permit Exemption under Section 6328.5.e of the County Zoning Regulations.

3. Conformance with Zoning Regulations and Design Review Standards

a. Development Regulations

The project site is zoned R-1/S-17 and is located within a Design Review District. The project components comply with all applicable 1999 zoning regulations, including setbacks, lot coverage, and height.

b. Design Review

Section 6565.1 (Coastal) of the Zoning Regulations in effect in 1999 relates to DR districts in the Coastal Zone. Section 6565.7 (Coastal) (1999) sets out the DR standards by which projects are assessed. The project is located within a DR district, and must comply with the Coastsides DR standards applicable at the time of the application's initial submittal in February 1999. The revised plans submitted on April 16, 2009 bring the project into compliance with the required 1999 Design Review standards. See the discussion under Section A for a detailed discussion regarding these findings.

C. ENVIRONMENTAL REVIEW

The project is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15303 (construction of new small facilities or structures).

FISCAL IMPACT

No fiscal impact.

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
- B. Location Map
- C. Applicant's Written Summary of Proposed Modifications
- D. Site Plan and First Floor Plan (Submitted April 16, 2009)
- E. Second Floor Plan (Submitted April 16, 2009)
- F. Front (East) Elevation (Submitted April 16, 2009)
- G. Front/Left (East-South) Elevations (Submitted April 16, 2009)
- H. Left Side (South) Elevation (Submitted April 16, 2009)
- I. Front/Right Side (East-North) Elevation (Submitted April 16, 2009)
- J. Right Side (North) Elevation (Submitted April 16, 2009)
- K. Right/Rear (North-West) Elevation (Submitted April 16, 2009)
- L. Rear (West) Elevation (Submitted April 16, 2009)
- M. Landscaping Plan Details
- N. Board of Supervisors Staff Report from March 31, 2009

COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit File Number: PLN 1999-00015

Board Meeting Date: April 28, 2009

Prepared By: Angela Chavez

For Adoption By: Board of Supervisors

RECOMMENDED FINDINGS

For the Environmental Review, Find:

1. That this project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), Section 15303, Class 3, relating to new construction of small structures. A Notice of Exemption will be filed with the County Clerk's Office and posted as required by CEQA.

For the Coastside Design Review, Find:

2. That this project has been reviewed under and found to be in compliance with the Standards of Review Criteria as stipulated in Chapter 28.1 of the San Mateo County Zoning Regulations.

For the Coastal Development Permit Exemption, Find:

3. That the proposed residence conforms to Section 6328.5.e of the County Zoning Regulations and is located within the area designated as a Categorical Exclusion Area.

RECOMMENDED CONDITIONS OF APPROVAL

1. This approval applies only to the proposal described in this report and indicated in materials formally submitted for consideration by the Board at its April 28, 2009 hearing. These plans supersede all previously submitted and reviewed plans. The Community Development Director may approve minor adjustments to the project if they are consistent with the intent of and in substantial conformance with this approval.

2. This permit shall be valid for one year from the date of approval within which time a building permit must be applied for and issued. Any extension of these permits will require submittal of a request for permit extension and payment of applicable fees no less than 30 days prior to expiration.
3. The applicant shall submit exterior color samples (no larger than approximately 4 square inches) for roof, walls and trim to the Planning Counter for review and approval by the Community Development Director prior to planning approval of the associated building permit. The colors and materials used shall be in keeping with the surrounding neighborhood. The applicant shall include the file/case number with all color samples. Color verification by a building inspector shall occur in the field after the applicant has painted the structure an approved color but before the applicant schedules a final inspection.
4. The applicant shall submit a landscape plan (may be shown on the site plan of the submitted building permit application) depicting the location, type, and size of trees and shrubs for review and approval by the Planning Department. The landscaped areas shall be designed to reduce excess irrigation runoff and require minimal and appropriate use of fertilizers, herbicides and pesticides. The goal of the required landscape plan is to soften the building elevations and to increase surface filtration. The plan shall include a minimum of two (2) trees (minimum 5 gallons) in the front of the residence, one (1) tree (minimum 36-inch box) in the front of the residence, a minimum of three (3) trees (minimum 5 gallons) in the rear of the residence and a minimum of twenty (20) shrubs (minimum 1 gallon) shall be included in the design. Areas in the front and rear of the property that do not contain trees or shrubs shall be covered with a combination of turf or groundcover and/or a minimum of 2 inches of mulch on all exposed soil areas to minimize erosion.
5. Prior to the issuance of a building permit, the applicant shall provide an erosion and sediment control plan, which demonstrates how erosion will be mitigated during the construction of the new addition subject to the review and approval of the Community Development Director. This mitigation will be in place for the life of the construction project.
6. The applicant is responsible for ensuring that all contractors minimize the transport and discharge of pollutants from the project site into local drainage systems and water systems by adhering to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines" including:
 - a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15.
 - b. Removing spoils promptly and avoiding stockpiling of fill materials when rain is forecast. If rain threatens, stockpiled soils and other materials shall be covered with a tarp or other waterproof material.

- c. Storing, handling and disposing of construction materials and wastes so as to avoid their entry to a local storm drain system or water body.
 - d. Avoiding cleaning, fueling or maintaining vehicles on site, except in an area designated to contain and treat runoff.
7. The applicant is responsible for ensuring that all contractors are aware of all stormwater quality measures and implement such measures. Failure to comply with the construction BMPs will result in the issuance of the correction notices, citations or a project stop order.
- a. All landscaping shall be properly maintained and shall be designed with efficient irrigation practices to reduce runoff, promote surface filtration and minimize the use of fertilizers, herbicides and pesticides that can contribute to runoff pollution.
 - b. Where subsurface conditions allow, the roof downspout systems from all structures shall be designed to drain to a designated, effective infiltration area or structure (refer to BMPs Handbook for infiltration system designs and requirements).
8. The submitted plans do not indicate any trees to be removed. Prior to the issuance of a building permit, the applicant shall submit a plan showing the location of all existing trees on the property. The applicant shall submit a tree protection plan for the tree located towards the rear of the parcel, near Farallone Avenue. Such measures shall be identified on the building permit site plan and shall be implemented prior to the start of any construction or grading activities on the site. Removal of any additional trees with a diameter equal to or greater than 12 inches as measured 4.5 feet above the ground shall require a separate tree removal permit.
9. The noise from construction activity shall not exceed that as indicated in the County Noise Ordinance.
10. To ensure the height of the structure and/or structures do not exceed the maximum height permitted, staff requires the applicant to adhere to the height verification procedure during the building permit process. The applicant shall provide "finished floor elevation verification" to certify that the structure is actually constructed at the height shown on the submitted plans. The applicant shall have a licensed land surveyor or engineer establish a baseline elevation datum point in the vicinity of the construction site. The applicant shall maintain the datum point so that it will not be disturbed by the proposed construction activities until final approval of the building permit.

- a. The datum point and its elevation shall be shown on the submitted site plan. This datum point shall be used during construction to verify the elevation of the finished floors relative to the existing natural or to the grade of the site (finished grade).
 - b. Prior to planning approval of the building permit application, the applicant shall also have the licensed land surveyor or engineer indicate on the construction plans: (1) the natural grade elevations at the significant corners (at least four) of the footprint of the proposed structure on the submitted site plan, and (2) the elevations of proposed finished grades.
 - c. In addition, (1) the natural grade elevations at the significant corners of the proposed structure, (2) the finished floor elevations, (3) the topmost elevation of the roof and (4) garage slab elevation must be shown on the plan, elevations, and cross-section (if one is provided).
 - d. Once the building is under construction, prior to the below floor framing inspection or the pouring of the concrete slab (as the case may be) for the lowest floor(s), the applicant shall provide to the Building Inspection Section a letter from the licensed land surveyor or engineer certifying that the lowest floor height--as constructed--is equal to the elevation specified for that floor in the approved plans. Similarly, certifications on the garage slab and the topmost elevation of the roof are required.
 - e. If the actual floor height, garage slab, or roof height--as constructed--is different than the elevation specified in the plans, then the applicant shall cease all construction and no additional inspections shall be approved until a revised set of plans is submitted to and subsequently approved by both the Building Official and Community Development Director.
11. The plans submitted at the building permit stage shall clearly show the location of the existing well and that the proposed development complies with the required Environmental Health setbacks from that well.
 12. All new power and telephone utility lines from the street or nearest existing utility pole to the main dwelling and/or any other structure on the property shall be placed underground.
 13. The applicant shall, pursuant to Section 5023 of the San Mateo County Code, submit a stormwater control/drainage plan, prepared by their civil engineer or erosion control consultant. The plan shall be included as part of the project's building permit application and construction plans. The County Building Inspection Section and County Planning Department shall ensure that the approved plan is implemented prior to the issuance of a building permit. The required drainage plan shall show the necessary mechanisms to contain all water runoff generated by on-site impervious surfaces and shall include facilities to minimize the amount and pollutants of stormwater runoff through on-site percolation and filtering facilities to

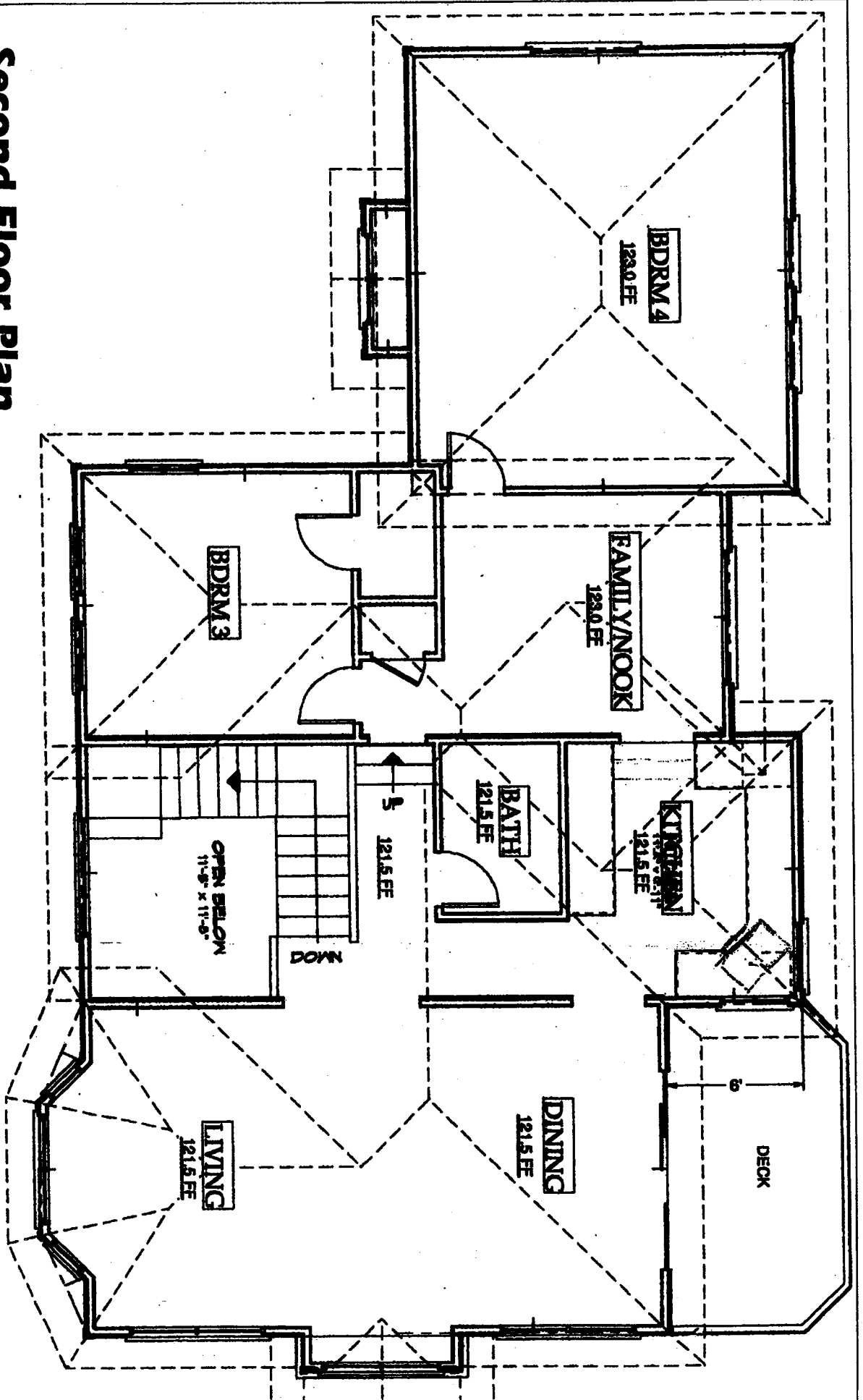
control stormwater runoff from the project site once the project is completed. In addition, the plan shall indicate that:

- a. All landscaping will be properly maintained and shall be designed with efficient irrigation practices to reduce runoff, promote surface filtration, and minimize the use of fertilizers, herbicides and pesticides.
- b. Where subsurface conditions allow, all building roof downspout systems shall be designed to drain into a designated, effective infiltration or structure (refer to BMPs Handbook for infiltration system designs and requirements).

CORNER LOT HOUSE (APN 210)

Modifications to plans made pursuant to directives from San Mateo County Board of Supervisors at hearing held on 3/31/09 :

- 1.) Building Lowered into the Ground
- 2.) Design Form more closely mimicking the natural terrain of the site with both roof-line as well as floor-line.
- 3.) Reduction of Building Mass *via* :
 - a.) Complete Hip-forming of entire Roof structure.
 - b.) 50% increase in set-back of upper-story above Garage – a location directly visible from street.
 - c.) House Plans now contain three (3) separate levels – following the rise in terrain.
 - d.) Diminution of Entry Element – scale has been reduced in size in relation to building.
 - e.) Elimination of lower story projection on long street-side elevation – reducing mass from prominent street-side elevation.
 - f.) Reduction in building length – rear setback increased to 22 feet.
 - g.) Lowering plate-height of prominent second story area directly above entry – breaking up both façade mass as well as lowering roof-line on a significant section of the prominent street-side elevation.
 - h.) 50% differential in 'cut-in' area at front corner & side elevations between upper & lower floors – upper floor now containing less mass than lower floor in this prominent street-side elevation.
- 4.) Softened aesthetics to street on both sides *via* :
 - a.) Introduction of corbelling under window-seat at front elevation, and at upper story projection on long street-side elevation – creating additional detail & visual interest, breaking up linear aesthetic, and further emphasizing traditional design theme of building.
 - b.) Introduction of traditional type large 'beadboard' style trim above windows, and traditional type 'stool' style trim below window trim – creating additional detail & visual interest, reducing linear aesthetic, as well as further emphasizing traditional design theme of building.
 - c.) Introduction of lower-story window planter-boxes – creating additional detail & visual interest, as well as further emphasizing traditional design theme of building.
 - d.) Introduction of landscaped raised stone planter beds at front and corner sides of building – reducing apparent building height from front street elevation and softening building plane into ground plane.
 - e.) Employment of curving driveway to soften direct approach to street from building as well as to utilize existing driveway culvert at street elevation.



LIVING AREA
1300 SQ FT

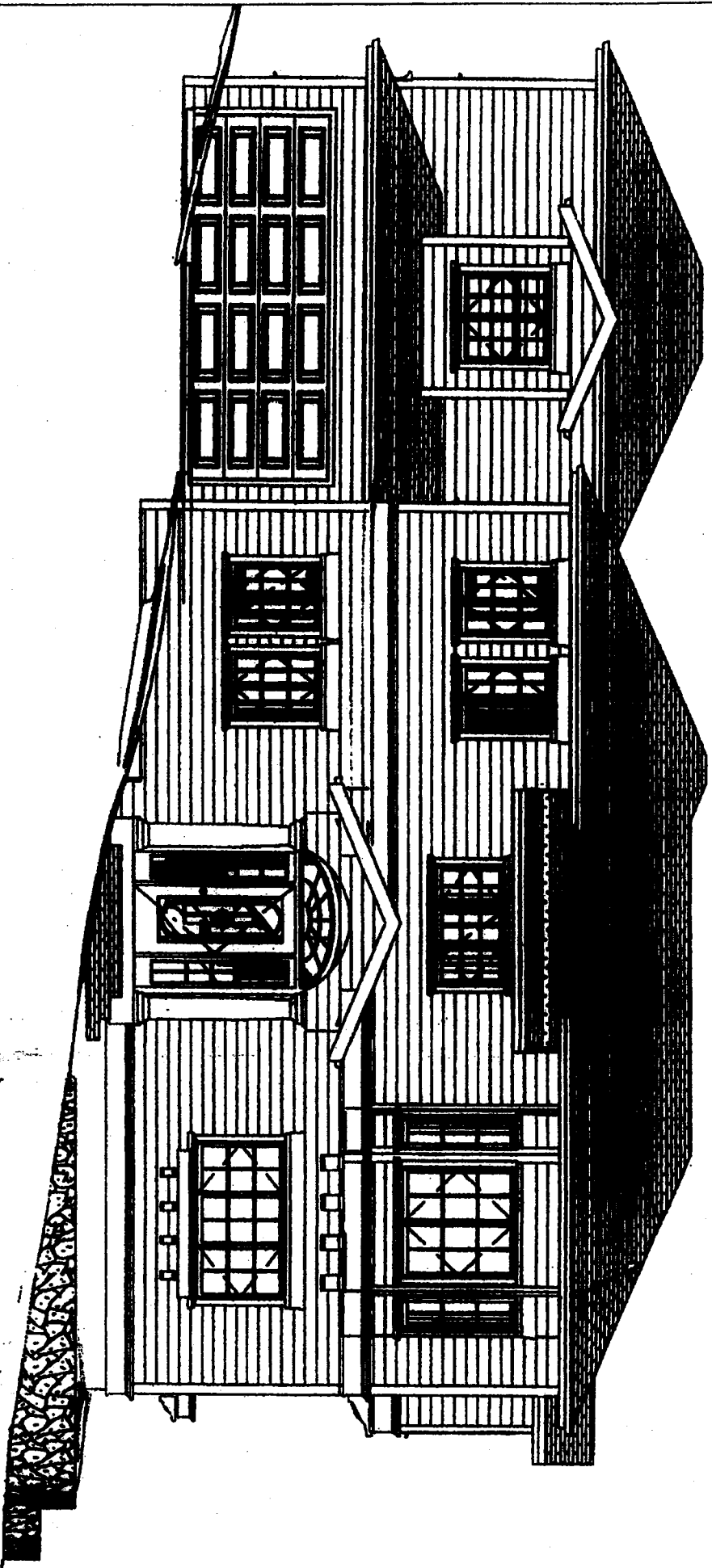
Second Floor Plan

San Mateo County Board of Supervisors Meeting

Applicant: **THOMAS MAHON**

File Numbers: **PLN 1999-00015**

ATTACHMENT E



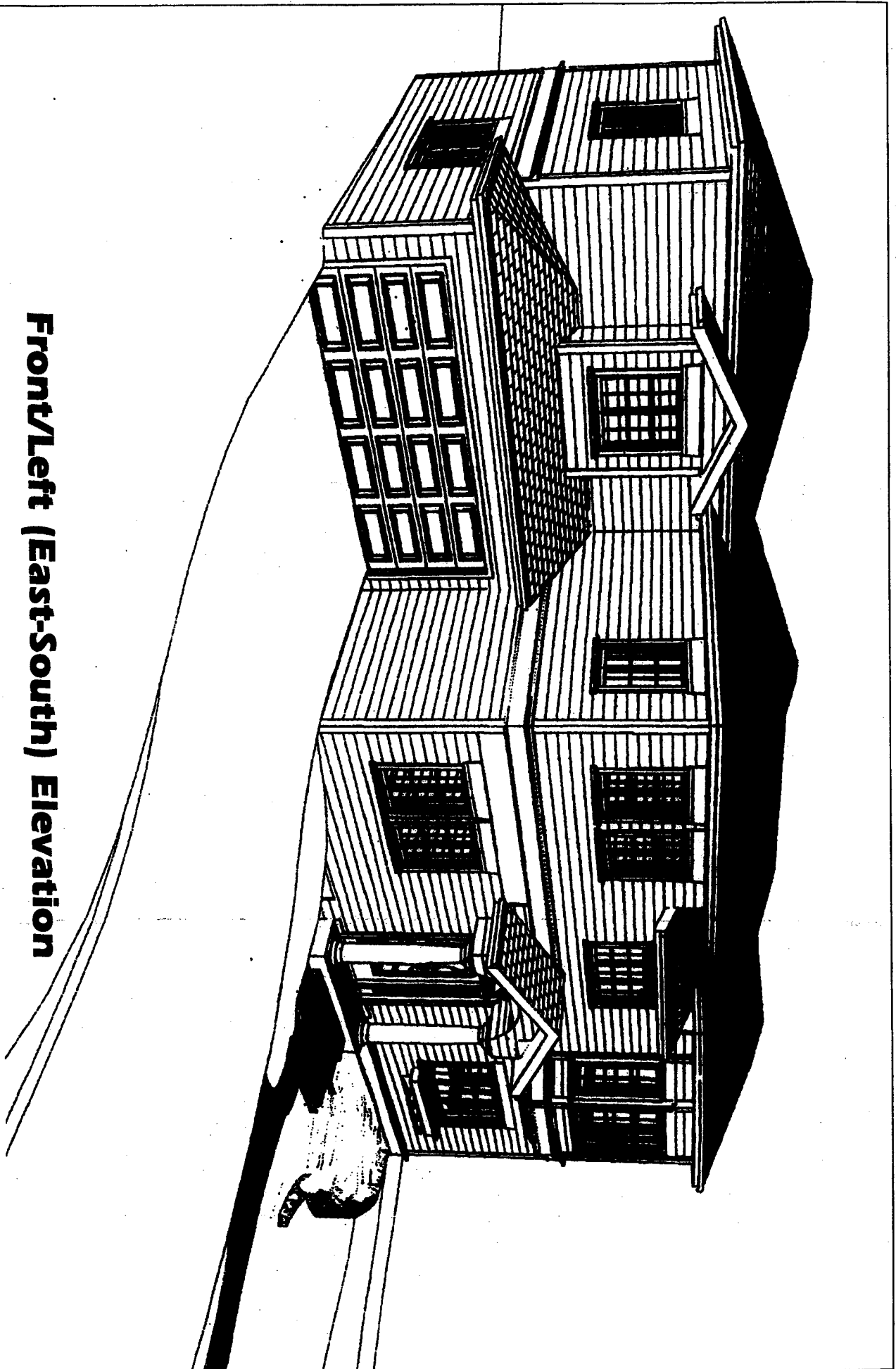
Front (East) Elevation

San Mateo County Board of Supervisors Meeting

Applicant: **THOMAS MAHON**

File Numbers: **PLN 1999-00015**

ATTACHMENT F



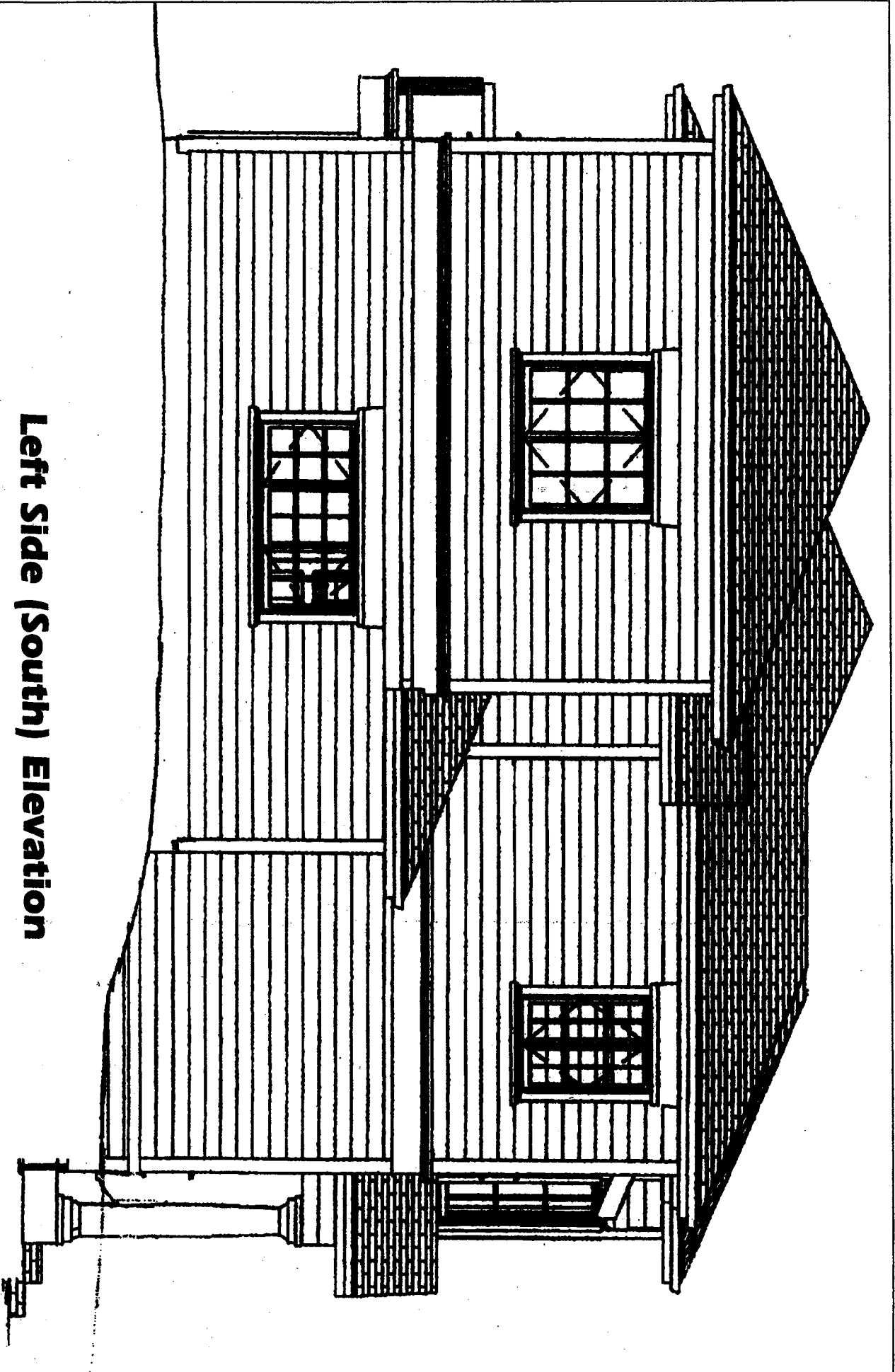
Front/Left (East-South) Elevation

San Mateo County Board of Supervisors Meeting

Applicant: THOMAS MAHON

File Numbers: PLN 1999-00015

ATTACHMENT G



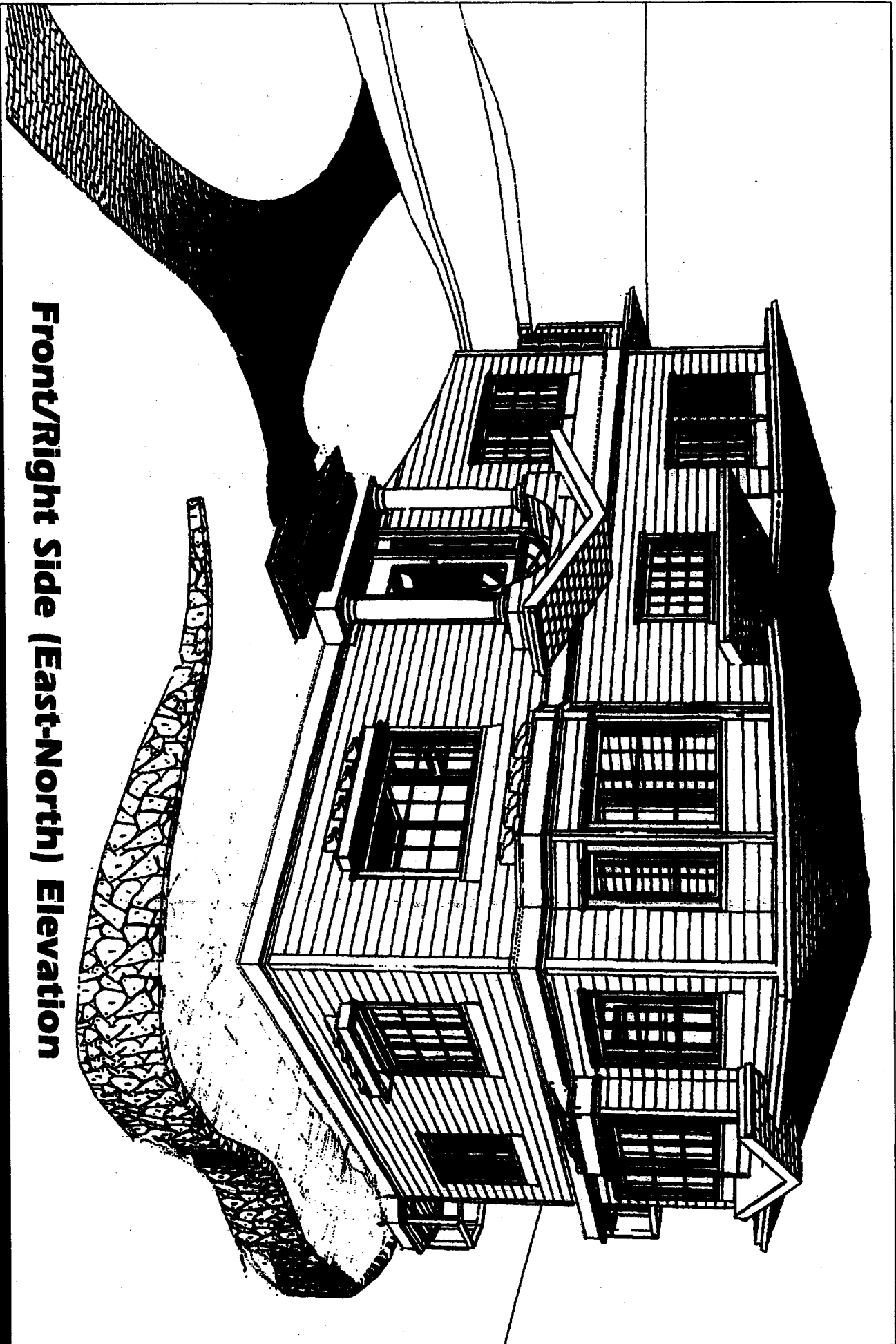
Left Side (South) Elevation

San Mateo County Board of Supervisors Meeting

Applicant: THOMAS MAHON

File Numbers: PLN 1999-00015

ATTACHMENT H



Front/Right Side (East-North) Elevation

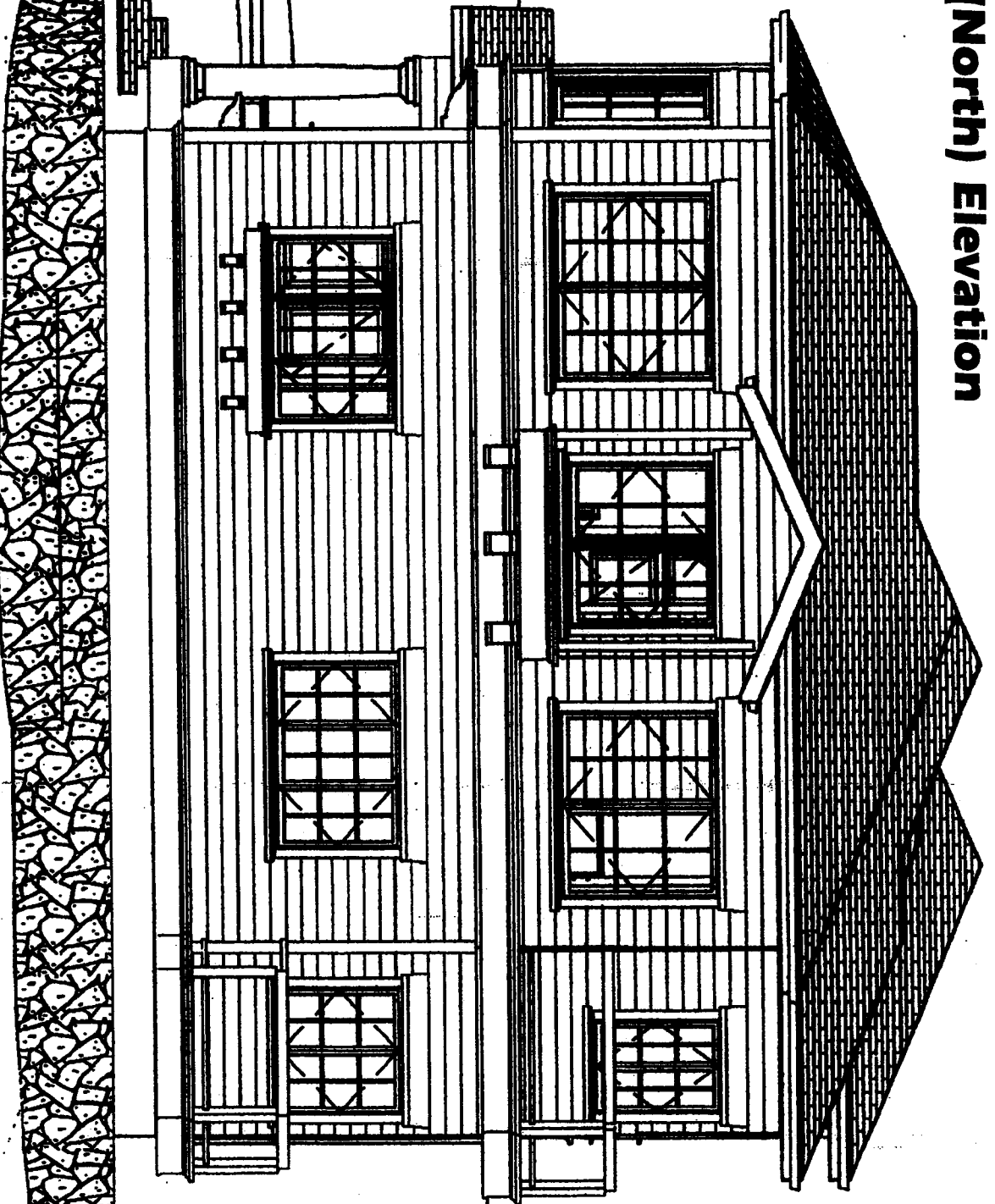
San Mateo County Board of Supervisors Meeting

Applicant: **THOMAS MAHON**

File Numbers: **PLN 1999-00015**

ATTACHMENT I

Right Side (North) Elevation



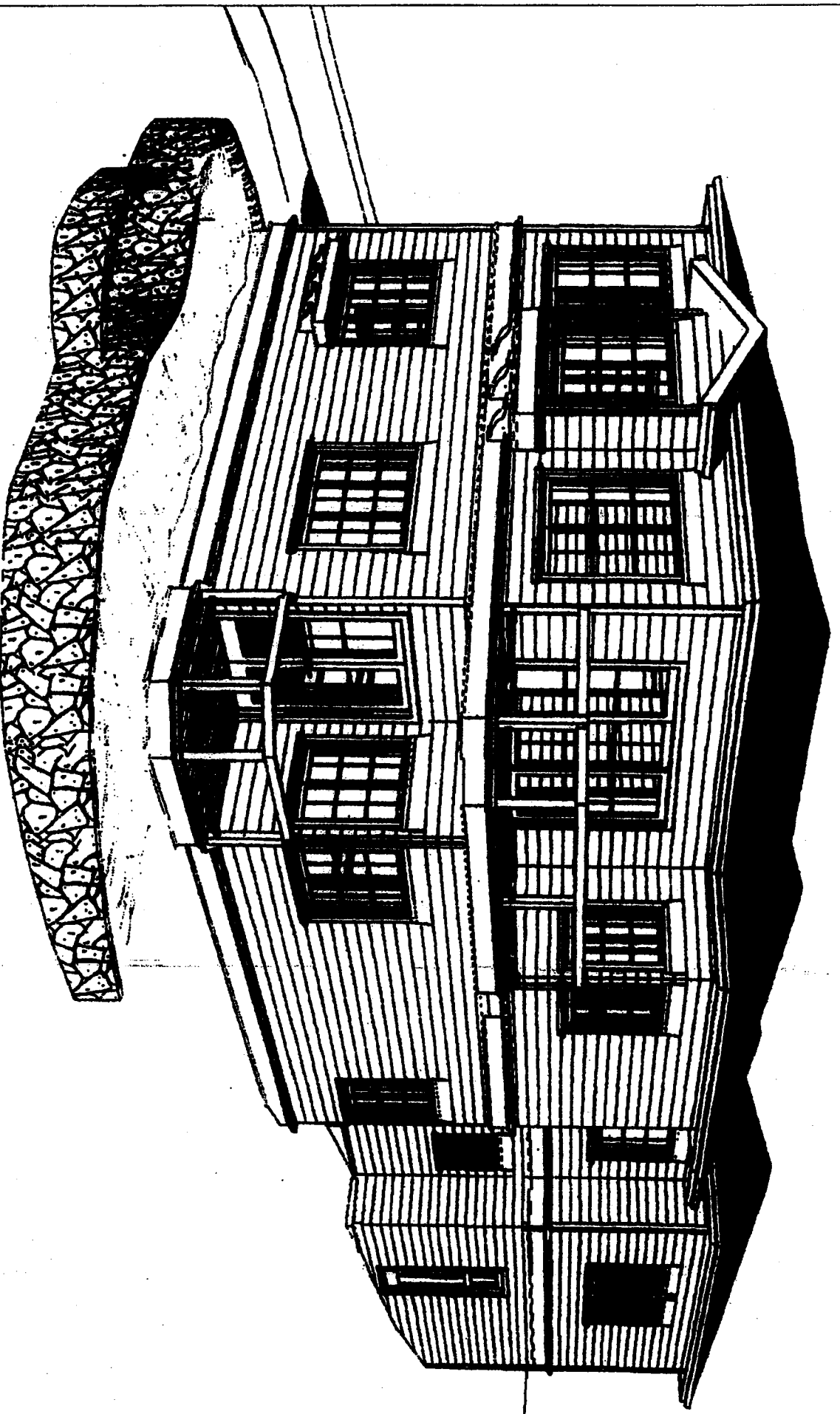
San Mateo County Board of Supervisors Meeting

Applicant: **THOMAS MAHON**

File Numbers: **PLN 1999-00015**

ATTACHMENT J

Right/Rear (North-West) Elevation



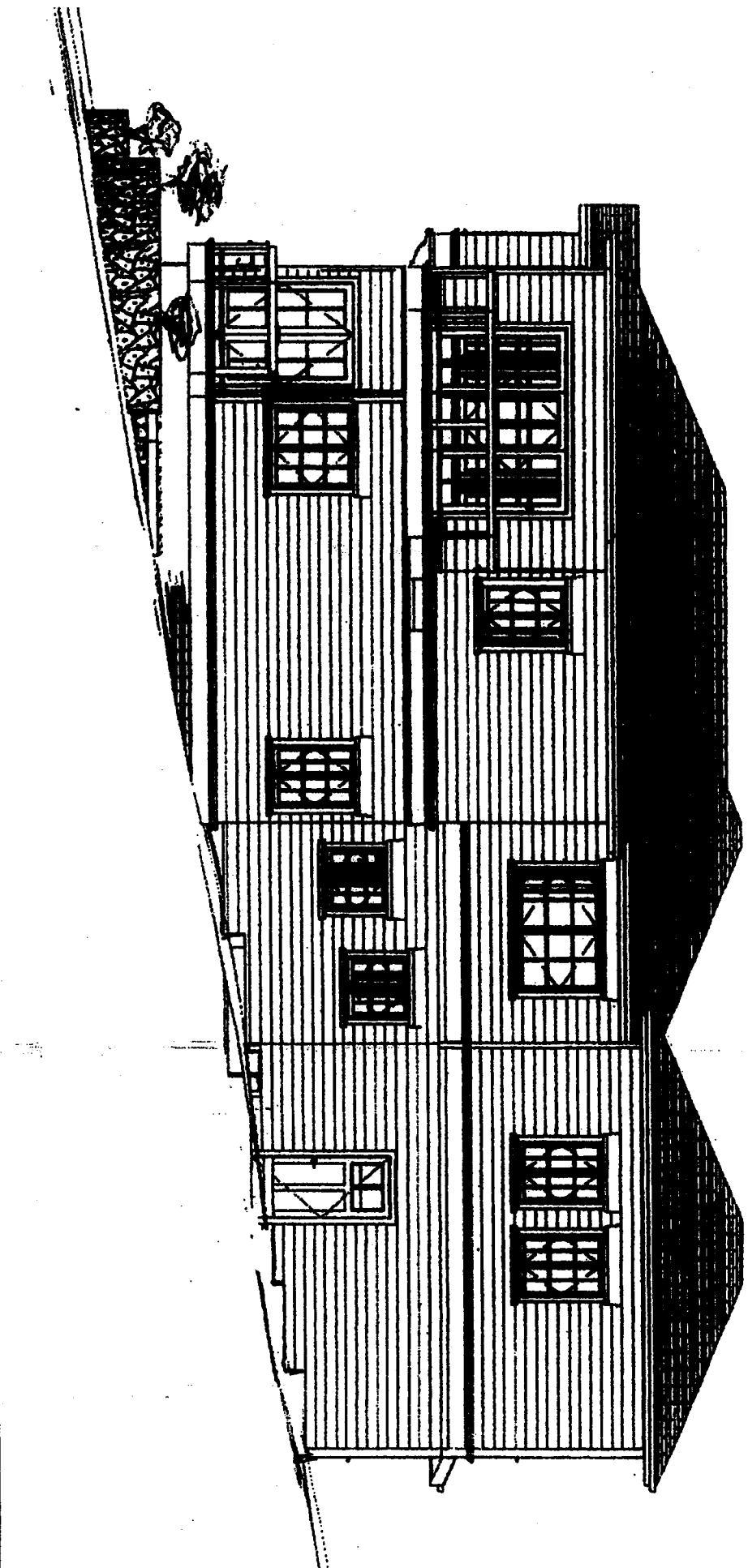
San Mateo County Board of Supervisors Meeting

Applicant: THOMAS MAHON

File Numbers: PLN 1999-00015

ATTACHMENT K

Rear (West) Elevation



San Mateo County Board of Supervisors Meeting

Applicant: THOMAS MAHON

File Numbers: PLN 1999-00015

ATTACHMENT L

SPECIES SELECTION

- Trees - Coastal Species: Pine Sh.sp. / Monterey Cypress / Thuja Cedar / Mayten /
Melaleuca sp. /
- Trees - Exotic Species: Cedar H. / Cypress sp. / Gingko / Maple Acer sp. / Prunus sp. /
- Shrubs – Coastal Species: Pittosporum sp. / Ceanothus sp. / Hebe V. / Dodonea V. /
Cape B. / Leptospermum sp. / Artemisia sp. /
Lavandula sp. / Salvia sp. / Juniperus sp. / Cotoneaster sp. /
- Shrubs - Exotic Species: Buxus sp. / Myrsine sp. / Tenax / Ligustrum / Nandina sp.
- Groundcover : Coastal-native drought-tolerant Grasses / Vines /

LANDSCAPE ZONES

1.) SIDE (Street)

- a.) Yard : (3) 15 Gal.<T>, (6) 5 Gal. <S>, (3) 15 Gal. <EP>, Multi-F <G>,
b.) D/W sides : (4) 5 Gal.<S>, (12) 1 Gal.<S>, Multi-F <G>
c.) Entry : (2) 5 Gal.<S>, (10) 1 Gal <S>,

2.) REAR setback

- a.) Yard : Multi-F <G>, (2) 15 Gal. <EP>, (3) 5 Gal.<S>
b.) Perimeter : (2) 15 Gal <EP> , (1) 15 Gal.<T>,

3.) FRONT setback

- a.) Yard : (5) 5 Gal.<S>, Multi-F<G>,
b.) Perimeter : (3) 15 Gal.<EP>, (2) 5 Gal.<S>, (12) 1 Gal.<S>
c.) Bed : (3) 5 Gal.<S>, (6) 1 Gal.<S>, Multi-F <G>
-

Cummulative Plant Material Quantities :

- (4) 15 Gal Trees
- (7) 15 Gal Shrubs
- (30) 5 Gal Shrubs
- (40) 1 Gal <select>

Irrigation

- a.) Drip irrigation at non-native species.
- b.) System Controller (automatic)

Hardscape

- a.) Gravelled
- b.) D.G.Granite
- c.) Pavers & Flag
- d.) Stone/Block

Walks : (a.) (b.) (c.)

Landings,Ground : (a.) (b.) (c.)

Walls, Planter : (d.)

Notes :

- Large Pine at Street (front) near property line to be retained and decayed limbs removed.
- Two coastal species evergreen 15 Gal. Trees to be placed in approximate area of existing large decayed pine located on property.
- Existing mature vegetation at property perimeter to be retained as screening.(*)

(*) Where negatively impacted by development – present equivalent to be replaced w/ new equivalent up to a maximum of either (3) 15 Gal. or (6) 5 Gal. or equal combination thereof.



COUNTY OF SAN MATEO
Inter-Departmental Correspondence

PLANNING AND BUILDING DEPARTMENT

DATE: March 23, 2009
BOARD MEETING DATE: March 31, 2009
SPECIAL NOTICE/HEARING: 10 days, within 300 ft.
VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors

FROM: Lisa Grote, Community Development Director

L, G.

SUBJECT: EXECUTIVE SUMMARY: Consideration of a Coastside Design Review Permit, pursuant to Sections 6565.4 (Coastal) and 6328.5 of the County Zoning Regulations as they existed in 1999, to construct a new 2,548 sq. ft. single-family residence on a 5,000 sq. ft. parcel located at 286 Second Street, in the unincorporated Montara area of the County. (Appeal from decision of the Planning Commission denying the Design Review Permit.) This project is not appealable to the California Coastal Commission.

RECOMMENDATION

Deny the appeal and uphold the decision of the Planning Commission and deny the Design Review Permit, County File Number PLN 1999-00015, by making the findings of denial as listed in Attachment A. Alternatively, invite the applicant voluntarily to make the project modifications recommended by staff as discussed in the Alternative Section of the staff report, and make the findings in support of Design Review Permit approval as listed in Attachment B.

VISION ALIGNMENT

Commitment: Number 9 (Partnerships), "Effective and Collaborative Government."

Goal: Number 20, "Government decisions are based on careful consideration of future impact, rather than temporary relief or immediate gain."

Upholding the decision of the Planning Commission to deny the subject Design Review Permit furthers Commitment 9 and Goal 20 because requiring a project to comply with Design Review standards is a careful consideration of the project's future impact on a neighborhood's character. The Planning Commission's finding that this project does not comply with Design Review standards demonstrates that it was considering the future impacts of the project on the neighborhood character.

BACKGROUND

Proposal: The applicant is proposing to construct a new 2,548 sq. ft. two-story single-family residence on a 5,000 sq. ft. parcel.

The Planning Director approved the subject project's Design Review Permit in April 2004.

Planning Commission Action: On November 10, 2004, the Planning Commission voted 4-0 (one Commissioner absent) to uphold the appeal and deny the decision of the Planning Director to approve this project.

Board of Supervisors Action: On February 8, 2005, the Board of Supervisors voted unanimously to deny the appeal and uphold the decision of the Planning Commission to deny this project. The San Mateo County Superior Court set aside that decision and required the appeal from the Planning Commission to be reheard.

DISCUSSION

This project was one of two Design Review applications for new single-family homes on two adjacent parcels submitted by the applicant in 1999. The subject project was approved by the Planning Director in April 2004. That decision was appealed to the Planning Commission by 22 neighbors.

The Planning Commission upheld the appeal and denied the Design Review Permits based on a lack of adequate evidence to support the required findings under two specific Design Review standards from the 1999 Zoning Regulations: (1) a requirement that the house be designed and situated so as to retain and blend with the natural vegetation and landform of the site, and (2) a requirement that the house be in harmony with the shape, size and scale of adjacent buildings in the community. The applicant appealed the Planning Commission's denial of a Design Review Permit. The Board of Supervisors denied the applicant's appeal on February 8, 2005.

Following the Board's denial of the applicant's appeal, on May 6, 2005, the applicant filed a Petition for Writ of Administrative Mandamus with a Complaint for other claims including inverse condemnation, civil rights violations, injunction and declaratory relief. A Statement of Decision representing the decision of the Court was issued on March 17, 2008. The Statement of Decision found that the applicant had not been provided a fair administrative hearing at the Board's hearing of February 8, 2005. The Court set aside the decision of the Board denying the applicant's appeal, and ordered that the Board rehear the appeal from the decision of the Planning Commission. The impact of the Court's decision is that the Board is to consider the project *de novo*, as if the prior Board hearing had not occurred.

FISCAL IMPACT

No fiscal impact.



COUNTY OF SAN MATEO
Inter-Departmental Correspondence

PLANNING AND BUILDING DEPARTMENT

DATE: March 23, 2009
BOARD MEETING DATE: March 31, 2009
SPECIAL NOTICE/HEARING: 10 days within 300 ft.
VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors

FROM: Lisa Grote, Community Development Director

L. G.

SUBJECT: Consideration of a Coastside Design Review Permit, pursuant to Sections 6565.4 (Coastal) and 6328.5 of the County Zoning Regulations as they existed in 1999, to construct a new 2,548 sq. ft. single-family residence on a 5,000 sq. ft. parcel located at 286 Second Street, in the unincorporated Montara area of the County. (Appeal from decision of the Planning Commission denying the Design Review Permit.) This project is not appealable to the California Coastal Commission.

County File Number: PLN 1999-00015 (Mahon)

RECOMMENDATION

Deny the appeal and uphold the decision of the Planning Commission and deny the Design Review Permit, County File Number PLN 1999-00015, by making the findings of denial as listed in Attachment A. Alternatively, invite the applicant voluntarily to make the project modifications recommended by staff as discussed in the Alternative section of the staff report, and make the findings in support of Design Review Permit approval as listed in Attachment B.

VISION ALIGNMENT

Commitment: Number 9 (Partnerships), "Effective and Collaborative Government."

Goal: Number 20, "Government decisions are based on careful consideration of future impact, rather than temporary relief or immediate gain."

Upholding the decision of the Planning Commission to deny the subject Design Review Permit furthers Commitment 9 and Goal 20 because requiring a project to comply with Design Review standards is a careful consideration of the project's future impact on a neighborhood's character. The Planning Commission's finding that this project does not comply with Design Review standards demonstrates that it was considering the future impacts of the project on the neighborhood character.

BACKGROUND

Proposal: The applicant proposes to construct a new 2,548 sq. ft. two-story single-family residence including an attached two-car garage on a 5,000 sq. ft. parcel. The proposed house fronts onto and is accessed from Farallone. No trees are proposed for removal.

The Planning Director approved the subject project's Design Review Permit in April 2004.

Planning Commission Action: The Planning Director's approval was appealed to the Planning Commission by 22 neighbors. The appeal was upheld at the November 10, 2004 hearing before the Planning Commission. The Planning Commission's denial of a Design Review Permit for this project was based upon the issues posed by the appellants around the inadequacy of the latest submitted plans. Based on a review of the project and considering the community's comments, the Planning Commission found there was not adequate evidence to support two applicable Design Review standards: (1) a requirement that the house be designed and situated so as to retain and blend with the natural vegetation and landform of the site, and (2) a requirement that the house be in harmony with the shape, size and scale of adjacent buildings in the community.

Prior Board of Supervisors Action: The Planning Commission's denial of the Design Review Permit was appealed to the Board of Supervisors by the applicant. The Board of Supervisors denied the appeal on February 8, 2005. The applicant submitted revised plans in December 2004, which include only minor roof articulation improvements, and which are essentially no different from an earlier iteration submitted by the applicant on May 4, 2000 in which the roof had a similar design but introduced no fill. The revised December 2004 plans did not incorporate changes that addressed the comments or recommendations provided by the Planning Commission in April 2004.

Writ Proceeding: Following the Board's denial of the applicant's appeal, on May 6, 2005, the applicant filed a Petition for Writ of Administrative Mandamus with a Complaint for other claims including inverse condemnation, civil rights violations, injunction and declaratory relief. By agreement of the parties, the Court bifurcated the case, staying all proceedings relating to the non-writ claims until after the hearing on the Petition for Writ of Administrative Mandate ("the Petition").

The Petition was heard by the Court on July 26, 2007. Additional briefing was requested by the Court and submitted by the parties. A Statement of Decision representing the decision of the Court was issued on March 17, 2008. The Writ itself was issued in July 2008. The Statement of Decision found that the applicant had not been provided a fair administrative hearing at the Board's hearing of February 8, 2005. The Court set aside the decision of the Board denying the applicant's appeal, and ordered that the Board rehear the appeal from the decision of the Planning Commission. The impact of the Court's decision is that the Board is to consider the appeal *de novo*, as if the prior Board hearing had not occurred.

Report Prepared By: Angela Chavez, Project Planner, Telephone 650/599-7217

Applicant/Appellant: Thomas Mahon

Location: 286 Second Street and Farallone Avenue, Montara

APN: 036-014-210

Size: 5,000 sq. ft.

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

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

Sphere-of-Influence: City of Half Moon Bay

Existing Land Use: Vacant

Water Supply: Existing domestic well

Sewage Disposal: Montara Water and Sanitary District

Flood Zone: FEMA Flood Insurance Rate Map Zone "C" (Area of Minimal Flooding); Community Panel Number: 060311 0092B; Effective Date: July 5, 1984.

Environmental Evaluation: Exempt under Section 15303, Class 3 of the California Environmental Quality Act (CEQA), construction of a minor structure.

Setting: The project site is located on the north side of Second Street, at the corner of Farallone Avenue, two blocks east of Cabrillo Highway. The 5,000 sq. ft. parcel slopes upward from both Second Street and Farallone Avenue. The parcel to the west is vacant (pending Design Review application, PLN 1999-00215). The surrounding neighborhood is developed with one- and two-story single-family residences.

DISCUSSION

A. KEY ISSUES OF THE APPEAL

The appellant submitted his appeal of the Planning Commission's decision, with the specific grounds for appeal provided through his representative, Dave Beaumont (*italicized*) (see Attachment J). This appeal addressed the revisions submitted by the applicant after the Planning Commission's November 2004 denial of the project. The appellant's issues and staff response follow. The appellant's comments are in italics, and staff's response is in regular text.

Beaumont: *The contention of the Planning Commission is that "... there was not adequate evidence to support: (1) that the proposed structure does not blend with the natural contours of the site and (2) that the proposed structure does not relate to adjacent buildings and to the neighborhood."*

We contend that there was, in fact, sufficient evidence to support both the standards listed for the design submitted for the Planning Commission's review. Nevertheless, a redesign has been submitted to further support and augment such evidence. The structure as now presented in a redesign subsequent to the November 10 Planning Commission hearing now conforms to and meets both these standards as discussed below:

1. *The rooflines throughout the house have been modified to better blend with the natural slope of the site as follows: (a) gabled roof ends have been changed into hips, (b) there has been a lowering of the roofline, and (c) there is displayed on both of the longitudinal masses of the house a clear transition of the roof from a higher to a lower elevation towards the north side, conforming to the lower elevation of the natural grade below.*

Staff Response: After the Planning Commission's November 10 decision, Mr. Mahon submitted the revised plans referenced by Mr. Beaumont in the appeal rationale. It is important to note that the Planning Commission did not have the opportunity to review these plans at their November 10, 2004 hearing.

While the style of the roof has been slightly modified as Mr. Beaumont has indicated, the roofline was only lowered at some points relative to the natural grade below, and not consistently along the entire east and west elevations. While the change in the design of the roof created some reductions in height, these changes were offset by the applicant's proposed alterations to the natural topography of the site. These changes are evident at the south-most corner of the garage area, which is called out to be 2 feet lower in elevation than the plans that were reviewed by the Planning Commission. However, the modified design shows in its middle and end elevations moving northward that the house is now proposed to be raised on fill. Therefore, any improvements that were achieved through the revised roof design have been negated by the

alterations to the natural topography of the site. The height of the structure has therefore changed only minimally as measured against the site's natural contours before the addition of fill.

Overall, the revisions submitted following the Planning Commission hearing on the design do not sufficiently address the concerns of the Planning Commission, and staff does not agree that these changes go far enough to ensure that the proposed structure "blends with the natural contours of the site." In fact, the December 2004 project modifications do not "blend with the natural contours of the site" as required by the Design Review standards; rather, the applicant's project changes those contours through the alteration of the topography of the site. This is inconsistent with the required findings for a Design Review Permit, requiring that the structure blend with the *natural* contours of the site.

Additionally, the project modifications mentioned by Mr. Beaumont do not conform the project to the Design Review standard that the proposed structure relate to the adjacent buildings and to the neighborhood. The building's visual mass and bulk are not reduced by the December 2004 modifications because there has not been a net reduction in building height as measured from the natural grade. This represents an additional departure by the December 2004 modifications from the Design Review standards.

2. **Beaumont:** *The maintenance of a mature, towering, heritage tree in the foreground of the street facade at the southeast of the site, gives context to the structure and its reduced prominence in relation to the natural landform.*

Staff Response: Staff's review of the subject pine tree found that it does not qualify as a "heritage tree" as the tree has not been classified as such in accordance with Section 11,050 of the San Mateo County Ordinance Code. However, the pine tree would be considered a "significant" tree. It is shown to be located in the southeast corner of the parcel to the left of the proposed driveway (see Attachment F). While the applicant has indicated that the tree will be preserved in order to provide context to the structure and to reduce the prominence in relation to the natural landform, staff does not agree that it achieves this result. While the tree is quite large, its location and the fact that no landscaping is proposed as part of this project, the preservation of this tree at best minimally reduces the prominence of the house in relation to the natural landform. In addition, the tree is located in the rear corner of the parcel. It therefore will not significantly reduce the contextual scale of the structure from most of the surrounding view points, as it will be only minimally visible once the house is constructed.

3. **Beaumont:** *Improved relationship to adjacent buildings and neighborhood:*
 - a. *All houses adjacent to, and on the same block as the subject project, contain horizontal narrow board siding and trim, and in general could be*

construed to represent a coastal vernacular. The design now contains those same elements; in addition, a wide trim band now features between the stories, assisting in dividing the visual mass, and presenting a softer facade overall to the neighborhood.

- b. *Windows now contain a "coastal craftsman" motif, incorporating a unique divided-light theme that is both softer to the facade and better identifies the house design, as well as being a design found on several houses in this neighborhood.*
- c. *The principal street-facing elevation (Farallone Street) now presents a softer facade to the street owing to the reduction of roof mass and form. This aids both in reducing prominence as well as better relating to adjacent buildings.*
- d. *With regard to size, massing of forms, and external appearance, the design as presented closely mirrors the same existing on two new houses located both to the side and to the rear of the property. These houses are identified, as they received decision letters of design conformity to both Design Review standards as well as LCP design guidelines. The further modifications identified in this appeal, promulgate an even closer affinity to these existing house designs on the same block.*

Staff Response: The Planning Commission did not have the opportunity to see the applicant's latest submitted revisions. However, staff agrees that some of the subject changes submitted by the appellant reflect the changes that *staff* had initially required as conditions of staff-level approval. Staff also agrees that the exterior design modifications such as the horizontal siding, window design, and wide trim band do improve the look of the house relative to surrounding development. However, none of these changes significantly reduce the visual mass and bulk of the house as seen from the surrounding view points. In addition, as previously discussed, these latest revisions now show the garage area cut into the slope an additional 2 feet and the downhill end of the house raised on fill, which does not comply with the design review policy that seeks to locate the house in a manner consistent with the site's *natural* topography. The addition of fill and cut amounts also negate the revised roof design, as the overall height of the structure has changed minimally and has done little to alleviate the perception that the proposed house would loom over the street.

Research of the County's Permitting Records recovered two Design Review applications that were approved around the time that this project was under consideration. Staff believes these are the projects to which Mr. Beaumont refers in (d.) above. While the two projects apparently referenced by Mr. Beaumont utilize similar materials and are similar in square footage of *the structures* to the proposed project, these two comparable *parcels* are substantially dissimilar to the characteristics of the applicant's own *parcel*. For

example, the comparison parcel to the rear is 7,500 sq. ft. – i.e., 2,500 sq. ft. larger than the applicant's parcel – and slopes down from the street. The project for this location was an addition to an existing residence and was located 22 feet from the front property line. Due to the slope of the parcel away from the street level, the visual impact of the project from the street was minimal. By comparison, the applicant's parcel is only 5,000 sq. ft. – i.e., 2,500 sq. ft. smaller than the parcel to which Mr. Beaumont is comparing it – and slopes up from the street. The applicant therefore proposes to place a structure of similar size on a significantly smaller parcel. The parcel to the side this project was for a new single-family residence and is also located on a parcel that is 2,500 sq. ft larger than the subject property. The residence on this location was oriented so that the side of the house faces Second Street and thereby alleviates the appearance of bulk from the street. The residence was designed to have the required 10-foot side yard setback to the left and a 31-foot side yard setback to the right, ensuring adequate space for light and air for itself as well as the adjacent properties. Accordingly, neither project approved for Design Review Permits is substantially similar to the applicant's project with regard to the issues of visual mass and bulk.

While the changes proposed in the December 2004 plans do make improvements in the direction of compliance with the Design Review standards, they still do not address the concerns voiced by both the community and the Planning Commission regarding visual mass and bulk. The project remains out of scale in proportion to the lot on which it is located which makes it appear large and looming from the street. This is further compounded by the alterations to the natural landforms of the site as both cut and fill have been introduced.

Given this, staff finds the Planning Commission's finding that the project is noncompliant with the DR standards remains true notwithstanding the project revisions proposed following PC denial.

B. COMPLIANCE WITH COUNTY REGULATIONS

1. Conformance with General Plan

Visual Quality and Urban Land Use. Visual Quality Policy 4.35 (*Urban Area Design Concept*) seeks to: (a) maintain and, where possible, improve upon the appearance and visual character of development in urban areas [of which the Montara area is included]; and (b) ensure that new development in urban areas is designed and constructed to contribute to the orderly and harmonious development of the locality. Urban Land Use Policy 8.14 (*Residential Land Use Compatibility*) seeks to protect and enhance the character of existing single-family areas. The Planning Commission's November 10 denial of the Design Review application states that the project was not in compliance with these two General Plan policies. Although the recently submitted revisions move the project closer to compliance with these policies, it is still not fully in

compliance with these policies, for reasons stated above.

2. Conformance with Local Coastal Program Policies

This project site is located within the Single-Family Exclusion Area of the Coastal Zone and thus qualifies for a Coastal Development Permit Exemption under Section 6328.5.e of the County Zoning Regulations.

3. Conformance with Zoning Regulations and Design Review Standards

a. Development Regulations

The project site is zoned R-1/S-17 and is located within a Design Review District. The project components comply with all applicable 1999 zoning regulations, including setbacks, lot coverage, and height.

b. Design Review

Section 6565.1 (Coastal) (1999) of the Zoning Regulations relates to DR Districts in the Coastal Zone. Section 6565.7 (Coastal) (1999) sets out the DR standards (as applicable at time of application's submittal in February 1999), for which projects must be assessed. The standards are listed below in bold followed by staff's response. Please note that the Planning Commission, as previously discussed, could not find that the project complied with select DR standards, as indicated below:

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

The Planning Commission found that the house design does not comply with this standard. The Planning Commission found that the house design, driven by its bulk, height and site placement, was not adequately stepped up the hill, nor adequately blended with the surrounding natural topography.

In regard to adequate space for light and air to itself and adjacent properties, the design complies with this portion of the standard. The structure is located on the parcel with 5-foot right and 10-foot left side yard setbacks (along Farallone). The design of the house complies with all applicable Zoning Regulations in terms of height, setbacks and lot coverage.

Some of the measures that staff had previously recommended to improve the design and articulation of the house further are reflected in the applicant's revised plans submitted after the

Planning Commission's November 10 hearing decision. The revised plans showed some improved roof design and reduced roof height. While these changes should result in the house better blending with the landforms of the site the revised plans also show the addition of fill placed at the low end of the project site resulting in little net change. Therefore, the redesign still does not blend with the natural landforms; thus, it does not comply with that Design Review standard.

A fuller discussion of these items is above under Discussion section A, "Key Issues of the Appeal."

- (2) **Where grading is necessary for the construction of structures and paved areas, it blends with adjacent landforms through the use of contour grading rather than harsh cutting or terracing of the site and does not create problems of drainage or erosion on its site or adjacent property.**

Some grading is proposed for the construction of the house, garage and driveway. However, as previously discussed, the applicant's revised plans show an additional 2 feet in cut at the garage as well as the addition of fill placed beneath the low-end portion of the house. This change does not comply with this standard, since it does not blend with the site's natural landforms.

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

No streams or drainage systems will be altered by this project.

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

The project site is not located in a flood zone.

- (5) **Trees and other vegetation land cover are removed only where necessary for the construction of structures or paved areas in order to reduce erosion and impacts on natural drainage channels, and maintain surface runoff at acceptable levels.**

The plans have consistently omitted any description of existing vegetation on the site. The revised plans do show one significant pine tree, which is to remain on the site. However, no other vegetation has been identified either as existing or proposed for removal. The Design Review standards call for all existing trees

and their sizes to be marked on the site plan. In addition, the requirements call for the trees proposed for removal to be marked and for all site improvements to be notated on the site plan.

- (6) **A smooth transition is maintained between development and adjacent open areas through the use of natural landscaping and plant materials which are native or appropriate to the area.**

The project site is located on the edge of an urbanized area and is surrounded by existing residential development, except to the east, where the property is undeveloped and zoned PAD. A landscaping plan that would provide a smooth transition had been requested both by staff as well as the Planning Commission. However, to date no plan has been submitted. Therefore, as proposed the project does not comply with this requirement.

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

No public views will be affected by this proposal.

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

This project does not involve construction on a ridgeline.

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

This project is not located on a bluff or cliff.

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

No public views to or along the shoreline from public roads or other public lands will be affected by this proposal.

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

While the December 2004 revised plans call out horizontal siding to be utilized, no material or color samples have been submitted as part of this project. While these details have been requested both by staff and by the Planning Commission, they remain outstanding. Based on what has been submitted thus far the project does not comply with this requirement.

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

While the design complies with the applicable zoning requirements (excepting Design Review), the Planning Commission found that the house design does not comply with this standard. The proposed structure will consist of 2,548 sq. ft. of livable area. The average livable area of the nearby residences, within 300 feet of the project site, is 1,852 sq. ft. One-third of nearby residences have a livable area of 2,400 sq. ft. or greater. While the proposed house is of comparable square footage to the largest of the nearby homes, it is also located on a smaller lot than the houses of comparable size. The proposed design is therefore not in scale with the parcel it is located compared with nearby homes. The Planning Commission found that the proposed structure was not in harmony with the shape, size and scale of adjacent buildings in the community. The applicant's latest revised plans do not improve the scale relative to lot size or the general visual bulk of the house. While these revisions show some exterior design and articulation improvements and slightly reduced roof ridges, these improvements are negated by the introduction of proposed cut and fill and therefore do not result in project compliance with this standard. A fuller discussion of this item is above under Discussion section A, "Key Issues of the Appeal."

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

All new utilities would have to be placed underground.

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

No signs are proposed as part of this project.

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

A driveway is proposed as part of this project which will not be highly visible from the street or adjacent properties.

C. ENVIRONMENTAL REVIEW

The project is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15303 (construction of new small facilities or structures).

D. REVIEW BY THE MIDCOAST COMMUNITY COUNCIL

The Midcoast Community Council (MCC) has considered this application at several past meetings, but most recently on March 18, 2004 (see Attachment K for its full letter). The MCC objected to the application on the basis that: (1) the submitted plans do not include any information on materials, finishes, landscaping, tree removal, grading or driveway slope and access; (2) earlier issues regarding compatibility with the size, scale and character of the surrounding community have not been addressed; and (3) other issues and alternatives, such as reorienting the lots, lowering the houses toward grade and increased stepping of the design for better conformance with the topography have not been addressed.

E. ALTERNATIVE

In response to the Planning Commission's concerns over the adequacy and clarity of the submitted site and elevation plans, the applicant submitted revised plans after the Planning Commission's November 10 decision. Those plans (Attachments F and G) reflect some of the design changes previously required under the Planning Director's previous approval. They do not, however, show the degree of redesign that underpinned the permit denial by the Planning Commission. A fuller discussion of the reasons is above under Discussion section A, "Key Issues of the Appeal."

The project applicant is entitled to have his application considered on its merits, and staff does not intend to undertake to propose design alterations with which the applicant has not concurred. However, staff has evaluated the 1999 Design Review standards and believes it would be valuable for the Board to understand what project modifications would be necessary in order to make a finding that the project complies with the 1999 Design Review standards on the key issues of the appeal. Staff believes that the project could be made to comply with the 1999 standards by incorporating a "step-design" by introducing three plates. The garage plate would remain basically unaltered from the applicant's proposal. The bedroom, second bathroom and laundry room could be recessed by 18 inches into the ground as a separate plate (i.e., stepped down from the garage by two steps).

The third plate (entry, bedroom, first bathroom and family room) could be recessed by another 18 inches (i.e., two additional steps). The upper story could be conformed in the same way. This will (1) better follow the natural contour lines of the lot, (2) create a subjective impression of a step-design, and (3) reduce the overall height by 36 inches (3 feet). All three of these benefits would create less visual mass and bulk, and keep the house more in scale with the neighborhood. The applicant would need to submit plans that incorporate these changes, including a site plan that depicts existing vegetation.

Should the Board of Supervisors decide to conditionally approve this project, Attachment B, Alternative Recommended Findings and Conditions of Approval would be required. In such an event, recommended Conditions of Approval 1 and 3 have been revised to both reflect the applicant's latest submitted plans and to require an additional change requiring that the fill proposed beneath the northern half of the house be eliminated, with that portion of the house lowered to the natural grade as proposed above. In addition, the visual mass of the upper floor should also be reduced through the "three-plate" system described above, reducing the general visual bulk of the proposed house. Conditions of Approval 4, 5 and 9 remain to ensure the submittal, review and implementation of exterior siding, roof materials, and colors, as well as a landscape plan and tree protection.

FISCAL IMPACT

No fiscal impact.

ATTACHMENTS

- A. Recommended Findings of Denial
- B. Alternative Recommended Findings and Conditions of Approval
- C. Location Map
- D. Site Plan (Plan Reviewed by Planning Commission on November 10, 2004)
- E. Elevations (Plans Reviewed by Planning Commission on November 10, 2004)
- F. Site Plan (Submitted after Planning Commission Hearing)
- G. Elevations (Submitted after Planning Commission Hearing)
- H. Floor Plans
- I. Planning Commission Letter of Decision for November 10, 2004 Meeting
- J. Appeal from Mr. Mahon, Dated November 23, 2004 (Basis of Appeal Provided by Dave Beaumont, Mr. Mahon's Representative)
- K. MCC Comment Letter, Dated March 18, 2004

COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

RECOMMENDED FINDINGS OF DENIAL

Permit File Number: PLN 1999-00015

Board Meeting Date: March 31, 2009

Prepared By: Angela Chavez

For Adoption By: Board of Supervisors

RECOMMENDED FINDINGS OF DENIAL

Regarding the Coastside Design Review, find that this project has been reviewed under and found to be not in compliance with the Standards of Review Criteria as provided by Chapter 28.1 of the San Mateo County Zoning Regulations as in effect in 1999. Specifically, find that the project:

1. Is not designed and situated so as to retain and blend with the natural vegetation and landform in that the proposed structure does not blend with the natural contours of the site. The project proposes to introduce cut and fill in the construction of the proposed structure which creates a flat building site instead of using the site's natural contours as required by the 1999 Design Review standards. Therefore, the proposed structure does not blend with the natural contours of the site but rather alters the natural contours of the site to fit the design.
2. Is not in harmony with the shape, size and scale of adjacent buildings in the community in that the proposed structure does not relate to adjacent buildings and to the neighborhood. The insufficient articulation of the second story will, due to the placement of the structure on a 5,000 sq. ft. lot sloped toward the street, cause the structure to "loom" over the street-level observers and make the structure appear more bulky to the observer than other available design alternatives that cause the second story to seem less massive. While there are adjacent buildings of similar size in the area, they are located on larger lots and result in buildings that are of an appropriate scale to the surrounding area. The project proposed by the applicant is out-of-scale. Alternately, the proposed structure is large for the lot on which it is located and therefore is not in harmony with the size and scale of buildings with comparable lots.

COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

ALTERNATIVE
RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit File Number: PLN 1999-00015

Board Meeting Date: March 31, 2009

Prepared By: Angela Chavez

For Adoption By: Board of Supervisors

RECOMMENDED FINDINGS

For the Environmental Review, Find:

1. That this project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), Section 15303, Class 3, relating to new construction of small structures. A Notice of Exemption will be filed with the County Clerk's Office and posted as required by CEQA.

For the Coastside Design Review, Find:

2. That this project has been reviewed under and found to be in compliance with the Standards of Review Criteria as stipulated in Chapter 28.1 of the San Mateo County Zoning Regulations.

For the Coastal Development Permit Exemption, Find:

3. That the proposed residence conforms to Section 6328.5.e of the County Zoning Regulations and is located within the area designated as a Categorical Exclusion Area.

RECOMMENDED CONDITIONS OF APPROVAL

1. This approval applies only to the proposal described in this report and indicated in materials formally submitted for consideration by the Board at its March 31, 2009 hearing. These plans supersede all previously submitted and reviewed plans. The Community Development Director may approve minor adjustments to the project if they are consistent with the intent of and in substantial conformance with this approval.
2. This permit shall be valid for one year from the date of approval within which time a building permit must be applied for and issued. Any extension of these permits

will require submittal of a request for permit extension and payment of applicable fees no less than 30 days prior to expiration.

3. Prior to the issuance of a building permit, the applicant shall submit revised plans showing that the downhill, northern half portion of the house (from building's contact with grade to roof peak, as best represented on the Front/East, Right/North and Rear/West Elevations), shall be revised and lowered such that the lowest floor of the house follows the natural grade. No fill shall be allowed. It is understood that such a change may alter the interior floor plan passages, e.g., rooms may be stepped down at various levels to accommodate this revision. In addition, the upper floor area shall be reduced on all elevations to reduce general bulk and improve facade articulation. These design changes will be subject to the review and approval of the Community Development Director.
4. The applicant shall submit exterior color samples (no larger than approximately 4 square inches) for roof, walls and trim to the Planning Counter for review and approval by the Community Development Director prior to planning approval of the associated building permit. The colors and materials used shall be in keeping with the surrounding neighborhood. The applicant shall include the file/case number with all color samples. Color verification by a building inspector shall occur in the field after the applicant has painted the structure an approved color but before the applicant schedules a final inspection.
5. The applicant shall submit a landscape plan (may be shown on the site plan of the submitted building permit application) depicting the location, type, and size of trees and shrubs for review and approval by the Planning Department. The landscaped areas shall be designed to reduce excess irrigation runoff and require minimal and appropriate use of fertilizers, herbicides and pesticides. The goal of the required landscape plan is to soften the building elevations and to increase surface filtration. The plan shall include a minimum of two (2) trees (minimum 5 gallons) in the front of the residence, one (1) tree (minimum 36-inch box) in the front of the residence, a minimum of three (3) trees (minimum 5 gallons) in the rear of the residence and a minimum of twenty (20) shrubs (minimum 1-gallon) shall be included in the design. Areas in the front and rear of the property that do not contain trees or shrubs shall be covered with a combination of turf or groundcover and/or a minimum of 2 inches of mulch on all exposed soil areas to minimize erosion.
6. Prior to the issuance of a building permit, the applicant shall provide an erosion and sediment control plan, which demonstrates how erosion will be mitigated during the construction of the new addition subject to the review and approval of the Community Development Director. This mitigation will be in place for the life of the construction project.

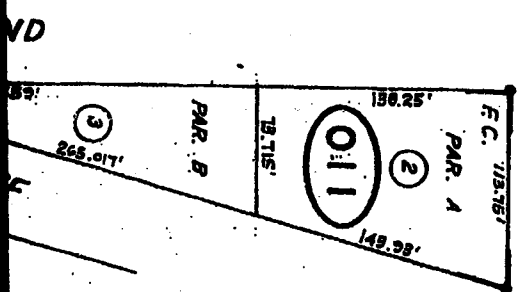
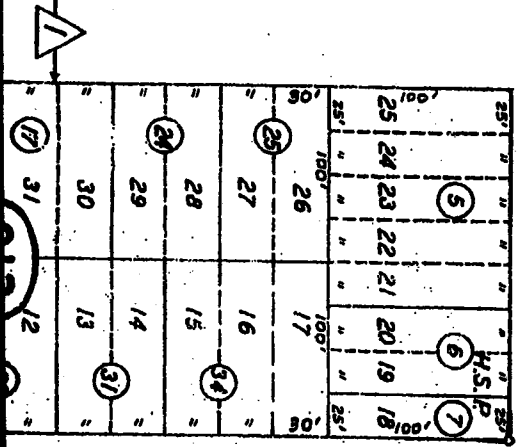
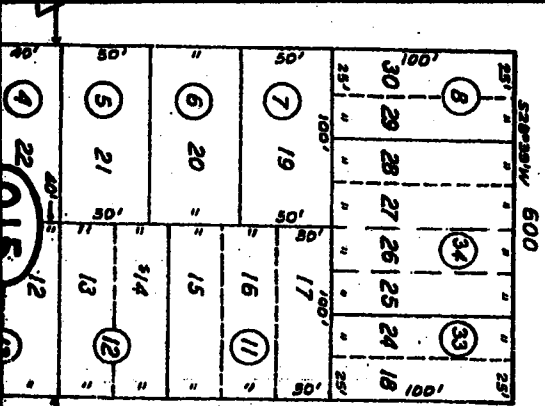
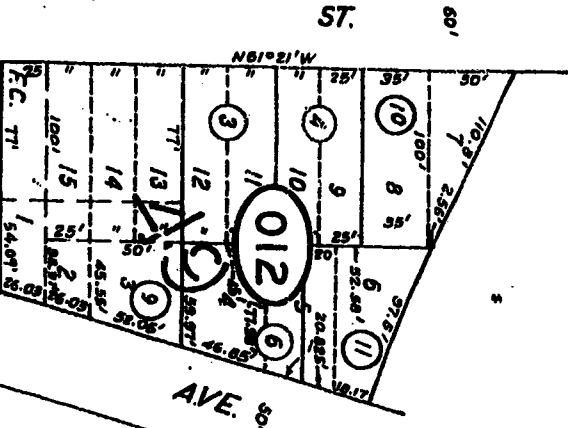
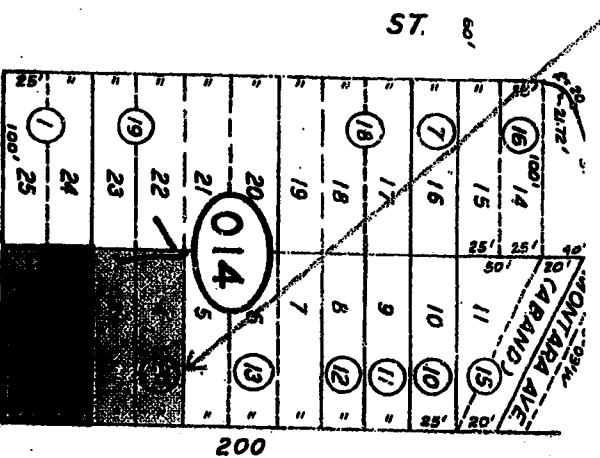
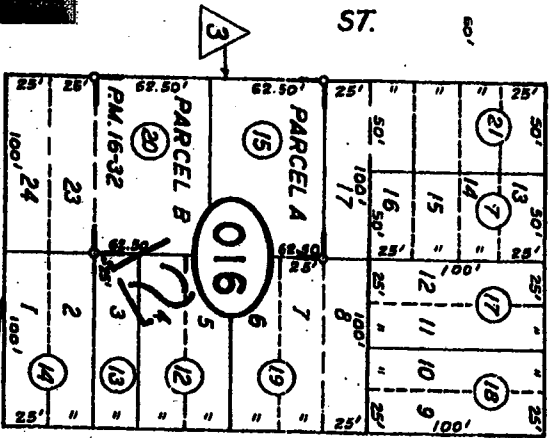
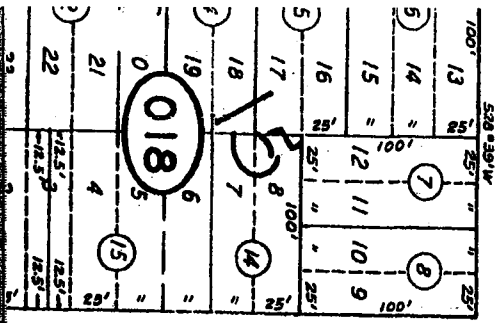
7. The applicant is responsible for ensuring that all contractors minimize the transport and discharge of pollutants from the project site into local drainage systems and water systems by adhering to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines" including:
 - a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15.
 - b. Removing spoils promptly and avoiding stockpiling of fill materials when rain is forecast. If rain threatens, stockpiled soils and other materials shall be covered with a tarp or other waterproof material.
 - c. Storing, handling and disposing of construction materials and wastes so as to avoid their entry to a local storm drain system or water body.
 - d. Avoiding cleaning, fueling or maintaining vehicles on site, except in an area designated to contain and treat runoff.
8. The applicant is responsible for ensuring that all contractors are aware of all stormwater quality measures and implement such measures. Failure to comply with the construction BMPs will result in the issuance of the correction notices, citations or a project stop order.
 - a. All landscaping shall be properly maintained and shall be designed with efficient irrigation practices to reduce runoff, promote surface filtration and minimize the use of fertilizers, herbicides and pesticides that can contribute to runoff pollution.
 - b. Where subsurface conditions allow, the roof downspout systems from all structures shall be designed to drain to a designated, effective infiltration area or structure (refer to BMPs Handbook for infiltration system designs and requirements).
9. The submitted plans do not indicate any trees to be removed. Prior to the issuance of a building permit, the applicant shall submit a plan showing the location of all existing trees on the property. The applicant shall submit a tree protection plan for the tree located towards the rear of the parcel, near Farallone Avenue. Such measures shall be identified on the building permit site plan and shall be implemented prior to the start of any construction or grading activities on the site. Removal of any additional trees with a diameter equal to or greater than 12 inches as measured 4.5 feet above the ground shall require a separate tree removal permit.
10. The noise from construction activity shall not exceed that as indicated in the County Noise Ordinance.

11. To ensure the height of the structure and/or structures do not exceed the maximum height permitted, staff requires the applicant to adhere to the height verification procedure during the building permit process. The applicant shall provide "finished floor elevation verification" to certify that the structure is actually constructed at the height shown on the submitted plans. The applicant shall have a licensed land surveyor or engineer establish a baseline elevation datum point in the vicinity of the construction site. The applicant shall maintain the datum point so that it will not be disturbed by the proposed construction activities until final approval of the building permit.
 - a. The datum point and its elevation shall be shown on the submitted site plan. This datum point shall be used during construction to verify the elevation of the finished floors relative to the existing natural or to the grade of the site (finished grade).
 - b. Prior to planning approval of the building permit application, the applicant shall also have the licensed land surveyor or engineer indicate on the construction plans: (1) the natural grade elevations at the significant corners (at least four) of the footprint of the proposed structure on the submitted site plan, and (2) the elevations of proposed finished grades.
 - c. In addition, (1) the natural grade elevations at the significant corners of the proposed structure, (2) the finished floor elevations, (3) the topmost elevation of the roof and (4) garage slab elevation must be shown on the plan, elevations, and cross-section (if one is provided).
 - d. Once the building is under construction, prior to the below floor framing inspection or the pouring of the concrete slab (as the case may be) for the lowest floor(s), the applicant shall provide to the Building Inspection Section a letter from the licensed land surveyor or engineer certifying that the lowest floor height--as constructed--is equal to the elevation specified for that floor in the approved plans. Similarly, certifications on the garage slab and the topmost elevation of the roof are required.
 - e. If the actual floor height, garage slab, or roof height--as constructed--is different than the elevation specified in the plans, then the applicant shall cease all construction and no additional inspections shall be approved until a revised set of plans is submitted to and subsequently approved by both the Building Official and Community Development Director.
12. The plans submitted at the building permit stage shall clearly show the location of the existing well and that the proposed development complies with the required Environmental Health setbacks from that well.
13. All new power and telephone utility lines from the street or nearest existing utility pole to the main dwelling and/or any other structure on the property shall be placed underground.

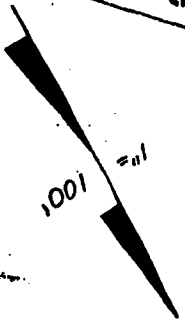
14. The applicant shall, pursuant to Section 5023 of the San Mateo County Code, submit a stormwater control/drainage plan, prepared by their civil engineer or erosion control consultant. The plan shall be included as part of the project's building permit application and construction plans. The County Building Inspection Section and County Planning Department shall ensure that the approved plan is implemented prior to the issuance of a building permit. The required drainage plan shall show the necessary mechanisms to contain all water runoff generated by on-site impervious surfaces and shall include facilities to minimize the amount and pollutants of stormwater runoff through on-site percolation and filtering facilities to control stormwater runoff from the project site once the project is completed. In addition, the plan shall indicate that:

- a. All landscaping will be properly maintained and shall be designed with efficient irrigation practices to reduce runoff, promote surface filtration, and minimize the use of fertilizers, herbicides and pesticides.
- b. Where subsurface conditions allow, all building roof downspout systems shall be designed to drain into a designated, effective infiltration or structure (refer to BMPs Handbook for infiltration system designs and requirements).

Separately submitted DR application
for house (pln1999-00215)



2 AVE.
Project Site



36-1

San Mateo County Board of Supervisors

Applicant: Thomas Mahon

Attachment: C

File Numbers: PLN1999-00015

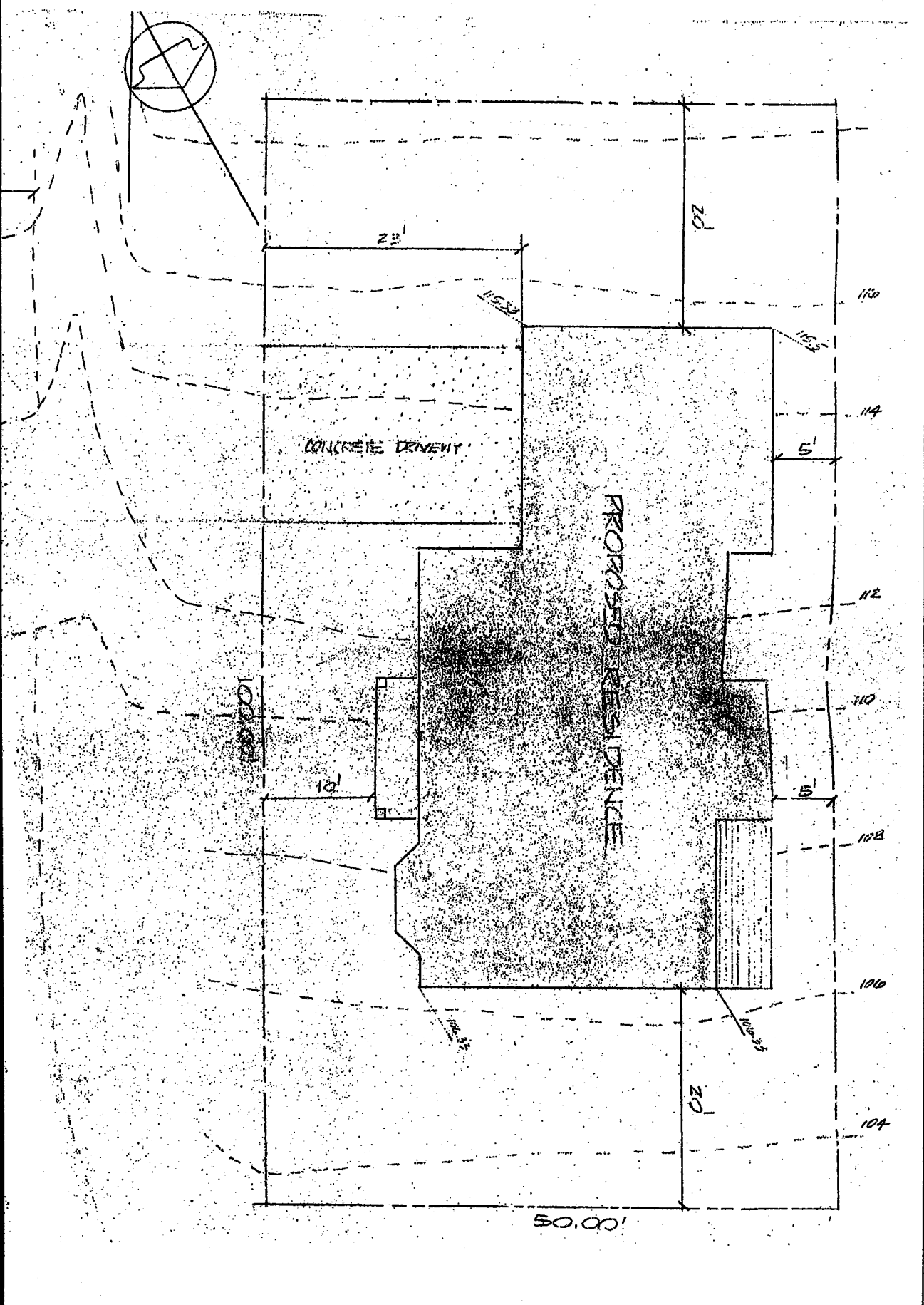


San Mateo County Board of Supervisors Meeting

Applicant: **THOMAS MAHON**

File Numbers: **PLN 1999-00015**

Attachment: **D**

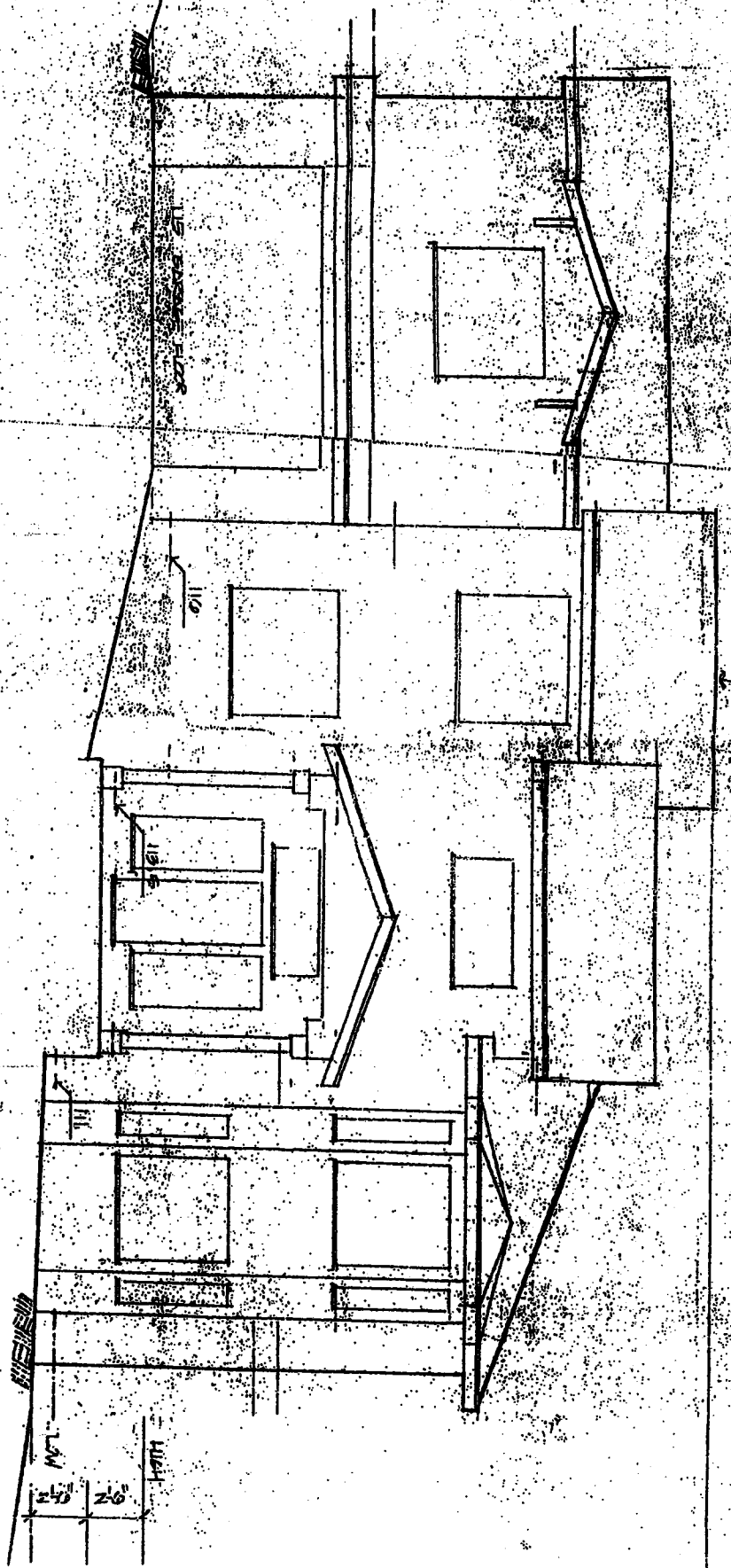


San Mateo County Planning Commission Meeting

Applicant: Thomas Mahon

File Numbers: PLN 1999-00015

Attachment: E

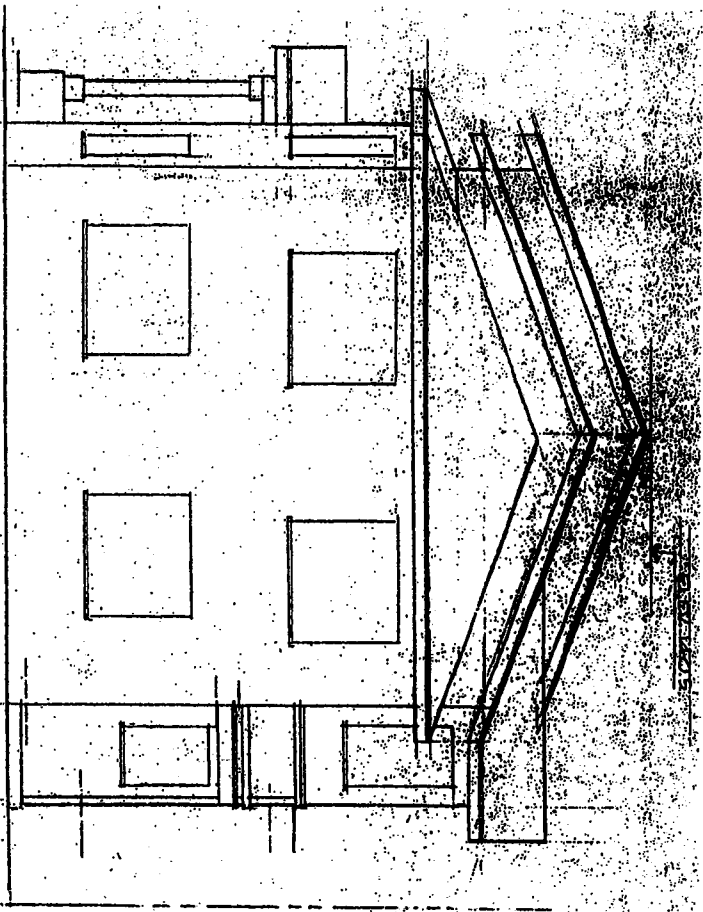


MAY SUBMIT
AT RISK
JUN 08 2000
SAN MATEO COUNTY PLANNING
COMMISSION

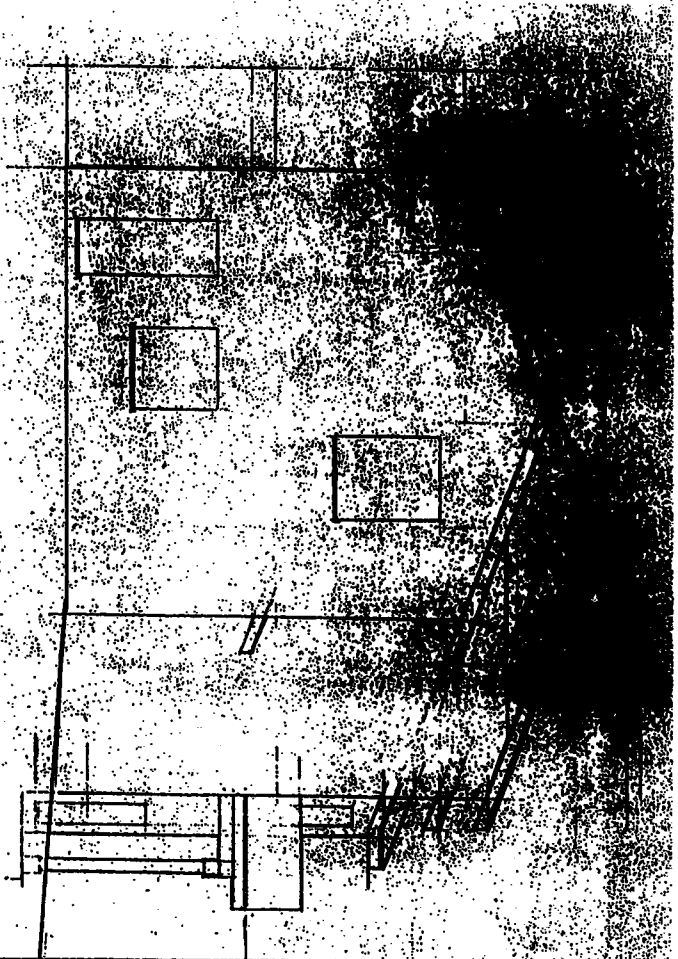
San Mateo County Planning Commission Meeting

Applicant: Thomas Mahon

File Numbers: PLN 1999-00015



DATE PREPARED
AT FISK
JUN 8 2000
SAN MATEO COUNTY PLANNING
COMMISSION
APPLICANT: THOMAS MAHON
PROJECT: [illegible]



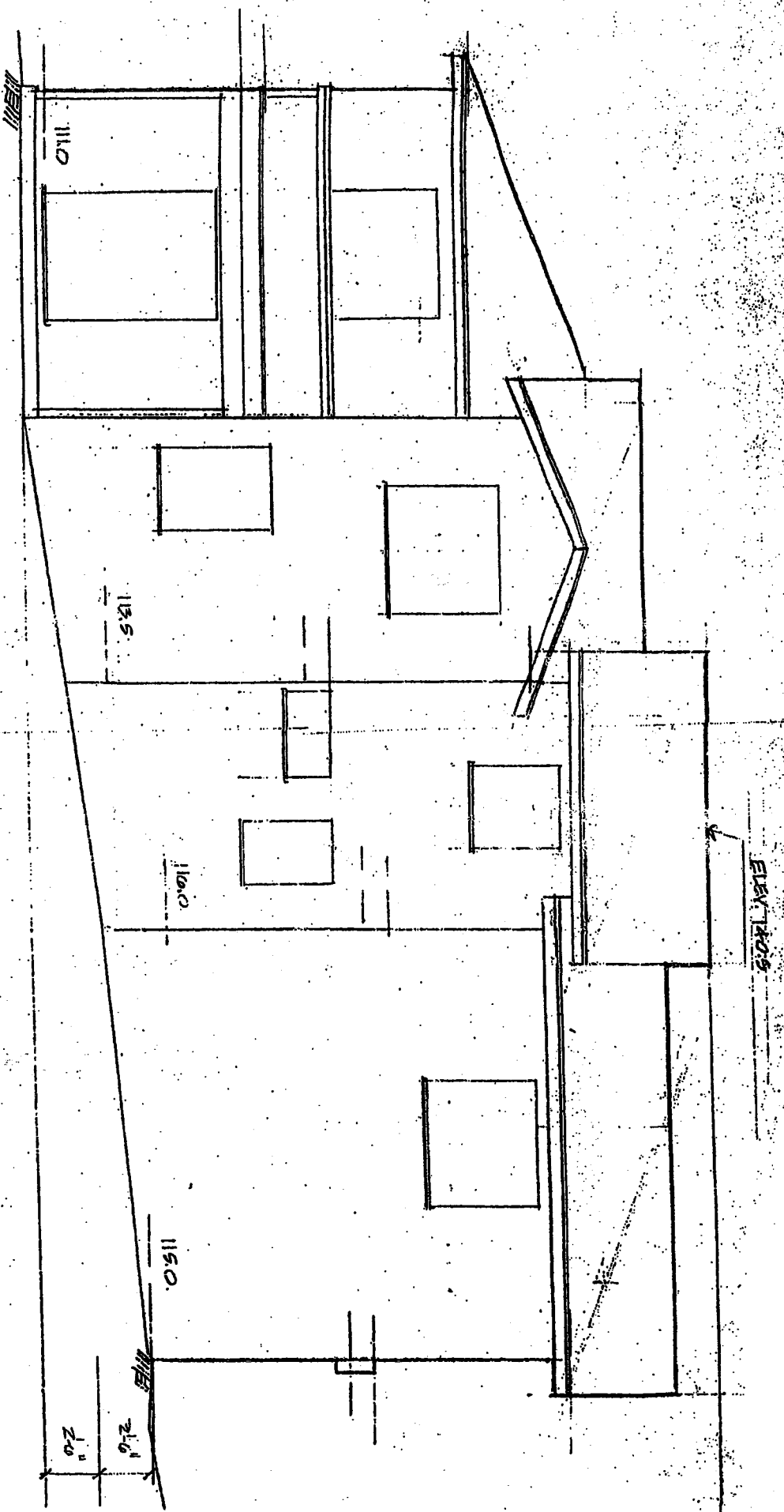
Attachment: **E**

San Mateo County Planning Commission Meeting

Applicant: Thomas Mahon

File Numbers: PLN 1999-00015

Attachment: E

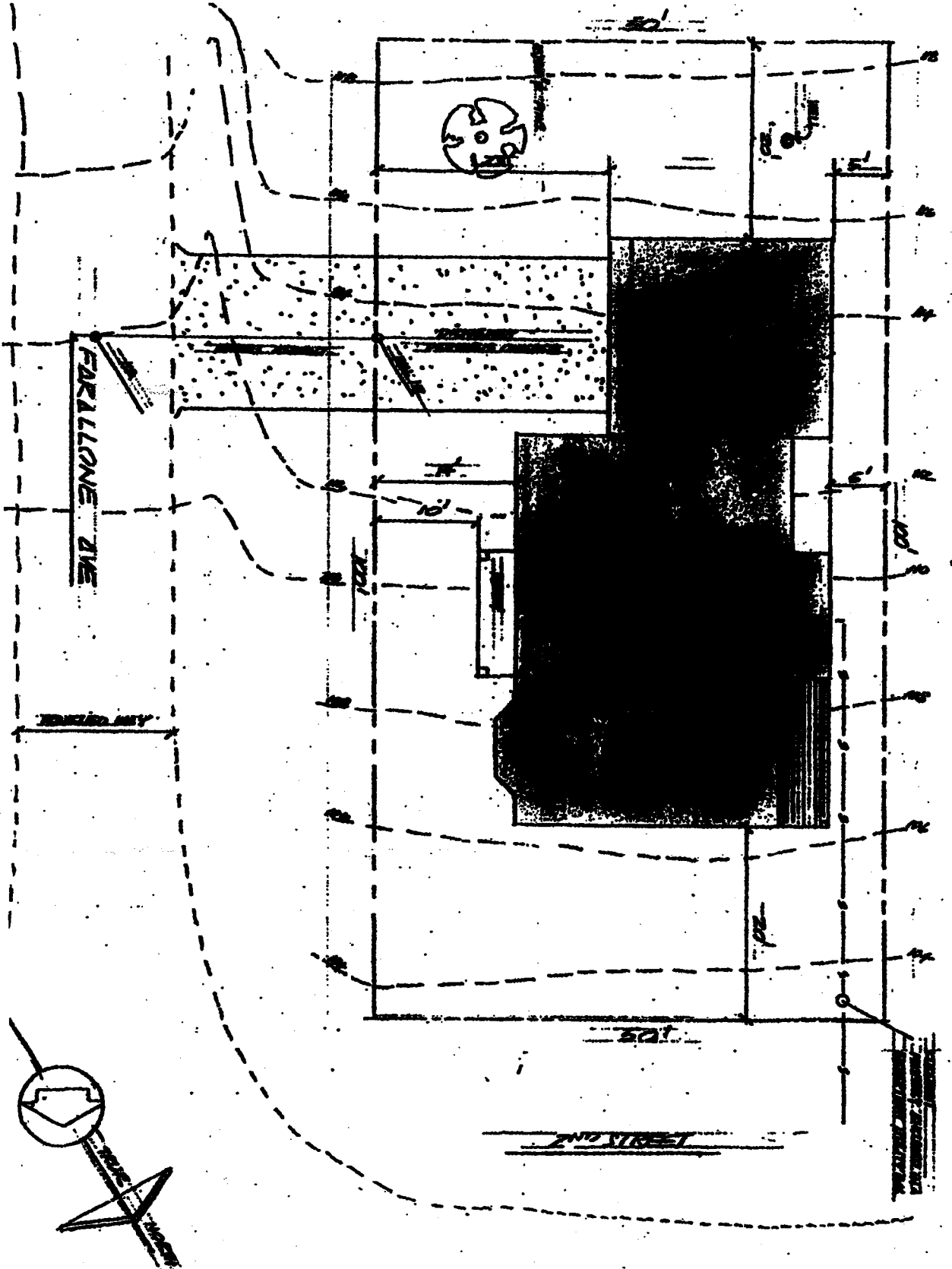


NOV 2000
AT RISK
JUN 08 2000
SAN MATEO COUNTY PLANNING
COMMISSION REPORT
APPROVED BY SAN MATEO COUNTY
PLANNING COMMISSION

San Mateo County Board of Supervisors

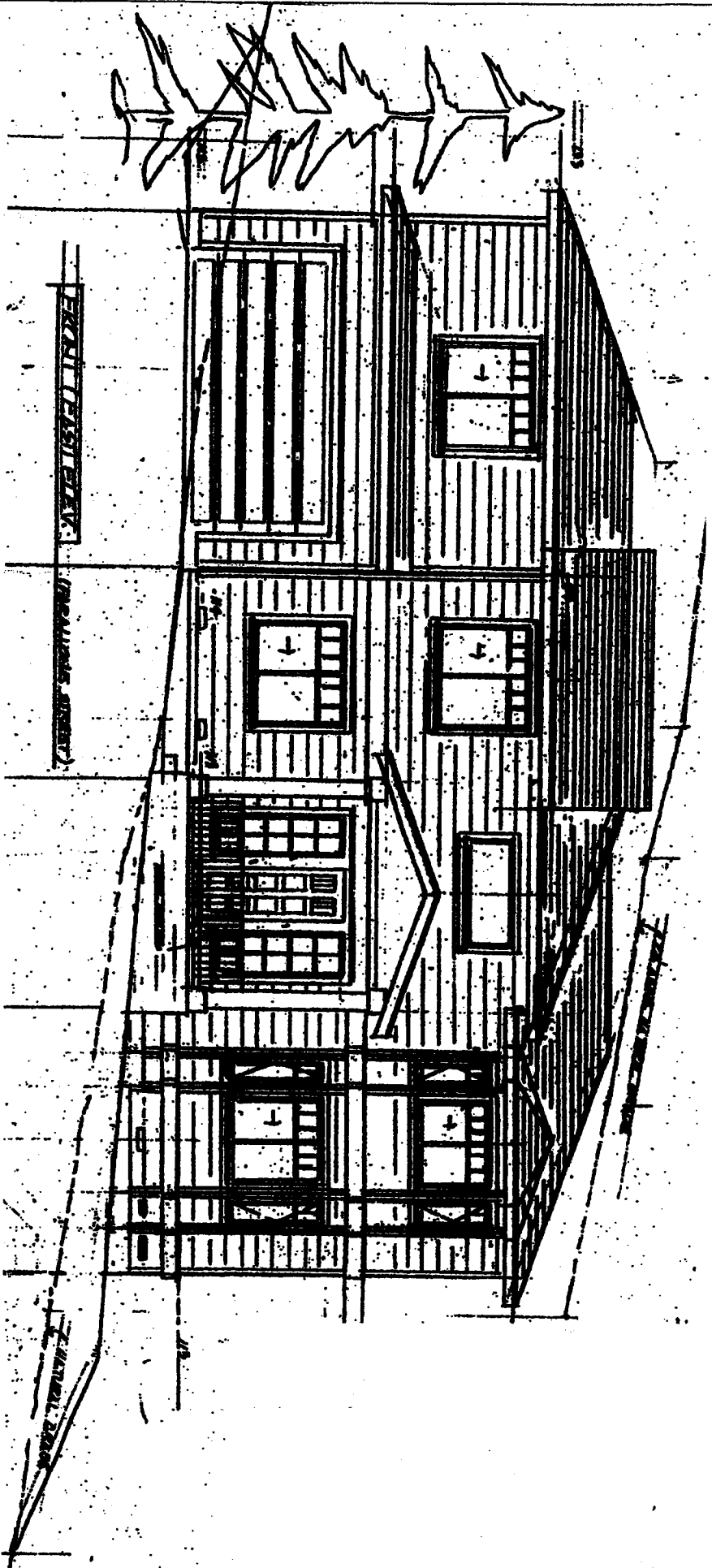
Applicant: Thomas Mahon

File Numbers: PLN1999-00015



Attachment:

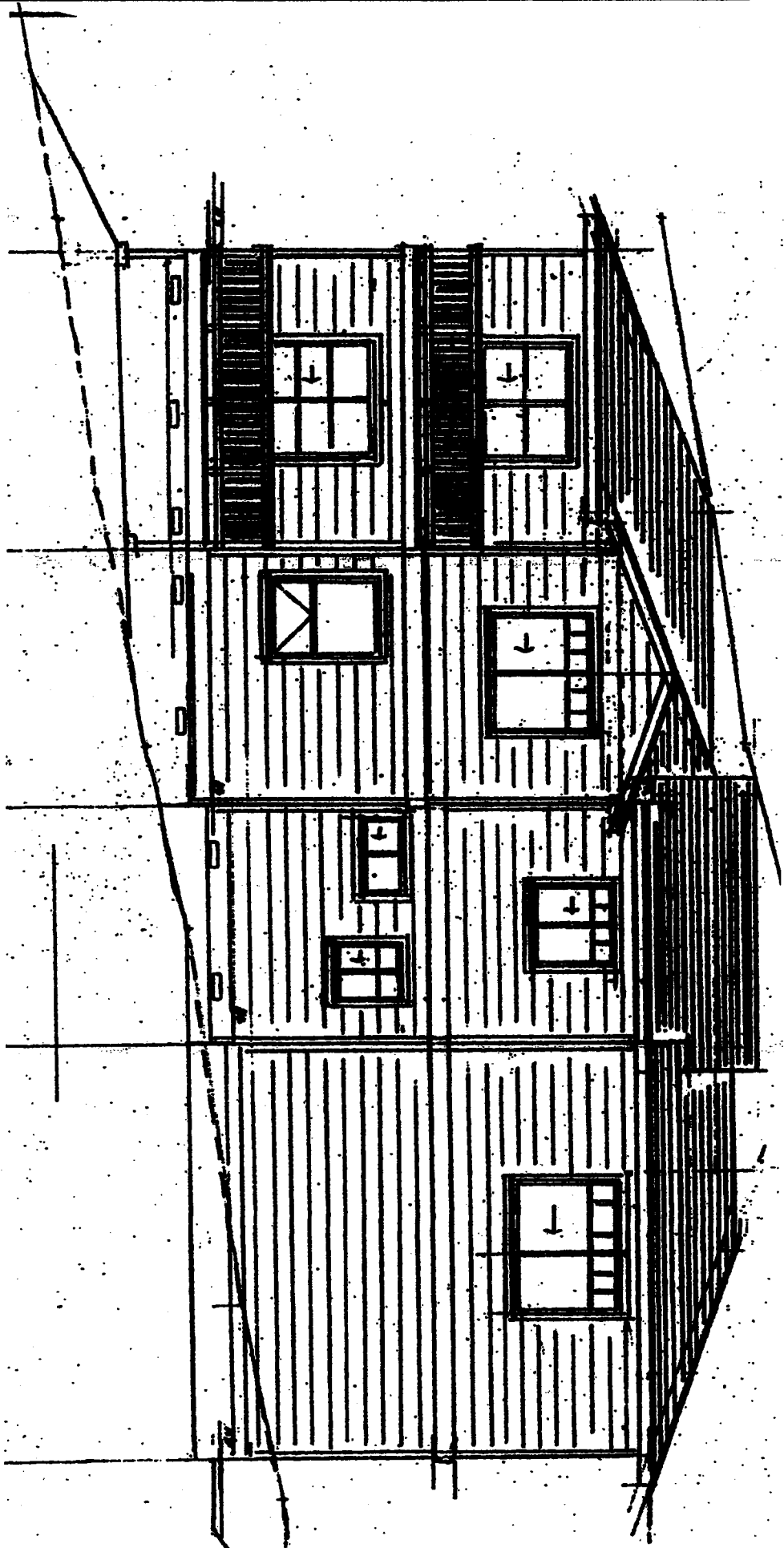
F



San Mateo County Board of Supervisors Meeting

Applicant: THOMAS MAHON
File Numbers: PLN 1999-00015

Attachment: 6

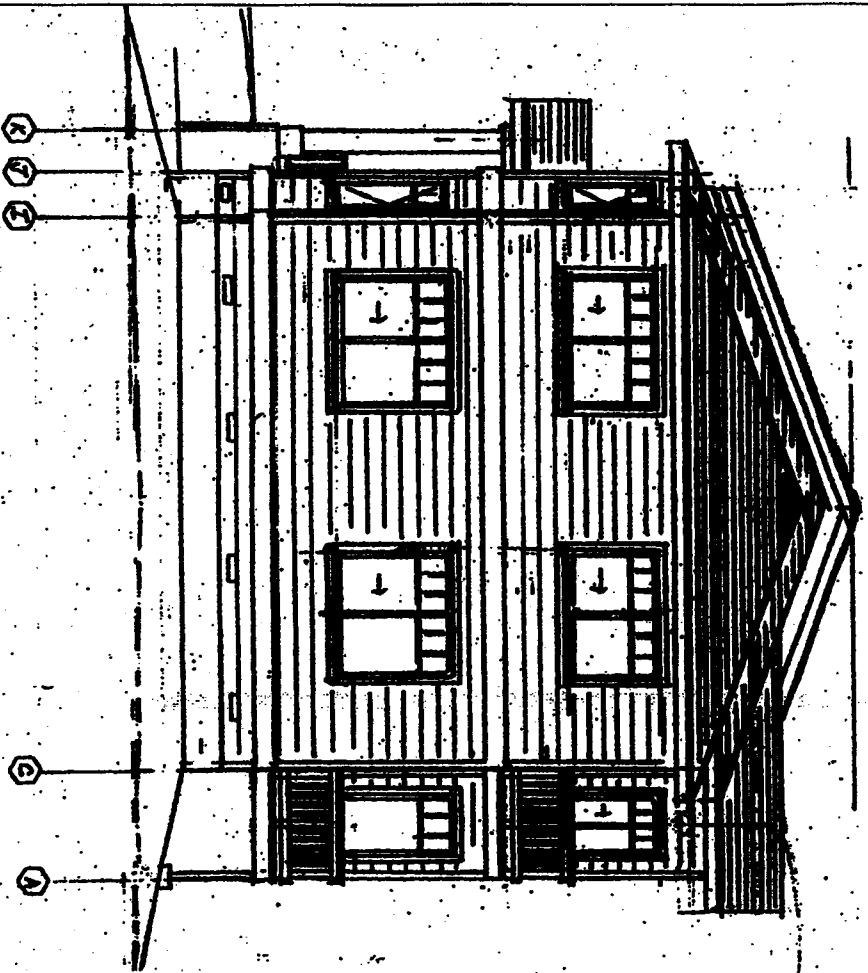


San Mateo County Board of Supervisors Meeting

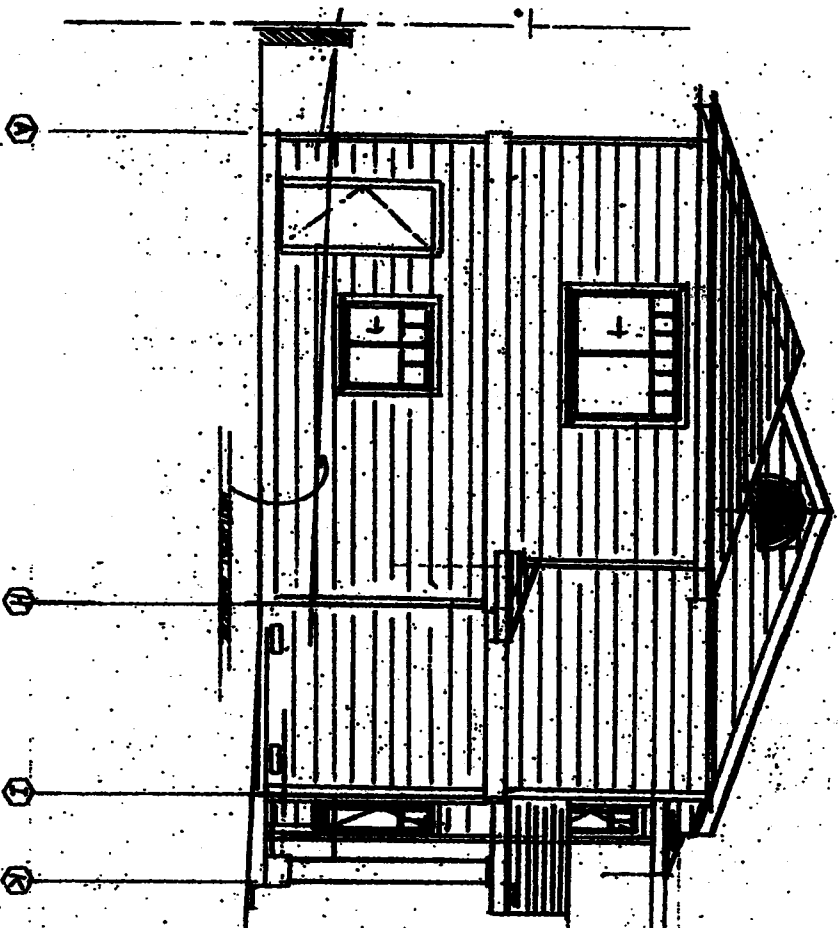
Applicant: THOMAS MAHON

File Numbers: PLN 1999-00015

Attachment: 6



RIGHT SIDE (NORTH) ELEVATION



LEFT SIDE (SOUTH) ELEVATION

San Mateo County Board of Supervisors Meeting

Applicant: **THOMAS MAHON**

File Numbers: **PLN 1999-00015**

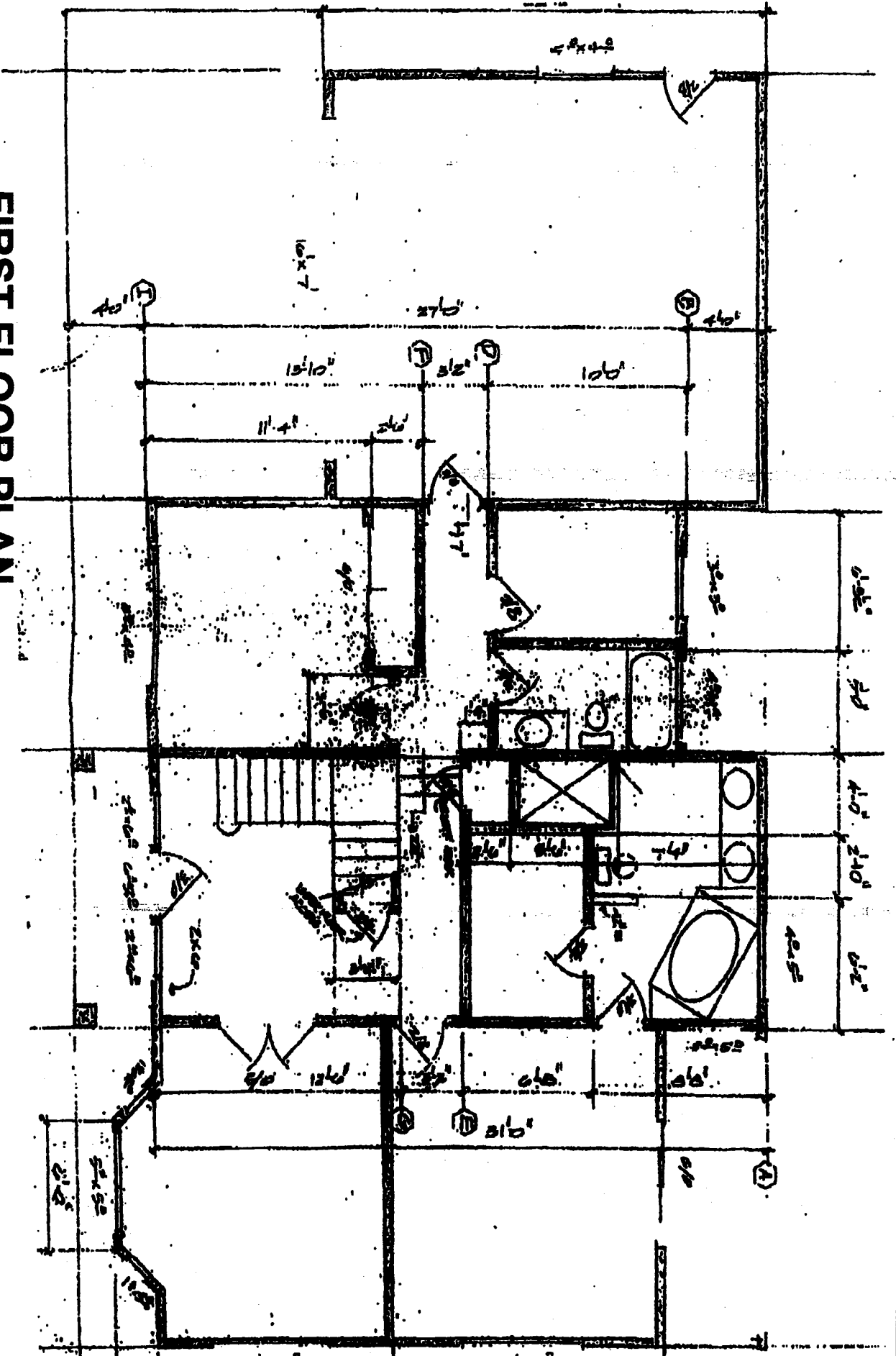
Attachment: **6**

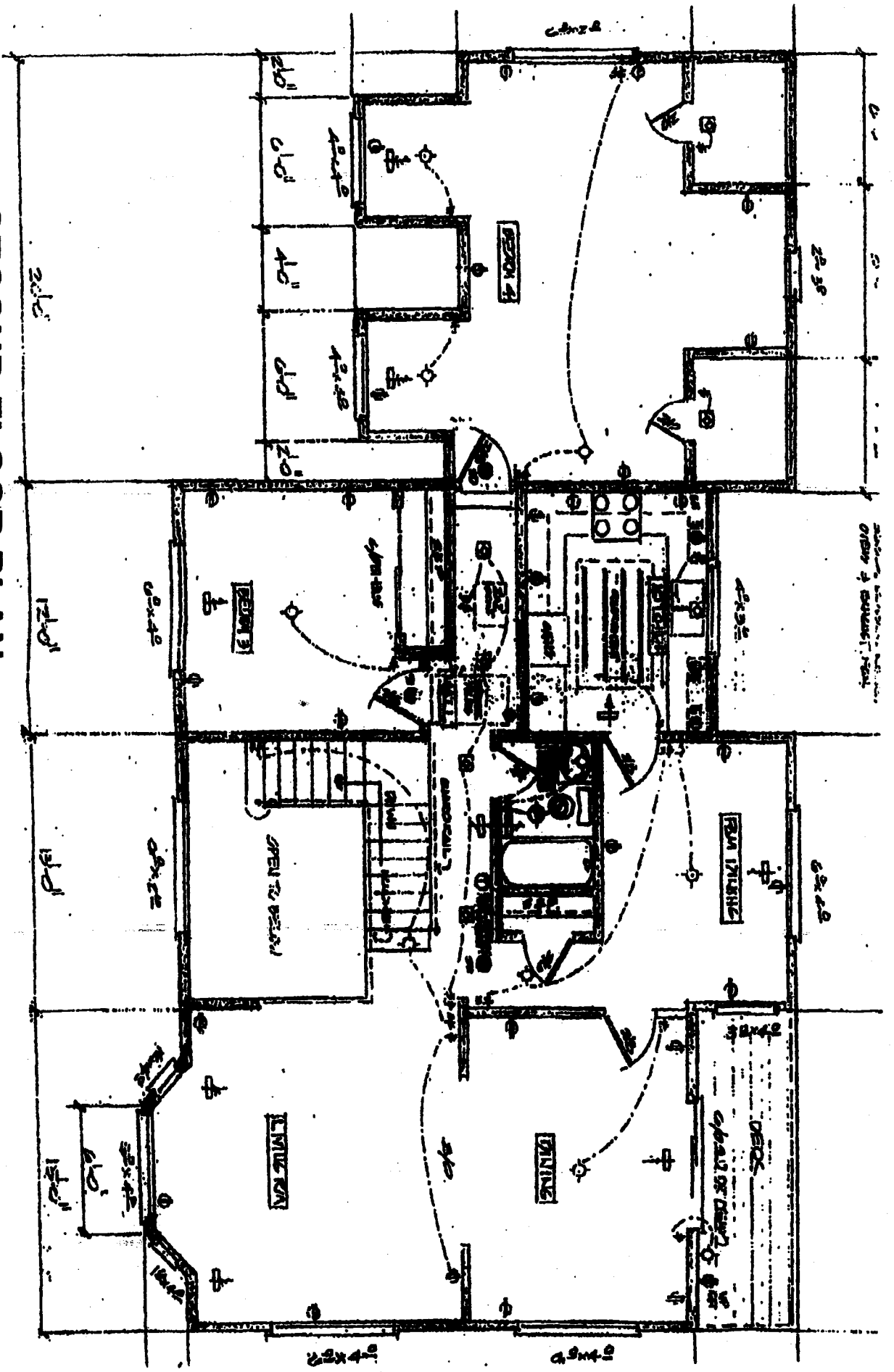
Applicant: THOMAS MAHON

File Numbers: PLN 1999-00015

Attachment: 

FIRST FLOOR PLAN





SECOND FLOOR PLAN

San Mateo County Board of Supervisors Meeting

Applicant: **THOMAS MAHON**

File Numbers: **PLN 1999-00015**

Attachment: **#**

Attachment I



Please reply to:

Dave Holbrook
(650) 363-1837

November 15, 2004

ENVIRONMENTAL SERVICES AGENCY

Thomas Mahon
P.O. Box 204
Moss Beach, CA 94038

Dear Mr. Mahon:

Agricultural
Commissioner/ Sealer of
Weights & Measures

Subject: File Number PLN1999-00015
Location: 286 2nd Street, Montara
APN: 036-014-210.

Animal Control

On November 10, 2004, the San Mateo County Planning Commission considered an appeal of a Coastsides Design Review Permit, pursuant to Section 6565.4 of the County Zoning Regulations, to construct a new 2,548 sq. ft. single-family residence on a 5,000 sq. ft. parcel located at 286 2nd Street, in the unincorporated Montara area of San Mateo County. (Appeal from decision of the Planning Director approving the Design Review).

Cooperative Extension

Fire Protection

LAFCo

Library

Based on information provided by staff and evidence presented at the hearing the Planning Commission granted the appeal and made findings of denial of the project as attached.

Parks & Recreation

Planning & Building

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 7:00 p.m. on Wednesday, December 1, 2004.

Commissioners:

David Bomberger

Steve Dworetzky


Ralph Nobles

Jon Silver

William Wong

If you have questions regarding this matter, please contact the Project Planner listed above.

Sincerely,


Kan Dee Rud
Planning Commission Secretary
Pcd1110o_7kr_mahon.doc

PLANNING COMMISSION

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

County of San Mateo
Environmental Services Agency
Planning and Building Division

FINDINGS OF DENIAL

Permit or Project File Number: PLN 1999-00015

Hearing Date: November 10, 2004

Prepared By: Dave Holbrook

Adopted By: Planning Commission

FINDINGS

Regarding the Coastal Development Exemption, Find:

1. That the proposed residence conforms to Section 6328.5.e of the County Zoning Regulations and is located within the area designated as a Categorical Exclusion Area.

Regarding the Coastsides Design Review, Find:

2. This project has been reviewed under and found to be not in compliance with the Standards of Review Criteria as stipulated in Chapter 28.1 of the San Mateo County Zoning Regulations. Specifically, there was not adequate evidence to support the following standards:
 - a. Is not designed and situated so as to retain and blend with the natural vegetation and landform in that the proposed structure does not blend with the natural contours of the site.
 - b. Is not in harmony with the shape, size and scale of adjacent buildings in the community in that the proposed structure does not relate to adjacent buildings and to the neighborhood.

Application for Appeal

To the Planning Commission
To the Board of Supervisors

1. Appellant Information

Name: THOMAS J MAHON
Phone, W: 650 728 7714
CEL 650 302 2774

Address: PO BOX 204
MOSS BEACH
CA 94038 Zip:

2. Appeal Information

Permit Numbers involved:
PLN 1959-00015

- I hereby appeal the decision of the:
- Staff or Planning Director
 - Zoning Hearing Officer
 - Design Review Committee
 - Planning Commission

Made on 11-20 ~~19~~ 2004 to approve/deny the above-listed permit applications.

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

- yes no

Appellant's Signature: Thomas J Mahon
Date: 11-23-04

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?

[Rationale for appeal provided by Mr. Beaumont, Mr. Mahon's representative, and is reproduced in staff report.]

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

March 18, 2004

Via Email

Ms. Gabrielle Rowan
San Mateo County Planning and Building Division
Mail Drop PLN122, 455 County Center
Redwood City, CA 94063
650.363.1841 - FAX: 650.363.4849

RE: PLN 1999-00215: Coastside Design Review and Coastal Development Permit
PLN 1999-00015: Coastside Design Review and Coastal Development Permit

The above applications were reviewed by the MCC Planning and Zoning Committee on Wednesday, March 17, 2004. Mr. Mahon did not attend the meeting or respond to my invitation to meet prior to the meeting to avoid any neighborhood conflict. We received both written and public comment regarding this item.

Our meeting ran very late (after 11:30 PM), and today our members have previous work commitments. The issues surrounding these cases are too numerous and complex to respond to fully in such a short timeframe, so in this letter I have summarized our position. A more detailed letter will follow next week.

The Committee voted to unanimously to request that County planning staff deny PLN1999-00015, and to request that the Planning Commission deny PLN1999-00215 as currently submitted. Our decision was based primarily on the basis of the following points:

- Plans submitted were inadequate in detail, and did not include any information on materials, finishes, landscaping, tree removal, grading, or driveway slope and access. Information provided on floor area and coverage was either sketchy (PLN1999-00215) or non-existent (PLN1999-00015). The plans were only on legal size sheets instead of blueprint size, with no easily verifiable scale or dating and incomplete elevations and site plans.
- Plans that were provided showed potential gross errors, such as (PLN1999-00215) a detached garage in the front yard setback and with only a 3' side setback. The slope of the lot does not qualify this project for that exemption.

- We see no indication from these plans that any of the earlier issues regarding compatibility with the size, scale and character of the surrounding community have been addressed.
- Other issues and alternatives, such as re-orienting the lots, lowering the houses toward grade, and increased stepping of the design for better conformance with the topography, have not been addressed.
- Plans that were supplied to the Committee for PLN1999-00015 were substantially different from those supplied to the neighbors in the notification mailing. The neighbors had received no notification of any action regarding PLN1999-00215.

The Committee stands by its earlier recommendations for denial on both these projects, and we see no reason from the supplied materials to change that position.

Thank you for your consideration of these issues. We have heard considerable concern from the neighbors about these projects, enough to warrant a full hearing on the matter. Please keep us informed of the status of these projects. Our Committee will do whatever we can to help reach a compatible solution between the neighborhood and the property owners.

Karen Wilson

Vice Chair, MidCoast Community Council, Planning and Zoning Subcommittee