



**Planning & Building Department
Planning Commission**

Kumkum Gupta, 1st District
 Frederick Hansson, 2nd District
 Lisa Ketcham, 3rd District
 Manuel Ramirez, Jr., 4th District
 Carlos Serrano Quan 5th District

County Office Building
 455 County Center
 Redwood City, California 94063
 650/363-1859

ACTION MINUTES- DRAFT

MEETING NO. 1731
 Wednesday, February 22,
 2023, Revised
 By Videoconference Only

Chair Gupta called the meeting to order at 9:00 a.m..

Pledge of Allegiance: The Pledge of Allegiance was led by Chair Gupta

Roll Call: Commissioners Present: Gupta, Hansson, Ketcham, Ramirez, Serrano Quan
 Staff Present: Monowitz, Fox, Montes

Legal notice published in San Mateo Times on February 11, 2023, and Published in the Half Moon Bay Review on February 15, 2023.

Oral Communications to allow the public to address the Commission on any matter not on the agenda.

Speakers:
Lane McWilliams

CONSENT AGENDA
9:00 a.m.

1. Consideration of the Minutes of the Planning Commission Hearing for January 25, 2023, and February 8, 2023.
2. Resolution to Make Findings that, as a Result of the Continuing Covid-19 Pandemic State of Emergency Declared by Governor Newsom, Meeting in Person for Meetings of the Planning Commission Would Present Imminent Risks to the Health or Safety of Attendees

COMMISSION ACTION:

Chair Gupta unanimously moved to close the public hearing.

Commissioner Ramirez moved for approval of the Consent, and Commissioner Ketcham seconded the motion. **Motion carried 5-0-0-0.**

END OF CONSENT AGENDA

REGULAR AGENDA
9:00 a.m.

- 3. Applicant: Mark Bucciarelli**
 File Number: PLN2021-00189
 Location: 2110 Hillcrest Dr., unincorporated Emerald Lake Hills
 Assessor's Parcel No: 058-262-010 and 058 262-050

Consideration of a Design Review Permit and a Non-Conforming Use Permit, pursuant to Sections 6565.3 and 6137 of the San Mateo County Zoning Regulations, respectively, for an 895 sq. ft., new second-story addition to an existing 1,445 sq. ft., non-conforming, single-family residence with an approved detached 377 sq. ft., 2-car garage on a 9,377 sq. ft. non-conforming parcel which is bifurcated by the San Francisco Water (SFPUC) Right-of-Way (ROW). A Non-Conforming Use Permit is required to allow a major remodel (greater than 50% valuation) to a non-conforming residence with an existing 3-foot front setback where 20 foot is the minimum. No significant trees are proposed for removal Application deemed complete June 7, 2022. Project Planner: Erica Adams
 Email: eadams@smcgov.org

SPEAKERS:

Mark Bucciarelli

COMMISSION ACTION:

Chair Gupta unanimously moved to close the public hearing.

Commissioner Ketcham moved to recommend approval of the item, Commissioner Hansson seconded the motion. **Motion carried 5-0-0-0.**

Based on information provided by staff and evidence presented at the hearing, the Planning Commission approved the Design Review Permit and Non-Conforming Use Permit, County File Number PLN 2021-00189, subject to the required findings and conditions of approval listed as follows:

FINDINGS

For the Environmental Review, Found:

1. This project is exempt from environmental review pursuant to the CEQA Guidelines, Section 15301, Class 1, relating to existing facilities where the addition is less than 10,000 square feet. The exemption includes additions to a single-family residence in a residential zone, in an urbanized area where all public services and facilities are available, and the project area is not environmentally sensitive. The property is located in an established residential community and is served by public water and sewer districts.

For the Design Review, Found:

2. This project, as designed and conditioned, has been reviewed under and found to be in compliance with the Design Review Standards as stipulated in Chapter 28, Section 6565.15, of the San Mateo

County Zoning Regulations. The proposal was reviewed and recommended for approval by the Emerald Lake Hills Design Review Officer (DRO) on July 6, 2021.

3. After consideration of project plans and public testimony, the DRO found that the proposed house design, as proposed and conditioned, is in compliance with the Design Review Standards because the project: (a) incorporates materials which comply with the Design Review Standards, (b) has a building shape that minimizes bulk by varying building height and use of a variety of geometric shape planes (c) facades are proportioned and patterned, and (d) respects privacy of neighboring houses.

For the Non-Conforming Use Permit, Found:

4. That the project complies with the required findings for a Non-Conforming Use Permit per Section 6137 in that:
 - a. The development is proportioned in size as it complies with allowed lot coverage and floor area and the structure will not encroach further into required setbacks. The nonconformities are existing, and the new exceptions are minor in scale, and the resulting residence is proportional for the parcel.
 - b. No opportunities to acquire additional land exist. One parcel is privately owned and developed with single-family residence and the second is a SFPUC utility and access easement and not available.
 - c. As described in Section A.2 of this report, the proposal requires relief from one requirement of the RH Zoning District, the right-side setback for the new second story and continuation of a non-conforming front setback. The majority of the project's non-conformity is existing, and the addition matches an existing, side setback.
 - d. The proposed design is compatible with the surrounding residences and with the Emerald Lake Hills community due to project adherence to Emerald Lake Hills Design Review Standards and maintains design integrity of the residence, retains mature, native trees, and leaves undeveloped portions of the parcel undisturbed. The project has been reviewed and recommended for approval by the Emerald Lake Hills Design Review Officer, and no concerns were raised by reviewing agencies such as the Building Section, Department of Public Works or Cal-Fire.
 - e. The majority of nonconformities are existing and Non-Conforming Use Permits are often utilized by property owners adjacent to the SFPCU ROW to address development constraints. Therefore, exceptions requested are not granting any special privilege and would result in a residence consistent with other houses in the neighborhood.

CONDITIONS OF APPROVAL

Current Planning Section

1. The project shall be constructed in compliance with the plans approved by the Planning Commission on February 22, 2023. Any changes or revisions to the approved plans shall be submitted for review by the Community Development Director to determine if they are in substantial compliance with the approved plans, prior to being incorporated into the building plans. Adjustments to the design of the project may be approved by the Design Review Officer if they are consistent with the intent of and are in substantial conformance with the Planning Commission approval. Adjustments to the design during the building permit stage may result in the assessment of additional plan resubmittal or revision fees. Alternatively, the Design Review Officer may refer consideration of the adjustments, if they are

deemed to be major, to a new Emerald Lake Hills Design Review public hearing which requires payment of an additional fee of \$1,500 and surcharges.

2. The Design Review Permit and Non-Conforming Use Permit shall be valid for five (5) years from the date of final approval, in which time a building permit shall be issued, and a completed inspection (to the satisfaction of the building inspector) shall have occurred within 180 days of its issuance. The design review approval may be extended by one (1) year increment with submittal of an application for permit extension and payment of applicable extension fees 60 days prior to the expiration date.
3. No significant trees are approved for removal. Trees designated to remain shall be protected from damage during construction per the project arborist report. Any additional tree removal is subject to the San Mateo County Tree Ordinance and will require a separate permit for removal.
4. The approved exterior colors and materials shall be verified prior to final approval of the building permit. The applicant shall provide photographs to the Design Review Officer to verify adherence to this condition prior to final Planning approval of the building permit.
5. Prior to the Current Planning Section approval of the building permit application, the applicant shall also have the licensed land surveyor or engineer indicate on the construction plans: (1) the natural grade elevations at the significant corners (at least four) of the footprint of the proposed structure on the submitted site plan, and (2) the elevations of proposed finished grades. In addition, (1) the natural grade elevations at the significant corners of the proposed structure, (2) the finished floor elevations, (3) the topmost elevation of the roof, and (4) the garage slab elevation must be shown on the plan, elevations, and cross-section (if one is provided).
6. Once the building is under construction, prior to the below floor framing inspection or the pouring of the concrete slab (as the case may be) for the lowest floor(s), the applicant shall provide to the Building Inspection Section a letter from the licensed land surveyor or engineer certifying that the lowest floor height, as constructed, is equal to the elevation specified for that floor in the approved plans. Similarly, certifications on the garage slab and the topmost elevation of the roof are required.
7. If the actual floor height, garage slab, or roof height, as constructed, is different than the elevation specified in the plans, then the applicant shall cease all construction and no additional inspections shall be approved until a revised set of plans is submitted to and subsequently approved by both the Building Official and the Community Development Director.
8. The applicant shall adhere to all requirements of the Building Inspection Section, the Department of Public Works, and the County Fire Department.
9. No site disturbance shall occur until a building permit has been issued.
10. To reduce the impact of construction activities on neighboring properties, comply with the following:
 - a. All debris shall be contained on-site; a dumpster or trash bin shall be provided on-site during construction to prevent debris from blowing onto adjacent properties. The applicant shall monitor the site to ensure that trash is picked up and appropriately disposed of daily.
 - b. The applicant shall remove all construction equipment from the site upon completion of the use and/or need of each piece of equipment which shall include but not be limited to tractors, back hoes, cement mixers, etc.
 - c. The applicant shall ensure that no construction-related vehicles impede through traffic along the right-of-way on Hillcrest Drive. All construction vehicles shall be parked on-site outside the

public right-of-way or in locations which do not impede safe access on Hillcrest Drive. There shall be no storage of construction vehicles in the public right-of-way.

11. Noise sources associated with demolition, construction, repair, remodeling, or grading of any real property shall be limited to the hours from 7:00 a.m. to 6:00 p.m., weekdays, and 9:00 a.m. to 5:00 p.m., Saturdays. Said activities are prohibited on Sundays, Thanksgiving, and Christmas (San Mateo County Ordinance Code Section 4.88.360).
12. All new power and telephone utility lines from the street or nearest existing utility pole to the main dwelling and/or any other structure on the property shall be placed underground.
13. The property owner shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines" including, but not limited to, the following:
 - a. Delineation with field markers of clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses within the vicinity of areas to be disturbed by construction and/or grading.
 - b. Protection of adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
 - c. Performing clearing and earth-moving activities only during dry weather.
 - d. Stabilization of all denuded areas and maintenance of erosion control measures continuously between October 1 and April 30.
 - e. Storage, handling, and disposal of construction materials and wastes properly, so as to prevent their contact with stormwater.
 - f. Control and prevention of the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges, to storm drains and watercourses.
 - g. Use of sediment controls or filtration to remove sediment when dewatering site and obtain all necessary permits.
 - h. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
 - i. Limiting and timing application of pesticides and fertilizers to prevent polluted runoff.
 - j. Limiting construction access routes and stabilization of designated access points.
 - k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
 - l. Training and providing instruction to all employees and subcontractors regarding the Watershed Protection Maintenance Standards and construction Best Management Practices.
 - m. Additional Best Management Practices in addition to those shown on the plans may be required by the Building Inspector to maintain effective stormwater management during construction activities. Any water leaving the site shall be clear and running slowly at all times.

- n. Failure to install or maintain these measures will result in stoppage of construction until the corrections have been made and fees paid for staff enforcement time.

Water Efficient Landscape Ordinance (WELO)

14. The project is subject to compliance to the Water Efficient Landscape Ordinance (WELO): <https://www.smcgov.org/planning/water-efficient-landscape-ordinance-welo> .

Building Inspection Section

15. A building permit is required.
16. Prior to the issuance of the building permit, the applicant shall have prepared, by a registered civil engineer, a drainage analysis of the proposed project and submit it to the Drainage Section 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 shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the pattern of flow. The analysis shall detail the measures necessary to certify adequate drainage. Post-development flows and velocities shall not exceed those that existed in the pre-developed state. Recommended measures shall be designed and included in the improvement plans and submitted to the Drainage Section for review and approval.
17. Any impervious surface for the project will be incorporated into the larger drainage plan for the site (as required in building permit for proposed ADU and Garage permits).

County Arborist

18. Plans submitted for the building permit should be updated to include location of tree protection fencing as recommended by arborist.

County Fire Department

19. 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. New residential buildings shall have internally illuminated address numbers contrasting with the background so as to be seen from the public way fronting the building. Residential address numbers shall be at least 6 feet above the finished surface of the driveway. 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. Remote signage shall be a 6-inch by 18-inch green reflective metal sign.
20. Remove that portion of any tree which extends within 10 feet of the outlet of any chimney or stovepipe or any portion of the tree which overhangs the roof assembly or is within 5 feet of any portion of the structure.
21. A fire flow of 500 gpm for 2 hours with a 20-psi residual operating pressure must be available as specified by additional project conditions to the project site. The applicant shall provide documentation including hydrant location, main size, and fire flow report at the building permit application stage. Inspection required prior to Fire's final approval of the building permit or before combustibles are brought on site.
22. Any chimneys shall have installed onto the opening thereof a galvanized, approved spark arrester of a mesh not larger than one-half of an inch.

23. Any chimney or woodstove outlet shall have installed onto the opening thereof an approved (galvanized) spark arrestor of a mesh with an opening no larger than 1/2 inch in size or an approved spark arresting device. Maintain around and adjacent to such buildings or structures a fuel break/firebreak made by removing and cleaning 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. Remove that dead or dying portion of any tree which extends over the roof line of any structure.
24. The required fire flow shall be available from a County Standard 6-inch Wet Barrel Fire Hydrant. The configuration of the hydrant shall have a minimum of one each 4 1/2-inch outlet and one each 2 1/2-inch outlet located not more than 250 feet from the building measured by way of approved drivable access to the project site.
25. Because of limited access into your property, the authority having jurisdiction is requiring the installation of a Knox Box, Knox Key Switch, or Knox Padlock to allow rapid response of emergency vehicles onto your property in case of a fire or medical emergency. For an application or further information please contact the San Mateo County Fire Marshal's Office at 650/573-3846.
26. All roof assemblies in Very high Fire Hazard Severity Zones shall have a minimum CLASS-A fire resistive rating and be installed in accordance with the manufacturer's specifications and current California Building and Residential Codes.
27. Smoke alarms and carbon monoxide detectors shall be installed in accordance with the California Building and Residential Codes. 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.
28. An approved Automatic Fire Sprinkler System meeting the requirements of NFPA-13D shall be required to be installed for your project. Plans shall be submitted to the San Mateo County Building Inspection Section for review and approval by the authority having jurisdiction.
29. A statement that the building will be equipped and protected by automatic fire sprinklers must appear on the title page of the building plans.
30. This project is located in a wildland urban interface area. Roofing, attic ventilation, exterior walls, windows, exterior doors, decking, floors, and underfloor protection to meet CRC R327 or CBC Chapter 7A requirements.

Department of Public Works

30. Project will comply with County drainage policy to prevent stormwater from development from flowing across property lines. For projects that trigger size and/or slope thresholds, prior to the issuance of the building permit or planning permit (for Provision C3 Regulated Projects), the applicant shall have prepared, by a registered civil engineer, a drainage analysis of the proposed project and submit it to the Department of Public Works and Planning and Building Department 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 shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the pattern of flow. The analysis shall detail the measures necessary to certify adequate drainage. Post-development flows and velocities shall not exceed those that existed in the pre-developed state. Recommended measures shall be designed and included in the

improvement plans and submitted to the Department of Public Works and Planning and Building Department for review and approval.

31. 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.
32. The applicant shall submit to the Department of Public Works, for review, documentation of ingress/egress easements for the applicant's use and the use of others.
33. 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. Applicant shall contact a Department of Public Works Inspector 48 hours prior to commencing work in the right-of-way.

San Francisco Public Utilities Commission

34. Due to the proximity of this project to the right of way and critical infrastructure, SFPUC requests the project proponent fill out a Project Review Application.

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4. Correspondence and other Matters

No correspondence to report.

5. Consideration of Study Session for Next Meeting

There is no study session plan for the next meeting. There are 2 items scheduled for the meeting of March 8th: design review and grading permits for a new residence in Palomar Park, and coastal development, design review, and non-conforming use permits for a new residence in Miramar. The Long-Range Planning Work Program will be presented to the Planning Commission on March 22, 2023.

6. Director's Report

Director Monowitz reminded Commissioners about the return to in-person meetings beginning in March and identified that the Department is pursuing means for allowing public participation from remote locations.

7. Commissioner Updates and Questions

In response to Commissioner Serrano Quan's request to receive an update regarding the caller who spoke on items not on the agenda, Director Monowitz indicated his intention to respond to Ms. McWilliams by email and update the Commissioners at the next meeting.

Commissioner Ketcham voiced the need to have all the videos posted on the website in a timely manner.

8. **Adjournment**

Meeting adjourned at 10:02 AM