



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
Planning and Building Department



DATE: September 19, 2011
BOARD MEETING DATE: September 27, 2011
SPECIAL NOTICE/HEARING: 10-Day Notice
VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors

FROM: Jim Eggemeyer, Community Development Director

SUBJECT: EXECUTIVE SUMMARY: Public hearing to reconsider the Shahidi project consisting of a Minor Subdivision and Variance to subdivide a legal 12,504 sq. ft. parcel into two parcels, the granting of an exception to the County Subdivision Regulations to allow a flag lot access width of less than 20 feet, the granting of a variance exception to allow a 12-foot front yard setback (were 20 feet is required) on Parcel B, and certify a Mitigated Negative Declaration. The parcel is located at 21 Bishop Lane in the unincorporated Weekend Acres area of San Mateo County.

RECOMMENDATION:

Take the following action:

1. Reconsider the Minor Subdivision and Variance proposal;
2. Approve the Minor Subdivision and Variance proposal; and
3. Certify the Mitigated Negative Declaration, by making the required findings and adopting the conditions of approval in Attachment A.

BACKGROUND:

A Board member has requested that the Board reconsider and approve the previously denied Minor Subdivision and Variance proposal in light of alternative proposed developments that would not provide for the protection of San Francisquito Creek.

On November 10, 2010, the Board considered, on appeal, the proposed Minor Subdivision and Variance request. The Board was unable to make the findings for the subdivision exception request and denied the Minor Subdivision. No action was taken on the Variance since denial of the subdivision made the variance request moot.

DISCUSSION:

Current development consists of two legal single-family residences with the rear portion of the parcel as the approximate centerline of San Francisquito Creek. The rear residence encroaches over the top of the creek bank.

If approved, the Minor Subdivision and Variance will result in two parcels. One is a flag lot configuration, with a 15-foot wide access corridor ("flagpole") and adjoining 5-foot wide emergency parking easement and, for the rear parcel (Parcel B), a 15-foot top of bank creek setback and a 12-foot front yard setback. Demolition permits are required for both residences and the detached garage prior to recordation of the subdivision. Erosion and sediment control and sensitive habitat fencing are also required prior to any demolition or construction activities. Recordation of the Parcel Map will require an additional sheet to capture the creek and front yard setbacks and resulting building envelope for Parcel B. These requirements are reflected in the conditions of approval in Attachment A.

Without the approved project, there is no authority for requiring the demolition, in whole or part, of the rear residence, which encroaches over the top of the creek bank. The location of that residence would not be allowed under present development standards, and its location poses an elevated risk to downstream residents. Reconsideration and approval of this project will allow the County to require the demolition and relocation of the rear residence and will therefore minimize health and safety concerns and potential impacts to San Francisquito Creek resulting from the current encroachment of the rear residence over the top of creek bank and a flood or other natural hazard event. Other development alternatives being pursued by the homeowner lack this critical project component.

With the exception of the front yard setback and minimum access corridor width, the project is otherwise in compliance with applicable General Plan, Zoning, and Subdivision Regulations as well as the additional requirements stipulated in the 1988 Board of Supervisors Resolution. A subdivision exception and a variance request would allow the two non-compliant aspects of the projects, if the required findings were made.

County Counsel has reviewed and approved the materials as to form and content.

The approval of the Minor Subdivision and Variance contributes to the 2025 Shared Vision outcome of a Livable Community by preserving the public health, safety, and general welfare and facilitating orderly growth and development while ensuring the safety of the creek.

FISCAL IMPACT:

No net County cost.



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DATE: September 19, 2011
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VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors

FROM: Jim Eggemeyer, Community Development Director

SUBJECT: Public hearing to reconsider the Shahidi project consisting of a Minor Subdivision and Variance, pursuant to Sections 7010 of the San Mateo County Subdivision Regulations and State Subdivision Map Act, and Section 6530 of the San Mateo County Zoning Regulations, to subdivide a legal 12,504 sq. ft. parcel into two parcels, the granting of an exception to the County Subdivision Regulations to allow a flag lot access width of less than 20 feet, pursuant to Sections 7020(2)(k) and 7096 of the San Mateo County Subdivision Regulations, the granting of a variance exception to allow a 12-foot front yard setback (where 20 feet is required) on Parcel B, and certify a Mitigated Negative Declaration, pursuant to the California Environmental Quality Act. The parcel is located at 21 Bishop Lane in the unincorporated Weekend Acres area of San Mateo County.

County File Numbers: PLN 2008-00066 and PLN 2010-00221
(Shahidi)

RECOMMENDATION:

Take the following action:

1. Reconsider the Minor Subdivision and Variance proposal;
2. Approve the Minor Subdivision and Variance proposal; and
3. Certify the Mitigated Negative Declaration, by making the required findings and adopting the conditions of approval in Attachment A.

BACKGROUND:

The Board is requested by a Board member to reconsider and approve the previously denied Minor Subdivision and Variance proposal in light of available development options that do not adequately provide for the protection of San Francisquito Creek,

which, in this instance, could be achieved through the approved subdivision and variance.

On November 10, 2010, the Board considered, on appeal, the proposed Minor Subdivision and Variance request. The Board was unable to make the findings for the subdivision exception request and denied the Minor Subdivision. No action was taken on the Variance since denial of the subdivision made the variance request moot.

Current development consists of two legal single-family residences with the rear portion of the parcel as the approximate centerline of San Francisquito Creek. The rear residence encroaches over the top of the creek bank.

If approved, the Minor Subdivision and Variance will result in two parcels. One is a flag lot configuration, with a 15-foot wide access corridor ("flagpole") and adjoining 5-foot wide emergency parking easement and, for the rear parcel (Parcel B), a 15-foot top of bank creek setback and a 12-foot front yard setback. Demolition permits are required for both residences and the detached garage prior to recordation of the subdivision. Erosion and sediment control and sensitive habitat fencing are also required prior to any demolition or construction activities. Recordation of the Parcel Map will require an additional sheet to capture the creek and front yard setbacks and resulting building envelope for Parcel B. These requirements are reflected in the conditions of approval in Attachment A.

Proposal: Minor Subdivision and Variance

Previous Board of Supervisors Action: Denial

Report Prepared By: Melissa Ross, Project Planner, Telephone 650/599-1559

Applicant/Owner: Ramin Shahidi

Location: 21 Bishop Lane, Menlo Park

APN: 074-303-190

Size: 0.287 acres

Existing Zoning: R-1/S-7 (Single-Family Residential/Minimum 5,000 sq. ft. parcel)

General Plan Designation: Medium Density Residential (6.1 – 8.7 density units per acre)

Sphere-of-Influence: City of Menlo Park

Existing Land Use: Two existing legal residences

Water Supply: Existing service to both residences provided by California Water Service Company

Sewage Disposal: Existing service to both residences provided by West Bay Sanitary District

Flood Zone: FEMA Flood Insurance Rate Map Zone C (Area of Minimal Flooding); Panel No. 060311 0265B, effective date July 5, 1984.

Environmental Evaluation: Mitigated Negative Declaration issued; public review period from December 16, 2008 to January 5, 2009.

Setting: The subject property is located approximately 0.9-mile east of Alpine Road and 0.62-mile north of Interstate 280. The parcel has an average slope of approximately 12 percent with natural vegetation and two existing legal single-family residences. The rear property line is the approximate centerline of San Francisquito Creek.

Chronology:

| <u>Date</u> | <u>Action</u> |
|-------------------|---|
| February 27, 2008 | - Application for Minor Subdivision accepted. |
| December 4, 2008 | - Application deemed complete. |
| December 16, 2008 | - Mitigated Negative Declaration posted. |
| February 5, 2009 | - Target date set for Zoning Hearing Officer hearing; date subsequently delayed at owner's request. |
| August 6, 2009 | - Project denied by the Zoning Hearing Officer. |
| August 20, 2010 | - Appeal, by owner, to Planning Commission accepted. |
| January 13, 2010 | - Project continued by Planning Commission for owner to revise project. |
| August 11, 2010 | - Both original and revised proposals denied by Planning Commission. |
| August 20, 2010 | - Appeal, by owner, to Board of Supervisors accepted. |
| November 2, 2010 | - Project denied by the Board of Supervisors. |

DISCUSSION:

A. KEY ISSUES

1. Conformance with the General Plan

Policies 1.24 (*Protect Vegetative Resources*), 1.25 (*Protect Water Resources*), 1.26 (*Protect Fish and Wildlife Resources*), and 1.27 (*Regulate Development to Protect Sensitive Habitats*) ensure that development will minimize the removal of vegetation, maintain adequate stream flows and water quality, and minimize disruption of fish and wildlife and their habitat.

Though not in a mapped sensitive habitat area, the submitted Biologist Report, prepared by Eric Lichtwardt of LSA Associates, Inc., states that the creek section adjacent to the parcel could provide rearing, spawning, migration, and holding habitat for steelhead; however, the project site lacks aquatic or bank vegetation for the California red-legged frog or basking sites for the western pond turtle and does not provide suitable habitat for the San Francisco garter snake. No wetlands or riparian vegetation is present on-site. The report concluded that future residential construction will not have an adverse effect on any special status species or vegetation.

Without the approved subdivision/variance, there is no authority for requiring the demolition, in whole or part, of the rear residence. As part of this project, the rear residence and garage will be demolished prior to Parcel Map recordation, thus minimizing health and safety concerns and potential impacts to San Francisquito Creek resulting from the encroachment of the rear residence and a flood or other natural hazard event in conformance with Policy 1.23 (*Regulate Location, Density, and Design of Development to Protect Vegetative, Water, Fish and Wildlife Resources*).

Further, a building envelope (footprint) will be established for a future residence on Parcel B to include a 15-foot top of bank setback and a 12-foot front yard setback to remedy the top of bank encroachment, provide a creek setback, and allow for a functional building envelope.

Moreover, in compliance with Policy 4.14 (*Appearance of New Development*), the subdivision/variance will effectively reduce the allowable maximum building footprint of Parcel B to 1,278 sq. ft. and 1,725 sq. ft. for Parcel A consistent with the rural character of the existing residential development in the neighborhood.

The proposed density is in conformance with the Medium Density Residential designation at 6.9 density units per acre (density range is 6.1-8.7) in compliance with minimum parcel size, width, and depth requirements (*Policies 8.36 Density and 8.37 Parcel Sizes*).

Policies 10.10 (*Water Supplier in Urban Areas*) and 11.5 (*Wastewater Management*) discuss water and sewage systems as the preferred methods in urban areas. This proposal is capable of continued water and wastewater service by the California Water Service Company and West Bay Sanitary, subject to the conditions in Attachment A.

Policy 12.16 (*Local Road Standards*) allows for modification of road standards in areas of the County in response to local needs and conditions. However, in 1988, the Board adopted Resolution No. 50893, in response to the residents of Bishop Lane, directing the Public Works Director to allow Bishop Lane to remain in its current condition and that road improvements, dedication of additional right-of-way, or recording of agreements for future road improvement, are not required as a condition of a land division or building permit. The resolution also requires a building setback of 30 feet and a total of two covered and two uncovered parking spaces for new residential development along Bishop Lane.

2. Zoning Regulations

With exception of the variance request, discussed below, each subdivided parcel will meet current zoning standards for the S-7 Combining District. An additional development standard for Parcel A is required as part of the 1988 Board Resolution which requires a 30-foot front yard setback for development along Bishop Lane.

| Proposed Parcel A | | |
|---|-------------------------|-----------------|
| | Minimum Required | Proposed |
| Parcel Size | 5,000 sq. ft. | 5,022 sq. ft. |
| Front Setback | 30 feet ¹ | 30 feet |
| Rear Setback | 20 feet | 20 feet |
| Right Side Setback | 5 feet | 5 feet |
| Left Side Setback | 5 feet | 5 feet |
| Height | 36 feet Maximum | 28 feet |
| Lot Coverage | 50% Maximum | 34% |
| ¹ Board of Supervisors Resolution No. 50893, 10-11-88. All new development along Bishop Lane must maintain a 30-foot setback and four off-street parking spaces (two covered and two uncovered). | | |

| Proposed Parcel B | | |
|--|-------------------------|--|
| | Minimum Required | Proposed |
| Parcel Size | 5,000 sq. ft. | 5,984 sq. ft. (net) 7,482 sq. ft. (gross) |
| Front Setback | 20 feet | 12 feet ¹ |
| Rear Setback | 20 feet | 56 feet |
| Right Side Setback | 5 feet | 5 feet |
| Left Side Setback | 5 feet | 5 feet |
| Height | 36 feet Maximum | 28 feet |
| Lot Coverage | 50% Maximum | 21% |
| ¹ Requested variance setback. | | |

a. Development Standards for Parcel A

For subdivision and development standard purposes, access easements are not counted toward the overall lot area, with building setbacks taken from the edge of the access easement. County Counsel has opined in consultation with the Planning Department that the proposed emergency vehicle parking easement does not constitute “access” since access to Parcel B is already established by the 15-foot access corridor.

Therefore, for purposes of this subdivision and future development on this parcel, the area of the parking easement is included in parcel size with no required setbacks from the edge of the easement (normal zoning setbacks apply from property lines).

b. Compliance with Parking Requirements

Future development will be required to provide the necessary covered parking based on building permit project scope. Two additional uncovered parking spaces will be required as part of the 1988 Board Resolution relating to off-street parking in Stanford Weekend Acres.

c. Compliance with Variance Findings

Findings from Section 6534.1 of the Zoning Regulations must be made in order to grant the variance.

- (1) The parcel’s location, size, shape, topography and/or other physical conditions vary substantially from those of other parcels in the same zoning district or vicinity.**

The creek setback on Parcel B reduces the building footprint to approximately 830 sq. ft. and creates an awkward footprint shape that varies substantially from other parcels in the vicinity. Other creek protection areas are present in the same zoning district; however, those areas do not reduce the building envelope to the extent of the reduction on Parcel B. Granting the variance will allow for a functional building envelope for a future single-family residence more consistent with other properties in the vicinity, and more in keeping with the purposes behind the policy of creek setback than the present conditions.

- (2) Without the variance, the landowner would be denied the rights and privileges that are enjoyed by other landowners in the same zoning district or vicinity.**

Absent the variance, the landowner would theoretically be able to construct a single-family residence in compliance with current development standards. However, the shape of a future residence would be significantly constrained by the building footprint that limits the maximum length of the westernmost wall to 29 feet and the easternmost wall to 8 feet in length resulting in a residence of limited utility and appeal and not in keeping with other buildings in the vicinity. The variance will allow for a single-family residence to be designed in a similar fashion as those found within the existing neighborhood.

- (3) The variance does not grant the landowner a special privilege which is inconsistent with the restrictions placed on other parcels in the same zoning district or vicinity.**

If approved, the variance will allow relief from the front yard setback requirements for construction of a single-family residence which is allowed by zoning. The future residence will be held to the same Combining District Development Standards as other similarly zoned parcels (with exception to the front yard setback for which the variance is requested). The front setback measurement that is most significant to neighbors – the setback of the residence nearest the roadway from the roadway – is unaffected by the variance and remains consistent with the other parcels in the same zoning district or vicinity.

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

As the parcel is zoned for a single-family residence, the variance grants relief from the front yard setback for such a residence.

(5) The variance is consistent with the objections of the General Plan and the Zoning Regulations.

The variance is consistent with the objectives of the General Plan and Zoning Regulations in that protection of the creek is established while allowing for residential development of the land.

3. Subdivision Regulations

Apart from the subdivision exception request, the proposal is otherwise in compliance with the County Subdivision Regulations.

a. That the proposed map is consistent with applicable general and specific plans.

The proposed map is consistent with the General Plan as previously discussed in Section A.1 of this report. The subdivision will result in two parcels each exceeding 5,000 sq. ft. and resulting in a density of 6.9 dwelling units in an area where 6.1 – 8.7 density units per acre is the density range.

b. That the design or improvement of the proposed subdivision is consistent with the applicable general and specific plans.

The proposed building envelope, demolition of both residences and detached garage, and proposed emergency vehicle parking easement are in compliance with the applicable zoning regulations specific to the R-1/S-7 Zoning District.

c. That the site is physically suitable for the type of development.

The proposed building envelopes for the resulting parcels can accommodate future development while meeting the current S-7 development standards and additional requirements of the 1988 Board Resolution for setbacks and parking. Continued water and wastewater service is available for future development and the proposed 15-foot wide access corridor and adjoining parking easement have been reviewed by the Department of Public Works and Cal-Fire and are in compliance with the applicable regulations.

d. That the site is physically suitable for the proposed density of development.

The proposed density is consistent with the Medium Density Residential land use designation. The resulting parcels exceed minimum lot size requirements and the proposed building envelopes are in compliance

with the current S-7 development standards as well as the additional requirements in the 1988 Board Resolution.

- e. **That the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.**

The submitted biological report concluded that future construction will not have an adverse effect on any special status species or vegetation and noted that no wetlands or riparian vegetation existing on-site. Removal of the encroaching rear residence and implementation of a 15-foot top of bank setback, further ensure the proposal is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

- f. **That the design of the subdivision or type of improvements is not likely to cause serious public health problems.**

Cal-Fire and the Department of Public Works have reviewed the proposal and determined that the inclusion of conditions of approval assures that the public health and safety of the area are maintained.

- g. **That the discharge of waste from the proposed subdivision into an existing community sewer system would not result in violation of existing requirements prescribed by a State Regional Water Control Board pursuant to Division 7 (commencing with Section 13000) of the State Water Code.**

West Bay Sanitary District has reviewed the proposal for compliance and has approved the project subject to the conditions outlined in Attachment A.

- h. **That the land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (“the Williamson Act”) and that the resulting parcels following a subdivision of that lands would not be too small to sustain their agricultural use.**

The land is not under a Williamson Act Contract.

4. Subdivision Regulations Exception

Parcels resulting in a “flag lot” configuration require a minimum access corridor (“flagpole”) of 20 feet in width. This proposal requests an exception to allow a 15-foot wide flagpole. The following findings, from Section 7096 of the Subdivision Regulations, must be made in order to grant the exception.

- a. **That there are special circumstances or conditions affecting the property, or the exception is necessary for the preservation and enjoyment of substantial property rights or the owner/subdivider.**

While the proposed access corridor is less than the 20-foot width requirement, each of the proposed parcels exceeds the minimum lot size of 5,000 sq. ft. Were the access corridor proposed at 20 feet wide, the width of Parcel A would be reduced to 48 feet, which is less than the required 50-foot minimum frontage width set forth in the S-7 development standards. The parcel size for Parcel A would then be reduced to less than 5,000 sq. ft., which is the required minimum.

Granting the exception will allow for the preservation and enjoyment of substantial property rights by allowing for a subdivision that is otherwise in compliance with the Medium Density Residential land use designation as well as in compliance with the development standard requirements for minimum parcel size, width, and setbacks.

- b. **That the exception is appropriate for the property design and/or function of the subdivision.**

The proposed 15-foot wide access corridor width exceeds the Department of Public Works' minimum driveway standards (minimum width is 12 feet) for single-family residences and inclusion of the emergency vehicle parking easement assures compliance with Cal-Fire's regulations without compromising the S-7 development standards.

- c. **That the granting of the exception will not be detrimental to the public health, safety or welfare or injurious to other property or uses in the area in which the property is situated.**

The existing driveway currently serves the rear residence and will continue to do so with a greater width. The granting of the exception will result in compliant parcels (e.g., minimum parcel size). The addition of the emergency vehicle parking easement in conjunction with the access corridor will provide an off-street parking area for emergency responders as well as a turnaround along Bishop Lane.

5. Park In-Lieu Fees

Section 7055.3 of the Subdivision Regulations requires that, as a condition of approval of a tentative parcel map, the subdivider dedicate land or pay a fee in-lieu of dedication for the purpose of acquiring, developing, or rehabilitating County park and recreation facilities and/or assisting other providers of parks and recreation facilities in acquiring, developing, or rehabilitating facilities that will serve the proposed subdivision. The regulation further defines the formula

for calculating this fee, which is based on land valuation determined at time of payment.

B. ENVIRONMENTAL REVIEW

County Counsel has determined that the Mitigated Negative Declaration, posted December 16, 2008, is adequate and inclusive of the proposed variance. Recirculation of the Mitigated Negative Declaration is not required because no new avoidable significant effects are identified and no new mitigation measures or revisions are required (CEQA Sections 15073.5(b)(1) and (2)) and the variance is a measure or condition of the project added after circulation of the Mitigated Negative Declaration which is not required by CEQA (CEQA Section 15073.5(c)(3)) and that the variance, on its own, can qualify for a CEQA Exemption (Section 15305, Class 5; Minor Alterations in Land Use Limitations).

C. REVIEWING AGENCIES

Building Inspection Section
Department of Public Works
Department of Public Works Utilities - Flood Control - Watershed Protection Section
Department of Fish and Game
Geotechnical Section
Cal-Fire
Regional Water Quality Control Board
San Francisquito Creek JPA
California Water Service Company
West Bay Sanitary
City of Menlo Park

County Counsel has reviewed and approved the materials as to form and content.

The approval of the Minor Subdivision and Variance contributes to the 2025 Shared Vision outcome of a Livable Community by preserving the public health, safety, and general welfare and facilitating orderly growth and development while ensuring the safety of the creek.

FISCAL IMPACT:

No net County cost.

ATTACHMENTS:

- A. Recommended Findings and Conditions of Approval
- B. Copy of Tentative Map
- C. Initial Study and Negative Declaration

ATTACHMENT A

COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit File Nos.: PLN 2008-00066 and Board Meeting Date: September 27, 2011
PLN 2010-00221

Prepared By: Melissa Ross, Project Planner For Adoption By: Board of Supervisors

RECOMMENDED FINDINGS:

For the Negative Declaration, Find:

1. That the Negative Declaration is complete, correct and adequate, and prepared in accordance with the California Environmental Quality Act and applicable State and County Guidelines.
2. That, on the basis of the Initial Study and comments hereto, there is no evidence that the project, subject to the mitigation measures contained in the Negative Declaration, will have a significant effect on the environment.
3. That the Negative Declaration reflects the independent judgment of San Mateo County.
4. That the mitigation measures identified in the Negative Declaration, agreed to by the applicant, placed as conditions on the project, and identified as part of this public hearing, have been incorporated into the Mitigation and Reporting Plan in conformance with California Public Resources Code Section 21081.6.

For the Minor Subdivision, Find:

5. That the proposed map is consistent with applicable general and specific plans.
6. That the design or improvement of the proposed subdivision is consistent with the applicable general and specific plans.
7. That the site is physically suitable for the type of development.
8. That the site is physically suitable for the proposed density of development.
9. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

10. That the design of the subdivision or type of improvement is not likely to cause serious public health problems.
11. That the discharge of waste from the proposed subdivision into an existing community sewer system would not result in violation of existing requirements prescribed by a State Regional Water Control Board pursuant to Division 7 (commencing with Section 13000) of the State Water Code.
12. That the land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965 ("the Williamson Act") and that the resulting parcels following a subdivision of that lands would not be too small to sustain their agricultural use.

For the Exception to the Subdivision Regulations, Find:

13. That there are special circumstances or conditions affecting the property, or the exception is necessary for the preservation and enjoyment of substantial property rights of the owner/subdivider.
14. That the exception is appropriate for the property design and/or function of the subdivision.
15. That the granting of the exception will not be detrimental to the public health, safety or welfare or injurious to other property or uses in the area in which the property is situated.

For the Variance, Find:

16. That the parcel's location, size, shape, topography and/or other physical conditions vary substantially from those of other parcels in the same zoning district or vicinity.
17. That without the variance, the landowner would be denied the rights and privileges that are enjoyed by other landowners in the same zoning district or vicinity.
18. That the variance does not grant the landowner a special privilege which is inconsistent with the restrictions placed on other parcels in the same zoning district or vicinity.
19. That the variance authorizes only uses or activities which are permitted by the zoning district.
20. That the variance is consistent with the objectives of the General Plan and the Zoning Regulations.

RECOMMENDED CONDITIONS OF APPROVAL:

Current Planning Section

1. This approval applies only to the proposal, documents and plans described in this report and submitted to and approved by the Board of Supervisors on September 27, 2011. Minor revisions or modifications may be approved by the Community Development Director if they are consistent with the intent of and in substantial conformance with this approval.

2. **Permit Validity**

The subdivision approval is valid for two years pursuant to Section 7013.5.a of the Subdivision Regulations, during which time a parcel map shall be filed. An extension to this time period, pursuant to Section 7013.5.c, may be issued by the Community Development Director upon written request submitted 30 days prior to the expiration date and payment of applicable extension fees.

The variance approval shall run concurrently with the subdivision approval. If an extension request for the subdivision is made, a variance extension request shall accompany the subdivision request.

3. Prior to the recordation of the parcel map, the applicant shall pay to the San Mateo County Planning and Building Department for in-lieu park fees as required by County Subdivision Regulations Section 7055.3. Fees shall be calculated at the time of payment.
4. Prior to recordation of the parcel map, demolition permits shall be issued and finalized for each residence and detached garage.
5. The parcel map shall include an Emergency Vehicle Parking Easement on Parcel A for the benefit of Parcel B. The easement shall include language prohibiting the use of the easement for non-emergency vehicle parking at all times, that no structures shall be constructed within the easement or be constructed to prevent access to the easement, and that the easement area shall be free and clear at all times.
6. A separate sheet shall be included with the parcel map depicting Parcel B, in its entirety, and the area set aside for creek protection, as approved, along with a legal description of said area. A notation shall be included on this or an associated sheet describing what uses or activities are or are not permitted within the creek protection area. The applicant shall submit a map and descriptions to the Current Planning Section for review and approval prior to recordation. These documents shall be recorded concurrently with the parcel map.
7. Prior to the issuance of a building permit for demolition and construction, the applicant shall submit an erosion and sediment control plan prepared by a professional erosion control consultant or a civil engineer, for review and approval by the Current Planning Section. The erosion control plan shall clearly delineate the types

of measures to be used, the location of where the measures will be placed, and sectional drawings showing how the measures shall be installed with particular attention to preventing erosion and sediment from project site runoff into San Francisquito Creek. All erosion control devices shall be installed on-site prior to any activities. Said plan shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:

- a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 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. Prior to the issuance of a building permit for demolition and construction, the applicant shall contact the Current Planning Section to arrange a site inspection to verify erosion and stormwater controls are installed to the satisfaction of the Planning Department.
 9. Prior to the issuance of the required demolition permits, the applicant shall submit demolition plans showing how existing structures on-site will be removed. This plan shall show where material and debris will be placed on-site before removal. No debris or construction vehicles shall be placed on the terrace above the creek.
 10. Prior to the issuance of the building permit for the residences, the applicant shall submit a site plan showing the two uncovered off-street parking spaces for review and approval by the Current Planning Section. Permeable surfaces shall be used for the parking spaces. Additionally on Parcel A, the site plan and elevations shall show the location and details for a "No Parking, Emergency Vehicles Only" sign in compliance with Cal-Fire standards.
 11. Prior to any construction activities, the applicant shall have a qualified biologist conduct a pre-construction survey for California red-legged frog, San Francisco garter snake, western pond turtle and hoary bat. The biologist shall brief construction workers on identifying these species. If any are found during construction activities, all work is to stop and the U.S. Fish and Wildlife Service contacted.

12. Prior to any construction activities, the applicant shall demarcate the construction zone with silt fencing or similar barrier in order to exclude red-legged frog, pond turtle, or garter snake. Fence material shall be 2.5 feet tall with the bottom trenched 6 inches deep and covered with soil. The 2 feet above ground shall be canted at a 45-degree angle facing outward. This will enable frogs to escape the construction area. The applicant shall maintain the fence throughout the construction period and have it checked periodically by a biologist.
13. Prior to the issuance of a building permit for any on-site structures, permanent stormwater control measures (such as using permeable surfaces for driveways and walkways and building downspouts connected to drywell systems), in conformance with BASMAA Guidelines, shall be reviewed for compliance by the Current Planning Section.
14. All existing significant and heritage trees shall be protected prior to and during all demolition and construction activities. The applicant shall establish and maintain tree protection zones which shall be delineated using 4-foot tall orange plastic fencing supported by poles pounded into the ground, located as close to the tree driplines as possible while still allowing room for demolition or construction to safely continue. The applicant shall maintain tree protection zones free of equipment and material storage and shall not clean any equipment within these areas. Should any large roots or large masses of root need to be cut, the roots shall be inspected by a certified arborist prior to cutting. Any root cutting shall be monitored by an arborist and documented.
15. No trees are to be removed. If any future development requires removal of any tree, the applicant shall first obtain an approved tree removal permit from the Current Planning Section.
16. No construction activities shall occur between the creek and the existing retaining walls. No construction materials or equipment shall be staged or stored on the terrace above the creek.
17. All new power and telephone utility lines from the street or the nearest existing utility pole to any future dwellings and/or any other structure on the property shall be placed underground starting at the closest existing utility pole.
18. Noise sources associated with demolition, construction, repair, remodeling or grading of any real property, provided said activities do not take place between the hours of 6:00 p.m. and 7:00 a.m., weekdays, 5:00 p.m. and 9:00 a.m. on Saturdays or at any time on Sundays, Thanksgiving and Christmas, is exempt as indicated under Section 4.88.360 of the County Ordinance Code.
19. Prior to construction activities, an arborist report shall be submitted to the Current Planning Section evaluating the oak tree located in the rear yard of Parcel A. The arborist shall be on-site during construction activities to ensure the oak tree is not harmed. During construction activities, the arborist shall submit updates to the

Current Planning Section as deemed necessary by the arborist or as requested by the Current Planning Section. Prior to the final inspection of the building permit, the arborist shall submit one final report evaluating the oak tree.

20. Prior to the issuance of a building permit for either residence, the applicant shall indicate on building plans surfaces for driveways, walkways and parking spaces. Provided no conflicts exist with Cal-Fire requirements, all surfaces on both parcels shall be permeable.

Building Inspection Section

21. Prior to pouring any concrete for foundations, written verification from a licensed surveyor shall be submitted confirming that the required setbacks, as shown on the approved plans, have been maintained.
22. An automatic fire sprinkler system shall be required. This permit shall be issued prior to or in conjunction with the building permit.
23. If a water main extension, upgrade or hydrant is required, this work shall be completed prior to the issuance of the building permit or the applicant shall submit a copy of an agreement and contract with the water purveyor which will confirm the work will be completed prior to finalization of the building permit.
24. A site drainage plan shall be required. This plan shall demonstrate how roof drainage and site runoff will be directed to an approved disposal area.
25. Sediment and erosion control measures shall be installed prior to beginning any site work and maintained throughout the term of the permit. Failure to install or maintain these measures shall result in stoppage of construction until the corrections have been made and fees paid for staff enforcement time.
26. The project shall comply with the Green Building Ordinance.
27. All drawings shall be drawn to scale and clearly define the whole project and its scope in its entirety.
28. The design and/or drawings shall comply with the 2010 Editions of the California Building Standards Code, 2010 California Plumbing Code, 2010 California Mechanical Code and the 2010 California Electrical Code.
29. All new construction shall meet Chapter 7A requirements, if applicable.
30. Demolition permits shall be required.

Geotechnical Section

31. This project will require a soils and foundation study prior to the issuance of a grading permit (if necessary) and building permit.
32. At the building permit stage, a letter from the applicant's geotechnical consultant shall be required stating effluence will not deposit in the creek.

Department of Public Works

33. Prior to the issuance of the building permit, the applicant will be required to provide payment of "roadway mitigation fees" based on the square footage (assessable space) of the proposed building per Ordinance No. 3277.
34. The applicant shall submit, for review by the Department of Public Works and the appropriate fire district, a plan and profile of both the existing and the proposed access from the nearest publicly maintained roadway to the proposed building site.
35. The provisions of San Mateo County Grading Ordinance shall govern all grading on and adjacent to this site. Unless exempted by the Grading Ordinance, the applicant may be required to apply for a grading permit upon completion of their review of the plans and should access construction be necessary.
36. No proposed construction work within the County right-of-way shall begin until County requirements for the issuance of an encroachment permit, including review of the plans, have been met and an encroachment permit issued.
37. The applicant shall submit a permanent stormwater management plan in compliance with the County's Drainage Policy and NPDES requirements for review and approval by the Department of Public Works.
38. The applicant shall submit a Driveway Plan and Profile, to the Department of Public Works, showing the driveway access to the parcel (garage slab) complying with County standards for driveway slopes (not to exceed 20%) and to County standards for driveways (at the property line) being the same elevation as the center of the access roadway. When appropriate, the plan and profile shall be prepared from elevations and alignment shown on the roadway improvement plans. The driveway plan shall also include and show specific provisions and details for both the existing and the proposed drainage patterns and drainage facilities.
39. The applicant shall demonstrate, to the satisfaction of the Department of Public Works and the appropriate fire district or Fire Marshal, that the existing road access from the nearest publicly maintained roadway to the building site meets or exceeds the County's minimum standards for an "Interim Access Roadway," including provisions for existing and proposed drainage and drainage facilities. The applicant must also demonstrate that appropriate turnouts and a turnaround, meeting Fire Marshal's requirements, exist or can be provided, if applicable.

40. Should the above plan for access NOT meet the County's minimum standard for "safe and adequate" as provided by the "Interim Access Roadway," the applicant shall have designed, by a registered civil engineer, and the applicant SHALL construct an "Interim Access Roadway." Said roadway shall be a minimum of 16 feet wide with one-foot shoulders and shall show specific provisions and details for the handling of both the existing drainage and the proposed drainage, including drainage structures. Roadway grades shall NOT exceed 15%. These plans for access shall also meet ALL conditions and requirements of the appropriate fire jurisdiction, including, but not limited to, the construction of turnouts and turnarounds.
41. Should the access shown go through neighboring properties, the applicant shall provide documentation that ingress/egress easements exist providing for this access.
42. The applicant shall have prepared, by a registered civil engineer, a drainage analysis of the proposed subdivision and submit it to the Department of Public Works for review and approval. The drainage analysis shall consist of a written narrative and a plan. The flow of the stormwater onto, over, and off of the property being subdivided shall be detailed on the plans and shall contain the measures necessary to certify adequate drainage. Post-development flows and velocities shall not exceed those that existed in the pre-development state. Recommended measures shall be designed and included in the street improvement plans and submitted to the Department of Public Works for review and approval.
43. The applicant shall record documents which address future maintenance responsibilities of any private drainage and/or roadway facilities which may be constructed. Prior to recording these documents, they shall be submitted to the Department of Public Works for review.
44. The applicant shall submit, to both the Department of Public Works and the Planning Department, written certification from the appropriate water district stating that their requirements to provide water service connections to the proposed parcels of this subdivision have been met.
45. Any potable water system work required by the appropriate district within the County right-of-way shall not be commenced until County requirements for the issuance of an encroachment permit have been met. Plans for such work shall be reviewed by the Department of Public Works prior to the issuance of the permit.
46. The applicant shall submit written certification from the appropriate energy and communication utilities to the Department of Public Works and the Planning Department stating that they will provide energy and communication services to the proposed parcels of this subdivision.

47. The applicant shall prepare a plan indicating the proposed method of sewerage for these properties. This plan should be included on the improvement plans and submitted to the Department of Public Works for review. Upon completion of this review, the applicant or his engineer shall have these approved plans signed by the appropriate Sewer District (West Bay Sanitary District).
48. "As-Built" plans of all construction required by these conditions shall be prepared and signed by the subdivider's engineer upon completion of all work. The "As-Built" plans shall be accompanied by a written certification from the engineer that all private facilities have been completed in conformance with the approved plans.
49. The applicant shall submit a parcel map to the Department of Public Works for review and recording.
50. The applicant shall submit to the Department of Public Works for review documentation for recordation of the ingress/egress emergency vehicle access and emergency vehicle parking easements on Parcel A for Parcel B.

Department of Public Works Utilities-Flood Control-Watershed Protection Section
(District)

51. The proposed project site is located within the San Francisquito Creek Flood Control Zone (Zone). The District requires that the stormwater from developments, which ultimately drain into the District's flood control channel, not exceed the existing discharge rate prior to development. Drainage calculations showing existing and future discharge rate shall be submitted to the District for review.
52. Plan Sheet C-2 (Grading and Drainage Plan) shows two 4 feet deep shallow gravel basins, one for each subdivided parcel, proposed with the project. A 6-inch diameter plastic overflow outlet is shown for the basin in Parcel A. However, an overflow outlet pipe is not shown for the basin in Parcel B. Plans shall show the location and method of discharging the surface and stored runoff to San Francisquito Creek. Any on-site stormwater detention system, which would release runoff at a rate comparable to or less than the existing flow rate of the site, shall be designed and incorporated into the project if it is determined that the future discharge rate exceeds the existing rate.
53. The project shall incorporate bank protection measures if the discharge of runoff from the property to the creek is proposed to be concentrated at certain locations.
54. The District advocates that trash management measures be incorporated into the design elements of the storm drainage systems and appurtenances. Trash-collecting devices should be installed at storm drain inlets and maintained by the owner(s).

Cal-Fire

55. An approved automatic fire sprinkler system meeting the requirements of NFPA-13D shall be included in your project. Plans shall include attached garages and detached garages at or above 1,000 sq. ft. Plans shall be designed by a licensed sprinkler system designer and submitted to the San Mateo County Building Inspection Section for review and approval by the San Mateo County Fire Department. Building plans will not be reviewed until the required sprinkler plans are received by the County Building Inspection Section.
56. A statement that the building shall be equipped and protected by automatic fire sprinklers must appear on the title page of the building plans.
57. A sounding device activated by automatic fire sprinkler system water flow is required to be installed in all residential systems as outlined and meeting the requirements of NFPA-13D. All hardware is to be included on the submitted sprinkler plans.
58. All fire sprinkler system risers shall be equipped with two pressure gauges, one above and one below the check valve. All fire sprinkler systems shall have an inspector's test located at the most remote end of the system. All attic accesses and potential storage areas shall be protected. Where sprinkler heads are required and plastic CPVC piping is going to be used, it shall be installed and protected as per manufacturer's installation instructions and UL listing.
59. Certain areas as designated by the San Mateo County Fire Department shall be required to be designated and maintained as Fire Lanes. This includes proper all-weather signage "No Parking Fire Lane" in red letters with white background.
60. If the dwelling, including garage, is 3,600 sq. ft. or less, then a fire flow of 1,000 gpm for 2 hours with a 20-psi residual operating pressure shall be available as specified by additional project conditions to the project site. More will be required if over 3,600 sq. ft. If the structure is less than 3,600 sq. ft. and the current fire flow is maintained (700 gpm), an alternate material and methods request shall be required and submitted to the Fire Marshal in order to increase in the fire sprinkler system protection to mitigate the less than required flow.
61. The required fire flow shall be available from a County Standard 6" Wet Barrel Fire Hydrant. The configuration of the hydrant shall have a minimum of one each 4-1/2" outlet and one each 2-1/2" outlet located not more than 600 feet from the building, measured by way of approved drivable access to the project site.
62. Please be advised that the proposed project may not be feasible, or may not meet the required fire flow of 1,000 gpm at 20-psi residual pressure. Please check with the appropriate water purveyor prior to obtaining approval from the San Mateo County Planning Department for your project to see if improvement can be made to

the water system and what cost may be incurred by the property owner for the improvements.

63. All new public water systems, extensions from a public water system or replacement of any main or line of an existing public water system shall have a minimum diameter of six inches (6"). If the pipes are not linked in grid or if individual legs are over 600 feet in length, then the minimum diameter shall be eight inches (8").
64. When receiving water service for fire protection (hydrants, fire sprinkler systems) from a public or municipal water purveyor, written certification from the water company that hydrants will be installed or the existing water system is capable of meeting the project conditions shall be required to be presented to the San Mateo County Fire Department for verification to show that required upgrades to the system will be installed and that existing fire flows will meet the project requirements.
65. Smoke detectors are required to be installed in accordance with the California Building Code. This includes the requirement for hardwired, interconnected detectors equipped with battery backup and placement in each sleeping room in addition to the corridors and on each level of the residence.
66. All roof assemblies shall have a minimum CLASS-B fire resistive rating and be installed in accordance with the manufacturer's specifications and current Uniform Building Code.
67. All buildings that have a street address shall have the number of that address on the building, mailbox, or other type of sign at the driveway entrance in such a manner that the number is easily and clearly visible from either direction of travel from the street. An address sign shall be placed at each break of the road where deemed applicable by the San Mateo County Fire Department. Numerals shall be contrasting in color to their background and shall be no less than 4 inches in height, and have a minimum 1/2-inch stroke.
68.
 - a. Any chimney or woodstove outlet shall have installed onto the opening thereof an approved galvanized spark arrester of a mesh with an opening no larger than 1/2 inch in size, or an approved spark arresting device.
 - b. Maintain around and adjacent to such buildings or structures a fuelbreak/ firebreak made by removing and clearing away flammable vegetation for a distance of not less than 30 feet and up to 100 feet around the perimeter of all structures or to the property line, if the property line is less than 30 feet from any structure. This is not a requirement nor an authorization for the removal of live trees. Remove that flammable portion of any tree which extends within 10 feet of the outlet of any chimney or stovepipe, or within 5 feet of any portion of any building or structures.

c. Remove that dead or dying portion of any tree which extends over the roofline of any structure.

69. All dead-end roadways shall be terminated by a turnaround bulb of not less than 96 feet in diameter. Alternates may be approved by the Fire Marshal.
70. Fire department access shall be provided to within 150 feet of all portions of the building.

California Water Service

71. The applicant shall apply for an additional water meter (possibly larger if fire sprinklers are needed).

West Bay Sanitary District

72. The development shall comply with all current District's regulations and standards.
73. Each residential unit shall be required to have a separate 4-inch minimum sewer lateral from the property line to the sewer main.
74. The building laterals from the residence to the property line cleanout must meet the requirements of the San Mateo County Building Inspection Section.
75. A conforming property line cleanout within 5 feet of the property line on Bishop Lane shall be required for each lateral. Each line shall maintain a minimum 2% slope from the property line cleanout to the main. If the applicant cannot obtain gravity, then an ejector pump shall be installed on the property. Please note that a grinder-type pump shall not be used.
76. The District will require the use of Tap-Tite connections for 4-inch sewer laterals to the 6-inch main on Bishop Lane.
77. A backflow preventer shall be installed on the lateral on private property between the building and the property line cleanout, if drainage piping serving fixtures which have flood level rims located below the elevation of the next upstream manhole cover. The backflow preventer shall be the sole responsibility of the property owner to maintain.
78. No pool drains, roof gutters, surface drainage, and groundwater sump pumps are allowed to connect to the sanitary sewer.
79. No other connection is allowed between the property line cleanout and the main sewer connections.
80. The applicant shall submit a final recorded map to the District with the associated assessor's parcel numbers.

Department of Fish and Game

81. The Department of Fish and Game has determined that this project is not exempt from Department of Fish and Game California Environmental Quality Act filing fees per Fish and Game Section 711.4. The applicant shall submit payment to the Current Planning Section for CEQA recordation with the San Mateo County Recorder's Office within three (3) days of final approval. The amount due shall be those Fish and Game filing fees effective at the time of recordation (for Negative Declaration and County Clerk Processing Fee).

ATTACHMENT B

TENTATIVE MAP TWO (2) LOT SUBDIVISION

ALL THAT CERTAIN REAL PROPERTY AS DESCRIBED IN GRANT DEED RECORDED ON 09/10/2007 AS DOCUMENT # 2007-116, SAN MATEO COUNTY, CALIFORNIA, AND THE UNINCORPORATED AREA AND LYING ENTIRELY WITHIN THE UNINCORPORATED AREA AND LYING ENTIRELY WITHIN THE UNINCORPORATED AREA.

CITY OF MELBO PARK COUNTY OF SAN MATEO STATE OF CALIFORNIA

SCALE: 1"=10'

APRIL 2010
SMP ENGINEERS
CIVIL ENGINEERS

1334 CAROL LANE
LOS ALTOS, CA 94024

BUILDING ENVELOPE AREA TABLE

| PARCEL A | 1758 | 50. FT. | PARCEL B | 1274 | 50. FT. |
|----------|------|---------|----------|------|---------|
|----------|------|---------|----------|------|---------|

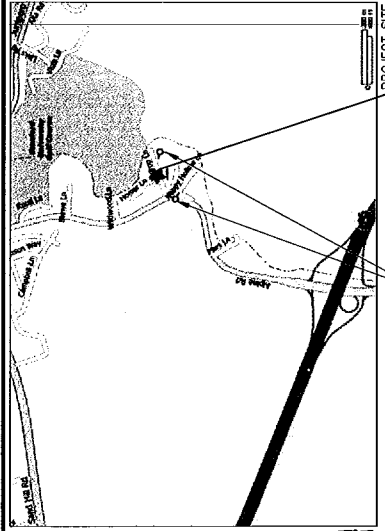
LOT AREA TABLE

| PROPOSED LOTS | SQ. FT. | ACRES |
|------------------------------|----------|-------|
| PARCEL A | 5,022.3 | 0.115 |
| PARCEL B (WITH DRIVEWAY) | 7,462 | 0.172 |
| TOTAL (EXISTING LOT) | 12,504.5 | 0.287 |
| DRIVEWAY PORTION OF PARCEL B | 1,498 | 0.034 |
| PARCEL B (WITHOUT DRIVEWAY) | 5,964 | 0.137 |

- LEGEND AND ABBREVIATIONS**
- DISTINCTIVE BORDER LINE
 - NEW LOT LINE
 - EASEMENT LINE
 - BUILDING SETBACK LINE
 - EXISTING DRAINAGE BANK LINE
 - OTHER LOTS PROPERTY LINE
 - EXISTING
 - PRIVATE STORM DRAINAGE CASEMENT
 - EX (C)
 - PODC

25. BISHOP LANE
APN: 074-303-230
OWNER:
CORRAN ROBERT D & LISA M
320 GRANDVIEW DR. WOODSIDE CA 94062

13. BISHOP LANE
APN: 074-303-180
OWNER:
GOLBARVAR HAMD/ZARBOZADE AVD
721 BERRY AVE. LOS ALTOS CA 94024



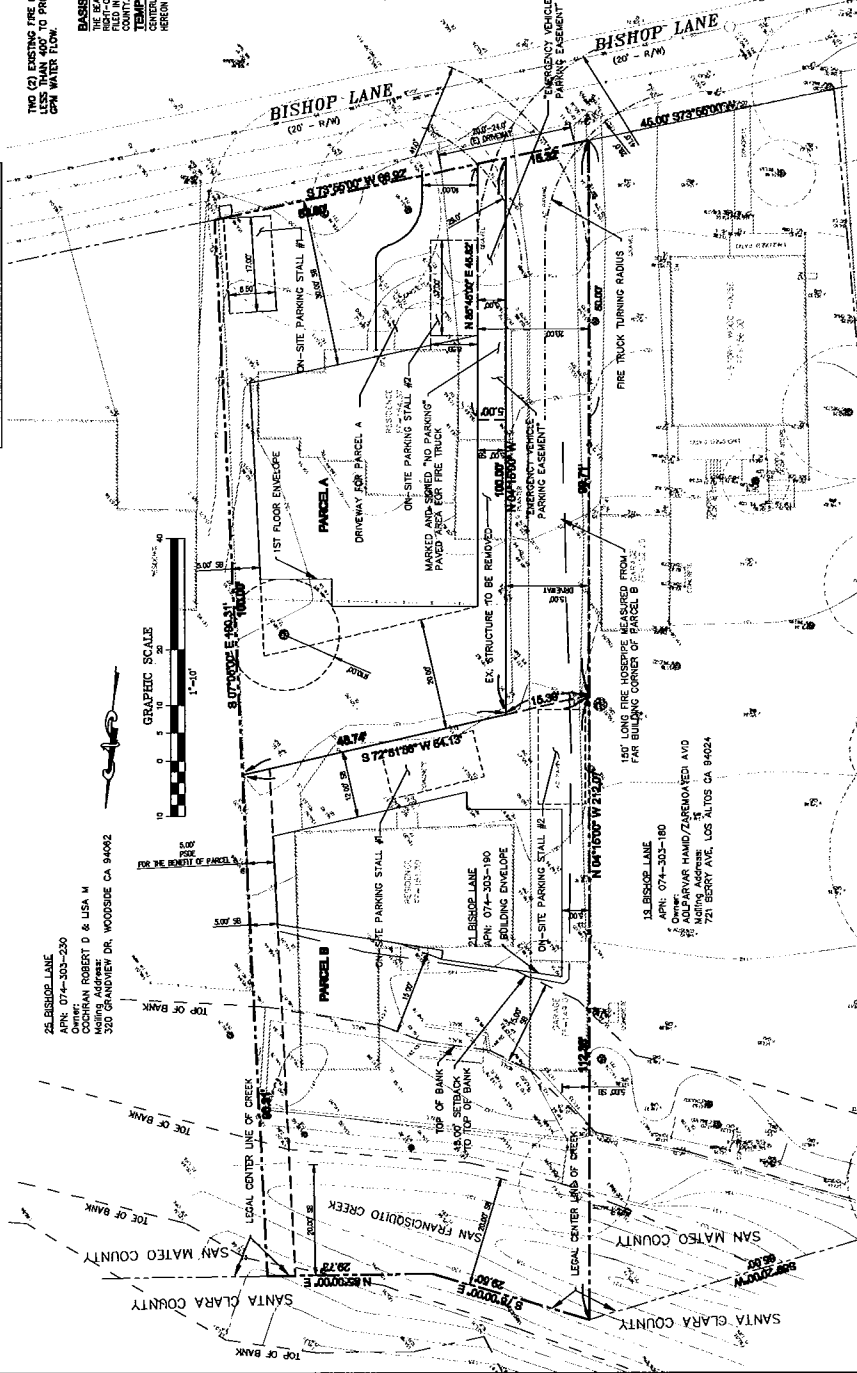
TO (2) EXISTING FIRE HYDRANT, DISTANCED LESS THAN 400' TO PROPERTY, EACH 650' FROM WATER FLOW.

BASIS OF BEARINGS:
"EAST" BEARINGS: EAST, TRUE, ON THE SOURCE, RIGHT-OF-WAY LINE OF BISHOP LANE AS SHOWN ON THAT CERTAIN PARCEL MAP RECORDED IN BOOK 10 OF PARCEL MAPS AT PAGE 24, OFFICIAL RECORDS OF SAN MATEO COUNTY.

TEMPORARY BENCHMARK:
CENTERLINE OF SANITARY SEWER MANHOLE, TAKEN AS 153.38' ELEVATION BROWN HEREON ARE BASED ON THE "NAD 83" VERTICAL DATUM.

GENERAL NOTES

- OWNER AND DEVELOPER:
RAHIM SHAHIDI
502 PALM AVE. LOS ALTOS CA 94022
- CIVIL ENGINEER:
SMP ENGINEERS
1334 CAROL LANE
LOS ALTOS, CA 94024
TEL: (650) 941-8005
FAX: (650) 941-9755
- EXISTING ZONING: R7A-7
- EXISTING APN: 074-303-180
- EXISTING USE: RESIDENTIAL
- PROPOSED USE: RESIDENTIAL
- EXISTING BUILDINGS OR BUILDINGS ON PARCEL A AND PARCEL B ARE TO BE DEMOLISHED.
- GENERAL PLAN: GENERAL PLAN, RESIDENTIAL DWELLING
- STREETS: ALL PROPOSED STREET MODIFICATIONS WILL BE IMPROVED TO THE SATISFACTION OF THE DIRECTOR OF PUBLIC WORKS.
- EXISTING USE OF ADJACENT PROPERTIES: RESIDENTIAL, SINGLE FAMILY.
- WATER: CAL WATER
- FIRE PROTECTION: COUNTY FIRE DEPARTMENT
- SANITARY SEWER: WEST BAY SANITARY
- POWER AND GAS: PACIFIC GAS AND ELECTRIC
- TELEPHONE: AT&T
- STREET TREES: ANY NEW STREET TREES IN PUBLIC RIGHT-OF-WAY TO BE PLANTED IN ACCORDANCE WITH SAN MATEO COUNTY ORDINANCES.
- AREA TO BE SUBMITTED: 12,504.5 SQUARE FEET (0.287 ACRES) TO BE SUBDIVIDED INTO 2 LOTS.
- CONTIGUOUS ELEVATION: SEE BENCHMARK NOTE ABOVE.
- ALL DIMENSIONS ARE IN FEET AND DECIMAL THEREOF.
- NO NEW STREET MAKE IS SPECIFICALLY PROPOSED
- EXISTING WELLS: NONE
- FLOOD ZONE: G, FLOOD PANEL: 0603102659



San Mateo County Board of Supervisors Meeting

Owner/Applicant: **SHAHIDI**

File Numbers: **PLN 2008-00066**

Attachment: **B**

CONCEPTUAL GRADING AND DRAINAGE PLANS TWO (2) LOT SUBDIVISION 21 BISHOP LANE, MENLO PARK, CA 94025

ABBREVIATIONS

| SYMBOL | DESCRIPTION |
|--------|-------------------|
| AS | ASPHALT CONCRETE |
| AC | CONCRETE |
| BC | BRICK |
| CC | CONCRETE CURB |
| CD | CONCRETE DRIVE |
| CE | CONCRETE EDGE |
| CF | CONCRETE FINISH |
| CG | CONCRETE GRASS |
| CH | CONCRETE HATCH |
| CI | CONCRETE INLET |
| CJ | CONCRETE JUNCTION |
| CK | CONCRETE KICK-OUT |
| CL | CONCRETE LANDING |
| CM | CONCRETE MOUNTING |
| CN | CONCRETE NAIL |
| CO | CONCRETE ODD |
| CP | CONCRETE PAVEMENT |
| CQ | CONCRETE QUARRY |
| CR | CONCRETE ROOF |
| CS | CONCRETE SIDEWALK |
| CT | CONCRETE TIE |
| CU | CONCRETE UPRIGHT |
| CV | CONCRETE VALVE |
| CA | CONCRETE WALKWAY |
| CB | CONCRETE WALL |
| CC | CONCRETE CURB |
| CD | CONCRETE DRIVE |
| CE | CONCRETE EDGE |
| CF | CONCRETE FINISH |
| CG | CONCRETE GRASS |
| CH | CONCRETE HATCH |
| CI | CONCRETE INLET |
| CJ | CONCRETE JUNCTION |
| CK | CONCRETE KICK-OUT |
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| CU | CONCRETE UPRIGHT |
| CV | CONCRETE VALVE |
| CA | CONCRETE WALKWAY |
| CB | CONCRETE WALL |

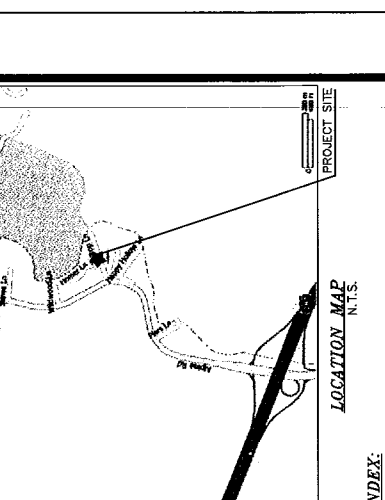
CITY NOTES:

- THE STORM DRAINAGE SHALL NOT DRAIN ONTO ADJACENT PROPERTIES. THE EXISTING STORM DRAINAGE FROM THE ADJACENT PROPERTIES SHALL NOT BE LOCATED BY THE NEW DEVELOPMENT.
- THE APPLICANT/CONTRACTOR SHALL OBTAIN AN ENCROACHMENT PERMIT FROM THE CITY'S ENGINEERING DEPARTMENT FOR THE CONSTRUCTION OF THE STORM DRAINAGE SYSTEMS. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY'S ENGINEERING DEPARTMENT PERMIT REQUIREMENTS.
- ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY'S ENGINEERING DEPARTMENT PERMIT REQUIREMENTS.
- ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY'S ENGINEERING DEPARTMENT PERMIT REQUIREMENTS.

SHEET INDEX:

- C-1 COVER SHEET / NOTES
- C-2 GRADING AND DRAINAGE PLAN

LOCATION MAP
N.T.S.



DRAINAGE NOTES:

- The storm drainage system shall be designed to collect runoff from the entire project site and discharge it into the existing storm drain system.
- All storm drain components shall be designed to meet the minimum standards set forth in the City of Menlo Park's Department of Public Works Engineering Division's Storm Drainage Manual.
- On the storm drain line shall consist of at least PVC-52025 minimum or better.
- Storm catch tanks shall be constructed with a minimum depth of 3 feet.

TEMPORARY BENCHMARK:
THE BENCHMARK SHALL BE A METAL BOLT SET INTO THE CONCRETE FOUNDATION OF THE EXISTING GARAGE AT THE CORNER OF THE PROPERTY. THE BENCHMARK SHALL BE SET TO THE SAME ELEVATION AS THE BENCHMARK AT THE CORNER OF THE GARAGE AT THE INTERSECTION OF BISHOP LANE AND WALKWAY.

BASES OF BEARINGS:
THE BENCHMARK SHALL BE SET TO THE SAME ELEVATION AS THE BENCHMARK AT THE CORNER OF THE GARAGE AT THE INTERSECTION OF BISHOP LANE AND WALKWAY.

NOTE:
THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF MENLO PARK.

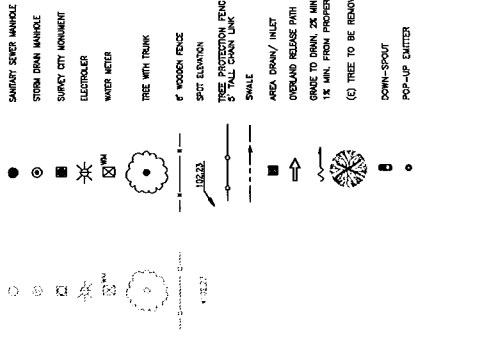
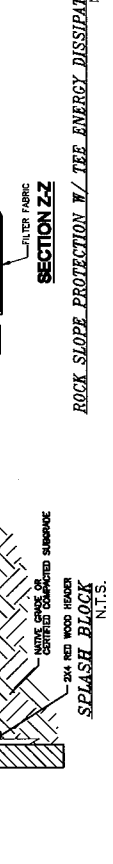
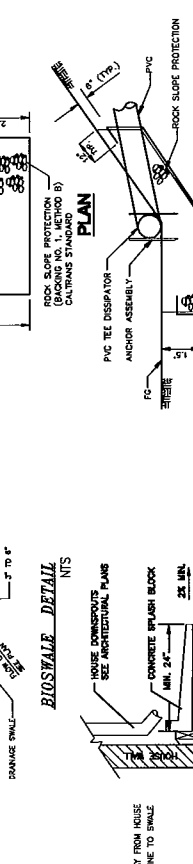
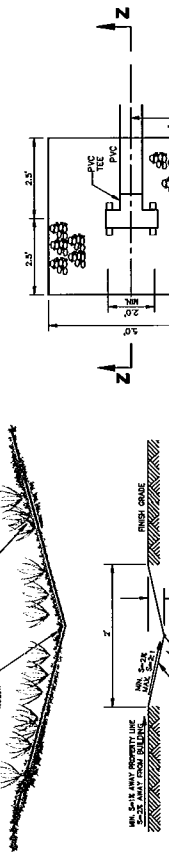
GEOTECHNICAL ENGINEER OF RECORD
THIS PLAN HAS BEEN REVIEWED AND FOUND TO BE IN GENERAL CONFORMANCE WITH THE INTENT AND PURPOSE OF THE GEOTECHNICAL REPORT.
PREPARED BY: _____ DATED: _____
BY C.E.# _____

NOTE TO CONTRACTORS:
THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF MENLO PARK.

CITY STREET FRONTAGE NOTES:

- ALL CONCRETE WORK IN THE CITY'S RIGHT-OF-WAY SHALL COMPLY WITH CITY STANDARD DETAIL C-1.
- THE APPLICANT SHALL OBTAIN AN ENCROACHMENT PERMIT FROM THE CITY'S ENGINEERING DEPARTMENT FOR THE CONSTRUCTION OF THE STORM DRAINAGE SYSTEMS.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY'S ENGINEERING DEPARTMENT PERMIT REQUIREMENTS.
- ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY'S ENGINEERING DEPARTMENT PERMIT REQUIREMENTS.

| DESCRIPTION | AREA (SQ. FT.) | VOLUME (CY) | STANDARD UNIT PRICE (S/U) | TOTAL (S) | TAXES (S) | TOTAL (S) |
|---------------------------|----------------|-------------|---------------------------|-----------|-----------|-----------|
| GRAVEL (3" MAX. SIZE) | 1500 | 1500 | 1.00 | 1500.00 | 150.00 | 1650.00 |
| GRAVEL (2" MAX. SIZE) | 1000 | 1000 | 1.00 | 1000.00 | 100.00 | 1100.00 |
| GRAVEL (1 1/2" MAX. SIZE) | 500 | 500 | 1.00 | 500.00 | 50.00 | 550.00 |
| GRAVEL (1" MAX. SIZE) | 200 | 200 | 1.00 | 200.00 | 20.00 | 220.00 |
| TOTAL | 3200 | 3200 | | 3200.00 | 320.00 | 3520.00 |

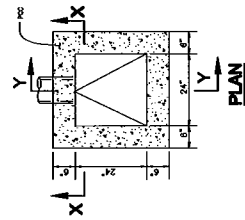
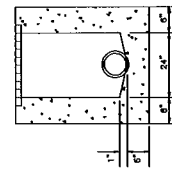
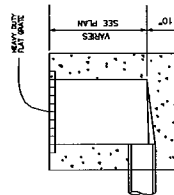
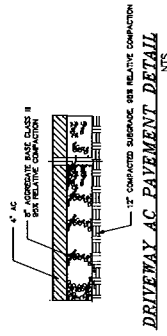
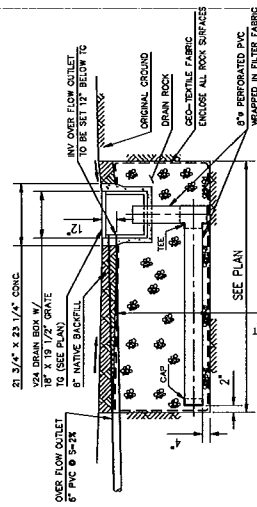
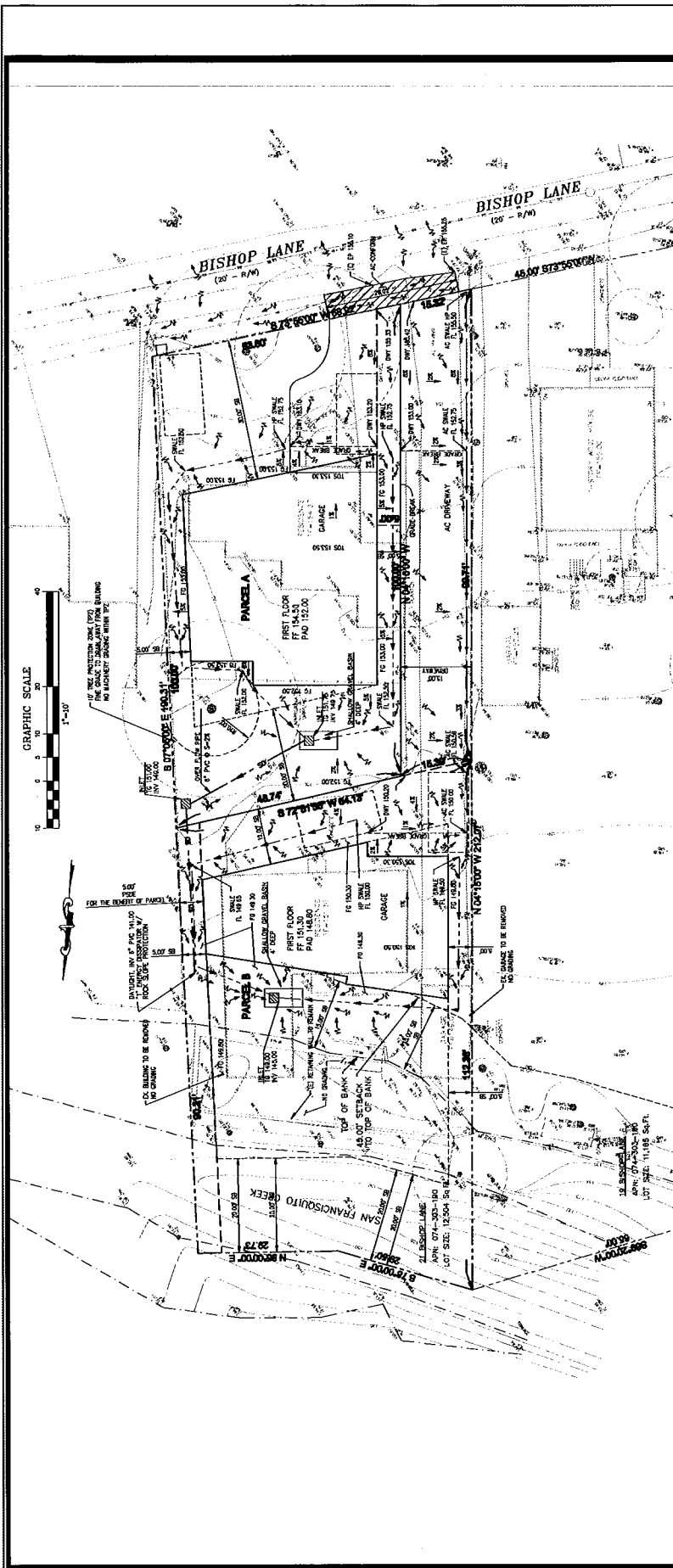


San Mateo County Board of Supervisors Meeting

Attachment: **B**

Owner/Applicant: **SHAHIDI**

File Numbers: **PLN 2008-00066**



STORM DRAIN INLET
NTS

San Mateo County Board of Supervisors Meeting

Owner/Applicant: **SHAHIDI**

File Numbers: **PLN 2008-00066**

Attachment: **B**

ATTACHMENT C

**NOTICE OF INTENT TO ADOPT
NEGATIVE DECLARATION**

DEC 15 2008

WM

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

FILE NO.: PLN 2008-00066

OWNER/APPLICANT: Ramin Shahidi

ASSESSOR'S PARCEL NO.: 074-303-190

LOCATION: 21 Bishop Lane, Menlo Park

PROJECT DESCRIPTION

The applicant proposes to subdivide a legal 12,504 sq. ft. parcel into two parcels consisting of 5,154 sq. ft. and 7,350 sq. ft. The rear portion of the existing parcel is located within the San Francisquito Creek. The parcel is currently developed with two legal single-family residences constructed in 1928 and 1940. The proposal also includes the following: Parcel A (demolition of the existing house, construction of a new 3,002 sq. ft. two-story single-family residence with attached two-car garage, and an additional two tandem off-street parking spaces), and Parcel B (partial demolition of the front area of the existing house, complete demolition of the detached garage, addition of an attached two-car garage, and addition and remodel of the existing house for a total 3,088 sq. ft. two-story single-family residence). No trees are proposed for removal. The applicant is also requesting an exception from the San Mateo County Subdivision Regulations for minimum flag lot access width requirements (Sections 7020.2.k and 7094) to reduce the required 20-foot wide access to 12 feet utilizing the existing driveway.

FINDINGS AND BASIS FOR A NEGATIVE DECLARATION

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

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

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

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

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

Mitigation Measure 1: Prior to the issuance of a building permit, the applicant shall submit an erosion and sediment control plan prepared by a professional erosion control consultant or a civil engineer for review and approval by the Current Planning Section. The erosion control plan shall clearly delineate the types of measures to be used, the location of where the measures will be placed, and sectional drawings showing how the measures shall be installed with particular attention to preventing erosion and sediment from project site runoff into San Francisquito Creek. All erosion control devices shall be installed on-site prior to any activities. Said plan shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:

- a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 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.

Mitigation Measure 2: No construction activities shall occur between the creek and the existing retaining walls. No construction materials or equipment shall be staged or stored on the terrace above the creek.

Mitigation Measure 3: Prior to the issuance of a building permit (demolition or construction), the applicant shall contact the Current Planning Section to arrange a site inspection to verify that erosion and stormwater controls are installed to the satisfaction of the Planning Department.

Mitigation Measure 4: Prior to the issuance of a demolition permit, the applicant shall submit a demolition plan showing how existing structures on the site will be removed. This plan shall show where material and debris will be placed on-site before removal. No debris or construction vehicles shall be placed on the terrace above the creek or within the dripline of trees.

Mitigation Measure 5: Prior to any construction activities, the applicant shall have a qualified biologist conduct a pre-construction survey for California red-legged frog, San Francisco garter

snake, western pond turtle and hoary bat. The biologist shall brief construction workers on identifying these species. If any are found during construction activities, all work is to stop and the U.S. Fish and Wildlife Service contacted.

Mitigation Measure 6: Prior to any construction activities, the applicant shall demarcate the construction zone with silt fencing or similar barrier in order to exclude red-legged frog, pond turtle, or garter snake. Fence material shall be 2.5 feet tall with the bottom trenched 6 inches deep and covered with soil. The 2 feet above ground shall be canted at a 45-degree angle facing outward. This will enable frogs to escape the construction area. The applicant shall maintain the fence throughout the construction period and have it checked periodically by a biologist.

Mitigation Measure 7: The project applicant shall retain the services of a certified arborist (International Society of Arboriculture) to develop and implement a tree protection plan. Said arborist must be approved by the Community Development Director. The intent of the plan is to protect those trees not specifically approved for removal. Prior to any demolition, grading, or construction activity on the project site, the applicant shall implement this tree protection plan. The following protection measures must be included in the plan:

- a. All trees to be preserved, adjacent to construction areas, will be fenced with 6-foot high chain-link fencing. The fencing will be located at the dripline of individual trees or at a pre-determined tree protection zone for groups of trees. Fencing will also be placed along the edge of the non-development area during the construction phase. NO construction debris, material or equipment shall be placed within the fenced area.
- b. Said fencing shall be installed prior to commencement of construction/demolition activities and be approved by the project arborist and Planning Department staff. Fencing shall remain in place throughout all phases of construction on the site (subdivision improvements and home construction).
- c. For trees where the entire dripline cannot be fenced, the arborist shall determine the adjusted fencing location and prescribe additional protection measures where necessary. Larger areas of preserved trees, outside the construction zone, shall be fenced to prevent equipment from entering these locations.
- d. All subsurface utility lines shall be placed outside of tree protection fencing areas to avoid impact to trees' roots.
- e. No grading shall occur within the area enclosed by tree protection fencing.
- f. The pruning of branches greater than 2 inches in diameter must be approved in advance by the arborist.
- g. No materials, including soil, shall be stored within the dripline or protection zone of preserved trees.
- h. Prescription of necessary remedial work to ensure the health and stability of protected trees.

During the subdivision improvement phase of the project (i.e., demolition of existing structures, grading of site, construction of water and sewer lines, access road improvements), bi-weekly reports shall be submitted to the Planning Department outlining compliance with the tree protection plan. During the subsequent home construction phase, said reports shall be submitted

to the Planning Department on an as needed basis, but in no case shall construction on an individual house begin until an inspection by Planning Department staff has been conducted. The arborist shall coordinate with Planning staff on scheduling report submittal and staff inspection.

Mitigation Measure 8: Prior to the issuance of the first building permit (demolition or building) or any construction, the applicant shall contact the Planning Department to arrange a site inspection to verify that tree protection measures and erosion/stormwater controls are installed to the satisfaction of the Planning Department. Site photographs will not be acceptable for compliance with this condition.

Mitigation Measure 9: The tree protection fencing shall remain in place from initial installation through a final building permit inspection for the applicable parcel.

Mitigation Measure 10: Future structures proposed for construction on each resulting parcel shall be designed to incorporate permanent stormwater control measures (such as using permeable surfaces for driveways and walkways and building downspouts connected to drywell systems) in conformance with BASMAA Guidelines. Review of these permanent stormwater control measures shall occur prior to the issuance of a building permit for any on-site structure and reviewed for compliance by the Current Planning Section.

RESPONSIBLE AGENCY CONSULTATION

None.

INITIAL STUDY

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

REVIEW PERIOD: December 16, 2008 – January 5, 2009

All comments regarding the correctness, completeness, or adequacy of this Negative Declaration must be received by the County Planning and Building Department, 455 County Center, Second Floor, Redwood City, no later than **5:00 p.m., January 5, 2009.**

CONTACT PERSON

Melissa Ross, Project Planner
Telephone 650/599-1559



Melissa Ross, Project Planner

MAR:fc – MARS1202_WFH.DOC

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

I. BACKGROUND

Project Title: Minor Subdivision

File No.: PLN 2008-00066

Project Location: 21 Bishop Lane, Menlo Park

Assessor's Parcel No.: 074-303-190

Applicant/Owner: Ramin Shahidi

Date Environmental Information Form Submitted: February 27, 2008

PROJECT DESCRIPTION

The applicant proposes to subdivide a legal 12,504 sq. ft. parcel into two parcels consisting of 5,154 sq. ft. and 7,350 sq. ft. The rear portion of the existing parcel is located within the San Francisco Creek. The parcel is currently developed with two legal single-family residences constructed in 1928 and 1940. The proposal also includes the following: Parcel A (demolition of the existing house, construction of a new 3,002 sq. ft. two-story single-family residence with attached two-car garage, and an additional two tandem off-street parking spaces), and Parcel B (partial demolition of the front area of the existing house, complete demolition of the detached garage, addition of an attached two-car garage, and addition and remodel of the existing house for a total 3,088 sq. ft. two-story single-family residence). No trees are proposed for removal. The applicant is also requesting an exception from the San Mateo County Subdivision Regulations for minimum flag lot access width requirements (Sections 7020.2.k and 7094) to reduce the required 20-foot wide access to 12 feet utilizing the existing driveway.

II. ENVIRONMENTAL ANALYSIS

Any controversial answers or answers needing clarification are explained on an attached sheet. For source, refer to pages 14 and 15.

| | IMPACT | | | | SOURCE |
|--|--------|-----------------|------------------------------|------------|--------|
| | NO | YES | | Cumulative | |
| | | Not Significant | Significant Unless Mitigated | | |
| 1. LAND SUITABILITY AND GEOLOGY | | | | | |
| Will (or could) this project: | | | | | |
| a. Involve a unique landform or biological area, such as beaches, sand dunes, marshes, tidelands, or San Francisco Bay? Not located in such an area. | X | | | | B,F,O |
| b. Involve construction on slope of 15% or greater? Average slope of the parcel is 12.5%. | X | | | | E,I |
| c. Be located in an area of soil instability (subsidence, landslide or severe erosion)? Not located in such an area. | X | | | | Bc,D |
| d. Be located on, or adjacent to a known earthquake fault? The parcel is over 8,000 feet from the San Andreas fault. | X | | | | Bc,D |
| e. Involve Class I or Class II Agriculture Soils and Class III Soils rated good or very good for artichokes or Brussels sprouts? Not located on agriculture soils. | X | | | | M |
| f. Cause erosion or siltation? See Questions and Answers Section for discussion. | | | X | | M,I |
| g. Result in damage to soil capability or loss of agricultural land? None proposed. | X | | | | A,M |

| | IMPACT | | | | SOURCE |
|--|--------|-----------------|------------------------------|------------|--------|
| | NO | YES | | Cumulative | |
| | | Not Significant | Significant Unless Mitigated | | |
| h. Be located within a flood hazard area? FEMA Flood Map Zone C (area of minimal flooding); Panel No. 265, Effective July 5, 1984. | X | | | | G |
| i. Be located in an area where a high water table may adversely affect land use? Not located in such an area. | X | | | | D |
| j. Affect a natural drainage channel or streambed, or watercourse? See Questions and Answers Section for discussion. | | X | | | E |
| 2. <u>VEGETATION AND WILDLIFE</u> | | | | | |
| Will (or could) this project: | | | | | |
| a. Affect federal or state listed rare or endangered species of plant life in the project area? None proposed. | X | | | | F |
| b. Involve cutting of heritage or significant trees as defined in the County Heritage Tree and Significant Tree Ordinance? None proposed. | X | | | | I,A |
| c. Be adjacent to or include a habitat food source, water source, nesting place or breeding place for a federal or state listed rare or endangered wildlife species? See Questions and Answers Section for discussion. | | X | | | F |
| d. Significantly affect fish, wildlife, reptiles, or plant life? See Questions and Answers Section for discussion. | | X | | | I |

| | IMPACT | | | | | SOURCE |
|--|--------|-----------------|------------------------------|-------------|------------|--------|
| | NO | YES | | | Cumulative | |
| | | Not Significant | Significant Unless Mitigated | Significant | | |
| e. Be located inside or within 200 feet of a marine or wildlife reserve? Not located within 200 feet of such an area. | X | | | | | E,F,O |
| f. Infringe on any sensitive habitats? See Questions and Answers Section for discussion. | | | X | | | F |
| g. Involve clearing land that is 5,000 sq. ft. or greater (1,000 sq. ft. within a County Scenic Corridor), that has slopes greater than 20% or that is in a sensitive habitat or buffer zone? None proposed. | X | | | | | I,F,Bb |
| 3. PHYSICAL RESOURCES Will (or could) this project: | | | | | | |
| a. Result in the removal of a natural resource for commercial purposes (including rock, sand, gravel, oil, trees, minerals or topsoil)? None proposed. | X | | | | | I |
| b. Involve grading in excess of 150 cubic yards? None proposed. | X | | | | | I |
| c. Involve lands currently protected under the Williamson Act (agricultural preserve) or an Open Space Easement? Parcel not subject to the Williamson Act or Open Space Easement. | X | | | | | I |
| d. Affect any existing or potential agricultural uses? None proposed. | X | | | | | A,K,M |

| | IMPACT | | | | | SOURCE |
|---|--------|-----------------|------------------------------|-------------|------------|-----------|
| | NO | YES | | | Cumulative | |
| | | Not Significant | Significant Unless Mitigated | Significant | | |
| <p>4. AIR QUALITY, WATER QUALITY, SONIC</p> <p>Will (or could) this project:</p> <p>a. Generate pollutants (hydrocarbon, thermal odor, dust or smoke particulates, radiation, etc.) that will violate existing standards of air quality on-site or in the surrounding area?</p> <p>None proposed.</p> <p>b. Involve the burning of any material, including brush, trees and construction materials?</p> <p>None proposed.</p> <p>c. Be expected to result in the generation of noise levels in excess of those currently existing in the area, after construction?</p> <p>None proposed.</p> <p>d. Involve the application, use or disposal of potentially hazardous materials, including pesticides, herbicides, other toxic substances, or radioactive material?</p> <p>None proposed.</p> <p>e. Be subject to noise levels in excess of levels determined appropriate according to the County Noise Ordinance or other standard?</p> <p>None proposed.</p> <p>f. Generate noise levels in excess of levels determined appropriate according to the County Noise Ordinance standard?</p> <p>None proposed.</p> | X | | | | | I,N,R |
| | X | | | | | I |
| | X | | | | | Ba,I |
| | X | | | | | I |
| | X | | | | | A, Ba, Bc |
| | X | | | | | I |

| | IMPACT | | | | | SOURCE |
|---|--------|-----------------|-------------------------|-------------|------------|--------|
| | NO | YES | | | Cumulative | |
| | | Not Significant | Significant Unmitigated | Significant | | |
| g. Generate polluted or increased surface water runoff or affect groundwater resources? See Questions and Answers Section for discussion. | | | X | | | I |
| h. Require installation of a septic tank/leachfield sewage disposal system or require hookup to an existing collection system which is at or over capacity? Parcel is currently served by California Water Service Company and West Bay Sanitary. | X | | | | | S |
| 5. TRANSPORTATION | | | | | | |
| Will (or could) this project: | | | | | | |
| a. Affect access to commercial establishments, schools, parks, etc.? None proposed. | X | | | | | A,I |
| b. Cause noticeable increase in pedestrian traffic or a change in pedestrian patterns? No increase in the number of residences on the resulting parcels is proposed. | X | | | | | A,I |
| c. Result in noticeable changes in vehicular traffic patterns or volumes (including bicycles)? No increase in the number of residences on the resulting parcels is proposed. | X | | | | | I |
| d. Involve the use of off-road vehicles of any kind (such as trail bikes)? None proposed. | X | | | | | I |

| | IMPACT | | | | | SOURCE |
|---|--------|-----------------|------------------------------|-------------|------------|--------|
| | NO | YES | | | Cumulative | |
| | | Not Significant | Significant Unless Mitigated | Significant | | |
| e. Result in or increase traffic hazards? None proposed. | X | | | | | S |
| f. Provide for alternative transportation amenities such as bike racks? None proposed. | X | | | | | I |
| g. Generate traffic which will adversely affect the traffic carrying capacity of any roadway? No increase in the number of residences on the resulting parcels is proposed. | X | | | | | S |
| 6. LAND USE AND GENERAL PLANS | | | | | | |
| Will (or could) this project: | | | | | | |
| a. Result in the congregating of more than 50 people on a regular basis? None proposed. | X | | | | | I |
| b. Result in the introduction of activities not currently found within the community? None proposed. | X | | | | | I |
| c. Employ equipment which could interfere with existing communication and/or defense systems? None proposed. | X | | | | | I |
| d. Result in any changes in land use, either on or off the project site? Subsequent parcels will remain zoned for single-family residential. | X | | | | | I |

| | IMPACT | | | | SOURCE |
|--|--------|-----------------|------------------------------|-------------|---------|
| | NO | YES | | | |
| | | Not Significant | Significant Unless Mitigated | Significant | |
| e. Serve to encourage off-site development of presently undeveloped areas or increase development intensity of already developed areas (examples include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)? None proposed. | X | | | | I, Q, S |
| f. Adversely affect the capacity of any public facilities (streets, highways, freeways, public transit, schools, parks, police, fire, hospitals), public utilities (electrical, water and gas supply lines, sewage and storm drain discharge lines, sanitary landfills) or public works serving the site? None proposed. | X | | | | I, S |
| g. Generate any demands that will cause a public facility or utility to reach or exceed its capacity? None proposed. | X | | | | I, S |
| h. Be adjacent to or within 500 feet of an existing or planned public facility? Not located near such a facility. | X | | | | A |
| i. Create significant amounts of solid waste or litter? None proposed. | X | | | | I |
| j. Substantially increase fossil fuel consumption (electricity, oil, natural gas, coal, etc.)? None proposed. | X | | | | I |
| k. Require an amendment to or exception from adopted general plans, specific plans, or community policies or goals? See Questions and Answers Section for discussion. | | X | | | B |

| | IMPACT | | | | | SOURCE |
|---|--------|-----------------|------------------------------|-------------|------------|--------|
| | NO | YES | | | Cumulative | |
| | | Not Significant | Significant Unless Mitigated | Significant | | |
| l. Involve a change of zoning? None proposed. | X | | | | | C |
| m. Require the relocation of people or businesses? None proposed. | X | | | | | I |
| n. Reduce the supply of low-income housing? None proposed. | X | | | | | I |
| o. Result in possible interference with an emergency response plan or emergency evacuation plan? None proposed. | X | | | | | S |
| p. Result in creation of or exposure to a potential health hazard? None proposed. | X | | | | | S |
| 7. AESTHETIC, CULTURAL AND HISTORIC | | | | | | |
| Will (or could) this project: | | | | | | |
| a. Be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor? Not located in such an area. | X | | | | | A,Bb |
| b. Obstruct scenic views from existing residential areas, public lands, public water body, or roads? Parcel is currently developed. | X | | | | | A,I |
| c. Involve the construction of buildings or structures in excess of three stories or 36 feet in height? None proposed. | X | | | | | I |

| | IMPACT | | | | SOURCE |
|---|--------|-----------------|------------------------------|------------|--------|
| | NO | YES | | Cumulative | |
| | | Not Significant | Significant Unless Mitigated | | |
| d. Directly or indirectly affect historical or archaeological resources on or near the site? None proposed. | X | | | | H |
| e. Visually intrude into an area having natural scenic qualities? Parcel is currently developed. | X | | | | A,I |

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

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

IV. MITIGATION MEASURES

Yes No

Mitigation measures have been proposed in project application.

X

Other mitigation measures are needed.

X

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

Mitigation Measure 1: Prior to the issuance of a building permit, the applicant shall submit an erosion and sediment control plan prepared by a professional erosion control consultant or a civil engineer for review and approval by the Current Planning Section. The erosion control plan shall clearly delineate the types of measures to be used, the location of where the measures will be placed, and sectional drawings showing how the measures shall be installed with particular attention to preventing erosion and sediment from project site runoff into San Francisco Creek. All erosion control devices shall be installed on-site prior to any activities. Said plan shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:

- a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 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.
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Mitigation Measure 2: No construction activities shall occur between the creek and the existing retaining walls. No construction materials or equipment shall be staged or stored on the terrace above the creek.

Mitigation Measure 3: Prior to the issuance of a building permit (demolition or construction), the applicant shall contact the Current Planning Section to arrange a site inspection to verify that erosion and stormwater controls are installed to the satisfaction of the Planning Department.

Mitigation Measure 4: Prior to the issuance of a demolition permit, the applicant shall submit a demolition plan showing how existing structures on the site will be removed. This plan shall show where material and debris will be placed on-site before removal. No debris or construction vehicles shall be placed on the terrace above the creek or within the dripline of trees.

Mitigation Measure 5: Prior to any construction activities, the applicant shall have a qualified biologist conduct a pre-construction survey for California red-legged frog, San Francisco garter snake, western pond turtle and hoary bat. The biologist shall brief construction workers on identifying these species. If any are found during construction activities, all work is to stop and the U.S. Fish and Wildlife Service contacted.

Mitigation Measure 6: Prior to any construction activities, the applicant shall demarcate the construction zone with silt fencing or similar barrier in order to exclude red-legged frog, pond turtle, or garter snake. Fence material shall be 2.5 feet tall with the bottom trenched 6 inches deep and covered with soil.

The 2 feet above ground shall be canted at a 45-degree angle facing outward. This will enable frogs to escape the construction area. The applicant shall maintain the fence throughout the construction period and have it check periodically by a biologist.

Mitigation Measure 7: The project applicant shall retain the services of a certified arborist (International Society of Arboriculture) to develop and implement a tree protection plan. Said arborist must be approved by the Community Development Director. The intent of the plan is to protect those trees not specifically approved for removal. Prior to any demolition, grading, or construction activity on the project site, the applicant shall implement this tree protection plan. The following protection measures must be included in the plan:

- a. All trees to be preserved, adjacent to construction areas, will be fenced with 6-foot high chain-link fencing. The fencing will be located at the dripline of individual trees or at a pre-determined tree protection zone for groups of trees. Fencing will also be placed along the edge of the non-development area during the construction phase. NO construction debris, material or equipment shall be placed within the fenced area.
- b. Said fencing shall be installed prior to commencement of construction/demolition activities and be approved by the project arborist and Planning Department staff. Fencing shall remain in place throughout all phases of construction on the site (subdivision improvements and home construction).
- c. For trees where the entire dripline cannot be fenced, the arborist shall determine the adjusted fencing location and prescribe additional protection measures where necessary. Larger areas of preserved trees, outside the construction zone, shall be fenced to prevent equipment from entering these locations.
- d. All subsurface utility lines shall be placed outside of tree protection fencing areas to avoid impact to trees' roots.
- e. No grading shall occur within the area enclosed by tree protection fencing.
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- h. Prescription of necessary remedial work to ensure the health and stability of protected trees.

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Mitigation Measure 9: The tree protection fencing shall remain in place from initial installation through a final building permit inspection for the applicable parcel.

Mitigation Measure 10: Future structures proposed for construction on each resulting parcel shall be designed to incorporate permanent stormwater control measures (such as using permeable surfaces for driveways and walkways and building downspouts connected to drywell systems) in conformance with BASMAA Guidelines. Review of these permanent stormwater control measures shall occur prior to the issuance of a building permit for any on-site structure and reviewed for compliance by the Current Planning Section.

V. MANDATORY FINDINGS OF SIGNIFICANCE

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

On the basis of this initial evaluation:

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

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

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

12/10/08

Date



Melissa Ross

Project Planner
(Title)

VI. SOURCE LIST

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

- L. Williamson Act Maps
- M. Soil Survey, San Mateo Area, U.S. Department of Agriculture, May 1961
- N. Air Pollution Isopleth Maps – Bay Area Air Pollution Control District
- O. California Natural Areas Coordinating Council Maps (See F. and H.)
- P. Forest Resources Study (1971)
- Q. Experience with Other Projects of this Size and Nature
- R. Environmental Regulations and Standards:
 - Federal
 - Review Procedures for CDBG Programs 24 CFR Part 58
 - NEPA 24 CFR 1500-1508 36 CFR Part 800
 - Protection of Historic and Cultural Properties Executive Order 11988
 - National Register of Historic Places Executive Order 11990
 - Floodplain Management 24 CFR Part 51B
 - Protection of Wetlands 24 CFR 51C
 - Endangered and Threatened Species HUD 79-33
 - Noise Abatement and Control 24 CFR 51D
 - Explosive and Flammable Operations
 - Toxic Chemicals/Radioactive Materials
 - Airport Clear Zones and APZ
 - State
 - Ambient Air Quality Standards Article 4, Section 1092
 - Noise Insulation Standards
- S. Consultation with Departments and Agencies:
 - a. County Health Department
 - b. City Fire Department
 - c. California Department of Forestry
 - d. Department of Public Works
 - e. Disaster Preparedness Office
 - f. Other

COUNTY OF SAN MATEO
Planning and Building Department

Initial Study Pursuant to CEQA
Project Narrative and Answers to Questions for Negative Declaration
File No.: PLN 2008-00066
Minor Subdivision

PROJECT DESCRIPTION

The applicant proposes to subdivide a legal 12,504 sq. ft. parcel into two parcels consisting of 5,154 sq. ft. and 7,350 sq. ft. The rear portion of the existing parcel is located within the San Francisquito Creek. The parcel is currently developed with two legal single-family residences constructed in 1928 and 1940. The proposal also includes the following: Parcel A (demolition of the existing house, construction of a new 3,002 sq. ft. two-story single-family residence with attached two-car garage, and an additional two tandem off-street parking spaces), and Parcel B (partial demolition of the front area of the existing house, complete demolition of the detached garage, addition of an attached two-car garage, and addition and remodel of the existing house for a total 3,088 sq. ft. two-story single-family residence). No trees are proposed for removal. The applicant is also requesting an exception from the San Mateo County Subdivision Regulations for minimum flag lot access width requirements (Sections 7020.2.k and 7094) to reduce the required 20-foot wide access to 12 feet utilizing the existing driveway.

ANSWERS TO QUESTIONS

1. LAND SUITABILITY AND GEOLOGY

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

Yes; Significant Unless Mitigated. The proposal includes the demolition of the residence on Parcel A and partial demolition of the residence on Parcel B in addition to the construction of a new single-family residence on Parcel A and addition and remodel to the existing house on Parcel B. A portion of the parcel is located within San Francisquito Creek. Demolition and construction activities have the potential to cause erosion and sedimentation; thus, the following mitigation measures are proposed.

Mitigation Measure 1: Prior to the issuance of a building permit, the applicant shall submit an erosion and sediment control plan prepared by a professional erosion control consultant or a civil engineer for review and approval by the Current Planning Section. The erosion control plan shall clearly delineate the types of measures to be used, the location of where the measures will be placed, and sectional drawings showing how the measures shall be installed with particular attention to preventing erosion and sediment from project site runoff into San Francisquito Creek. All erosion control devices shall be installed on-site prior to any activities. Said plan shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:

ANSWERS TO QUESTIONS

File No. PLN 2008-00066

Page 2

- 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.

Mitigation Measure 2: No construction activities shall occur between the creek and the existing retaining walls. No construction materials or equipment shall be staged or stored on the terrace above the creek.

Mitigation Measure 3: Prior to the issuance of a building permit (demolition or construction), the applicant shall contact the Current Planning Section to arrange a site inspection to verify that erosion and stormwater controls are installed to the satisfaction of the Planning Department.

Mitigation Measure 4: Prior to the issuance of a demolition permit, the applicant shall submit a demolition plan showing how existing structures on the site will be removed. This plan shall show where material and debris will be placed on-site before removal. No debris or construction vehicles shall be placed on the terrace above the creek or within the dripline of trees.

- j. **Will (or could) this project affect a natural drainage channel or streambed, or watercourse?**

Yes; Significant Unless Mitigated. Please refer to Question 1.f, above, for discussion and mitigation measures.

2. VEGETATION AND WILDLIFE

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

Yes; Significant Unless Mitigated. The biologist report submitted by the applicant and prepared by Eric Lichtwardt discusses the potential for sensitive species and habitats present on-site. Steelhead, California red-legged frog, San Francisco garter snake, western pond turtle, and hoary bat are known to be present in the San

Francisquito Creek watershed. The creek section adjacent to the project site could provide rearing, spawning, migration, and holding habitat for steelhead. The project site lacks aquatic or bank vegetation for the California red-legged frog and the existing retaining walls would prevent the frogs from accessing the upland areas. The project site appears not to provide good basking sites for the western pond turtle as well as restricted access to upland areas due to existing retaining walls. No suitable habitat is present on or adjacent to the project site to accommodate the San Francisco garter snake. The hoary bat could use the surrounding trees for roosting. The biologist report states that the proposed construction will not have an adverse effect on any special status species or vegetation. The biologist also noted that no wetlands exist on the site. In addition to the mitigation measures outlined in Question 1.f, above, Mitigation Measures 5 and 6 are proposed in the event the garter snake, pond turtle, and red-legged frog are able to access the project site through adjacent parcels. While no trees are proposed for removal, there is a possibility that trees could be damaged during construction; therefore, Mitigation Measures 7, 8 and 9 are proposed.

Mitigation Measure 5: Prior to any construction activities, the applicant shall have a qualified biologist conduct a pre-construction survey for California red-legged frog, San Francisco garter snake, western pond turtle and hoary bat. The biologist shall brief construction workers on identifying these species. If any are found during construction activities, all work is to stop and the U.S. Fish and Wildlife Service contacted.

Mitigation Measure 6: Prior to any construction activities, the applicant shall demarcate the construction zone with silt fencing or similar barrier in order to exclude red-legged frog, pond turtle, or garter snake. Fence material shall be 2.5 feet tall with the bottom trenched 6 inches deep and covered with soil. The 2 feet above ground shall be canted at a 45-degree angle facing outward. This will enable frogs to escape the construction area. The applicant shall maintain the fence throughout the construction period and have it checked periodically by a biologist.

Mitigation Measure 7: The project applicant shall retain the services of a certified arborist (International Society of Arboriculture) to develop and implement a tree protection plan. Said arborist must be approved by the Community Development Director. The intent of the plan is to protect those trees not specifically approved for removal. Prior to any demolition, grading, or construction activity on the project site, the applicant shall implement this tree protection plan. The following protection measures must be included in the plan:

- a. All trees to be preserved, adjacent to construction areas, will be fenced with 6-foot high chain-link fencing. The fencing will be located at the dripline of individual trees or at a pre-determined tree protection zone for groups of trees. Fencing will also be placed along the edge of the non-development area during

the construction phase. NO construction debris, material or equipment shall be placed within the fenced area.

- b. Said fencing shall be installed prior to commencement of construction/demolition activities and be approved by the project arborist and Planning Department staff. Fencing shall remain in place throughout all phases of construction on the site (subdivision improvements and home construction).
- c. For trees where the entire dripline cannot be fenced, the arborist shall determine the adjusted fencing location and prescribe additional protection measures where necessary. Larger areas of preserved trees, outside the construction zone, shall be fenced to prevent equipment from entering these locations.
- d. All subsurface utility lines shall be placed outside of tree protection fencing areas to avoid impact to trees' roots.
- e. No grading shall occur within the area enclosed by tree protection fencing.
- f. The pruning of branches greater than 2 inches in diameter must be approved in advance by the arborist.
- g. No materials, including soil, shall be stored within the dripline or protection zone of preserved trees.
- h. Prescription of necessary remedial work to ensure the health and stability of protected trees.

During the subdivision improvement phase of the project (i.e., demolition of existing structures, grading of site, construction of water and sewer lines, access road improvements), bi-weekly reports shall be submitted to the Planning Department outlining compliance with the tree protection plan. During the subsequent home construction phase, said reports shall be submitted to the Planning Department on an as needed basis, but in no case shall construction on an individual house begin until an inspection by Planning Department staff has been conducted. The arborist shall coordinate with Planning staff on scheduling report submittal and staff inspection.

Mitigation Measure 8: Prior to the issuance of the first building permit (demolition or building) or any construction, the applicant shall contact the Planning Department to arrange a site inspection to verify that tree protection measures and erosion/storm-water controls are installed to the satisfaction of the Planning Department. Site photographs will not be acceptable for compliance with this condition.

Mitigation Measure 9: The tree protection fencing shall remain in place from initial installation through a final building permit inspection for the applicable parcel.

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

Yes; Significant Unless Mitigated. Please refer to Mitigation Measures 1-6, above.

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

Yes; Significant Unless Mitigated. Please refer to Mitigation Measures 1-6, above.

4. **AIR QUALITY, WATER QUALITY, SONIC**

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

Yes; Significant Unless Mitigated. The proposed new single-family residence on proposed Parcel A and addition/remodel on proposed Parcel B will increase the amount of impermeable surfaces on the site. To mitigate potential impacts, the following mitigation measure is proposed.

Mitigation Measure 10: Future structures proposed for construction on each resulting parcel shall be designed to incorporate permanent stormwater control measures (such as using permeable surfaces for driveways and walkways and building downspouts connected to drywell systems) in conformance with BASMAA Guidelines. Review of these permanent stormwater control measures shall occur prior to the issuance of a building permit for any on-site structure and reviewed for compliance by the Current Planning Section.

6. **LAND USE AND GENERAL PLANS**

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

Yes; Not Significant. The applicant is requesting an exception from the minimum flag lot access width requirements as outlined in Section 7020.2.i of the San Mateo County Subdivision Regulations. The Subdivision Regulations allow for exceptions to parcel design requirements (Sections 7020.2.k and 7094) when parcels are located on or adjacent to creeks provided the findings can be made by the advisory agency. In this case, the rear portion of the parcel is located within San Francisquito Creek. The Subdivision Regulations require a minimum flag lot access width of 20 feet. The applicant is proposing to utilize the existing driveway, currently 12 feet wide. The proposed project has been reviewed by the Menlo Park Fire District and the Department of Public Works and has been approved with conditions.