



Planning & Building Department Planning Commission

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

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

ACTION MINUTES- DRAFT

MEETING NO. 1674
Wednesday March 10, 2021
9:00 a.m.
* BY VIDEOCONFERENCE ONLY*

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

Pledge of Allegiance: The Pledge of Allegiance was led by Janneth Lujan, Planning Commission Secretary.

Roll Call:

Commissioners Present:	Gupta, Ketcham, Hansson, Ramirez
Commissioners Absent:	Santacruz
Staff Present:	Monowitz, Fox, Montes

Legal notice published in the San Mateo County Times on February 27, 2021 and Half Moon Bay Review on March 3, 2021.

Oral Communications via written comment or virtual comment

1. Ron Snow

CONSENT AGENDA 9:00 a.m.

Consideration of the Minutes of the Planning Commission meeting of February 24, 2021.

Commissioner Gupta moved to approve the minutes as revised and Commissioner Hansson second to approve the minutes. **Motion is 4-0-0-1.**

REGULAR AGENDA 9:00 a.m.

1.

Owner	MidPeninsula Open Space Trust
Applicant:	Omar Smith/MidPen
File Number:	PLN2019-00385
Location:	20080 Cabrillo Highway (District 3)
Assessor's Parcel No's:	081-060-100

The Planning Commission will consider a Development Permit and a Planned Agricultural Permit to drill a domestic water well to replace domestic water drawn from a natural spring and

spring water box. There is no grading, no tree removal and no vegetation removal. The property is located at 20080 Cabrillo Highway in the unincorporated San Gregorio area of San Mateo County. The project is appealable to the California Coastal Commission. Please direct any questions to Project Planner Olivia Boo at oboo@smcgov.org.

SPEAKERS:

1. Omar Smith, Applicant
2. Fran Pollard (Did not comment)

COMMISSION ACTION:

Commissioner Ramirez moved approval and Commissioner Hansson seconded to close the public hearing. **Motion carried 4-0-0-1.**

Commissioner Hansson moved to approve the item and Commissioner Ramirez second. **Motion is approved 4-0-0-1.**

Based on information provided by staff and evidence presented at the hearing the Planning Commission approved the Coastal Development Permit and Planned Agricultural Permit, County File Number PLN 2019-00385, by making the required findings and adopting the conditions of approval as follows:

FINDINGS

Regarding the Coastal Development Permit, Found:

1. That the project, as described in the application and accompanying materials required by Section 6328.7, and as conditioned in accordance with Section 6328.14, conforms to the plans, policies, requirements and standards of the San Mateo County Local Coastal Program as described in the staff report to the Planning Commission dated March 10, 2021.
2. That the project conforms to the findings required by policies of the San Mateo County Local Coastal Program. Specifically, in regard to the Agriculture and Visual Resources Components, that the domestic well is conditionally permitted with the issuance of a Planned Agricultural District permit, that the project has been proposed to be located in an area that has been defined as "Lands Suitable for Agriculture," and that the project converts only a small portion of the parcel leaving the remaining undisturbed area available for agricultural uses. In addition, the project is not located within a scenic corridor, is not visible from scenic roadways or corridors, does not result in a significant change to natural landforms, and will not impact coastal resources and sensitive habitats.

Regarding the Planned Agricultural Permit, Found:

General Criteria

3. That the encroachment of all development upon land, which is suitable for agricultural use, is minimized. The proposed well results in only minimal site disturbance and converts only a small portion of the project parcel. The remaining portion of the parcel will be available for continued future agricultural activities.

4. That the project conforms to the Development Review Criteria contained in Chapter 20A.2 of the San Mateo County Ordinance Code. The project complies with Section 6324.1, Section 6324.2 and Section 6325.2, which addresses the potential for environmental impacts, site design criteria and primary fish and wildlife habitat areas criteria, as the project will seek to cluster development, minimize grading, will not introduce noxious odors, chemical agents, or long-term noise and is conditioned to mitigate any significant adverse environmental impacts upon primary wildlife or marine resources, and locate development so that it is subordinate to the pre-existing character of the area.

Water Supply Criteria

5. That the existing availability of potable and adequate on site well water source for non-agricultural uses is demonstrated. The project parcel currently does not have an adequate water source for domestic purposes. The well is being proposed to provide an on-site domestic water source on the parcel.
6. That adequate and sufficient water supplies needed for agricultural production and sensitive habitat protection in the watershed are not diminished. The proposed well is not expected to result in significant groundwater depletion or interfere with groundwater recharge. The proposed domestic well will be located over 300 feet from stock pond "a", over 800 feet from stock pond "b", and 1,000 feet from the wetland/riparian area thus there is no impact expected to those areas. The existing agricultural uses will continue to be supported by the existing agriculture wells and stockponds. The proposed domestic well will replace the domestic water that was drawn from the spring to provide water to the single-family residence, thus the domestic well will reduce impacts to sensitive habitats.

Criteria for the Conversion of Lands Suitable for Agriculture and Other Lands

7. That all agriculturally unsuitable lands on the parcel have been developed or determined to be undeveloped. The proposed well locations have been identified as the most likely area to find water on the parcel. The proposed wells will have minimal footprint and the overall area of disturbance is limited which allows the larger remainder of the parcel to remain available for continued grazing and future agricultural activities.
8. That the continued or renewed agricultural use of the soil is not capable of being accomplished in a successful manner within a reasonable period of time, considering economic, environmental, social and technological factors. The proposed wells will convert only a small portion of the parcel leaving the majority of the parcel available for continued agricultural uses.
9. That clearly defined buffer areas are provided between agricultural and non-agricultural uses. Other than the proposed domestic well, water line and water tank, the property will continue to maintain a clear buffer by the existing fences that separate structures from range land. The ranch is divided into several pastures that are fenced. The single-family residence is the only non-agricultural use on the property.
10. That the productivity of adjacent agricultural lands is not diminished, including the ability of the land to sustain dry farming or animal grazing. Given the small area impacted for the well locations, no impact is expected on the productivity of adjacent agricultural lands. Based on the size of the parcel and the distance from the proposed well to adjacent parcels, the domestic well is not expected to impact water supply of adjacent properties.
11. That the public service and facility expansions and permitted uses will not impair agricultural viability, including by increased assessment costs or degraded air and water quality. The

proposed well does not require public services or facility expansions. The domestic well is intended to replace domestic water for the existing single-family residence that was previously provided by a natural spring and spring box. The well does not limit agricultural viability of the parcel. A preliminary review by the County's Environmental Health Services found that the proposed plans are in compliance with the current health standards, and thus poses no threat to water quality.

CONDITIONS OF APPROVAL

Current Planning Section

1. The approval applies only to the proposal as described in this report and materials submitted for review and approval by the Planning Commission on March 10, 2021. The Community Development Director may approve minor revisions or modifications to the project if they are found to be consistent with the intent of, and in substantial conformance with this approval.
2. This permit shall be valid for one (1) year from the date of final approval, in which time a well permit shall be issued. Any extension of these permits shall require submittal of a written request for permit extension and payment of applicable extension fees sixty (60) days prior to the expiration date.
3. The applicant shall include an erosion and sediment control plan to comply with the County's Erosion Control Guidelines on the plans submitted for the building permit. This plan shall identify the type and location of erosion control measures to be installed upon the commencement of construction in order to maintain the stability of the site and prevent erosion and sedimentation off-site.
4. 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 the 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.
5. This permit does not allow for the removal of any trees. Removal of any tree with a diameter equal to, or greater than, 12 inches as measured 4.5 feet above the ground shall require a separate tree removal permit.
6. 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).

Environmental Health Services

7. Applicant must submit application, applicable fees, site plan, and approved CDP directly to Environmental Health Services to obtain a well drilling permit. Application and associated fees can be found on the website at <https://www.smchealth.org/landuse>.

OSB:cmc – OSBFF0509_WCU.DOCX

2.	Owner: Applicant: File Number: Location: Assessor’s Parcel No’s:	Highland Solutions LLC Janel Fung w/ Toby Long Design PLN2020-00443 10 Cardinal Court, West Menlo Park (District 3) 074-091-680
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Consideration of an appeal of the staff-level Tree Removal Permit (PLN2020-00443) and an After-the-Fact Significant Tree Removal Permit for the unpermitted removal of a 20.9-inch diameter at breast height (dbh) Coast Live Oak tree at an active construction site, pursuant to

Section 12,000 of the San Mateo County Ordinance Code, on property located at 10 Cardinal Court in the unincorporated West Menlo Park area of San Mateo County. Application deemed complete on December 14, 2020. Please direct any questions to Project Planner Mike Schaller at mschaller@smcgov.org.

SPEAKERS:

1. Gregory Faris
2. Alicia Guerra
3. Ron Snow
4. Kelly Holzichter
5. Eric Chueng
6. Rich
7. Roberta Morris

COMMISSION ACTION:

Commissioner Hansson moved approval and Commissioner Gupta seconded to close the public hearing. **Motion carried 4-0-0-1.**

Commissioner Ramirez moved to deny the appeal and approve the item and Commissioner Ketcham second. **Motion is approved 3-1-0-1.**

3= AYES (Commissioner Gupta, Commissioner Ketcham and Commissioner Ramirez)

1= NOES (Commissioner Hansson)

0= ABSTAINS (None)

1= ABSENT (Commissioner Santacruz)

FINDING

Based on information provided by staff and evidence presented at the hearing, the Planning Commission denied the appeal and approved the After the Fact Tree Removal Permit, County File Number PLN2020-00443, by making the findings for approval and attaching the condition of approval as follows:

CONDITION OF APPROVAL

Current Planning Section

1. Prior to issuance of a Certificate of Occupancy for the proposed house at 10 Cardinal Court, the applicant shall submit a maintenance surety deposit of \$3,000 to the Planning and Building Department to be held for two (2) years from the date of its submittal. The purpose of the surety is to ensure that the replacement trees are maintained in a healthy condition. Such surety shall only be released upon confirmation by Planning staff, two (2) years after submission of the surety, that the trees are in good health. If the trees become diseased or otherwise die, they shall be replaced in like and kind and the surety deposit may be extended by the Community Development Director.

3.	Owner/Applicant:	San Mateo County Planning and Building
	File Number:	PLN 2020-00014
	Location:	All areas of Unincorporated County
	Assessor’s Parcel No’s:	All areas of Unincorporated County

Consideration of a Recommendation to the Board of Supervisors of a zoning text amendment creating a new Chapter 22.2, "Child Care Centers" of the Zoning Regulations, repealing Section 6401.2. (General Provisions Relating to Large Family Day Care Homes), and related text amendments to the County Zoning Regulations for various zoning districts to reconcile those regulations with the new chapter. The new chapter will regulate child care centers in the unincorporated areas of San Mateo County. Please direct any questions to Project Planner Camille Leung at cleung@smcgov.org.

SPEAKERS:

1. Sara Kinahan
2. Kristen Anderson

COMMISSION ACTION:

Commissioner Ramirez moved approval and Commissioner Hansson seconded to close the public hearing. **Motion carried 4-0-0-1.**

Commissioner Gupta moved to approve the item and Commissioner Hansson second. **Motion is approved 4-0-0-1**

Based on information provided by staff and evidence presented at the hearing the Planning Commission recommends that the Board of Supervisors adopt a resolution adopting the Initial Study/Negative Declaration;

Adopt an ordinance adding the new Chapter 22.2, "Child Care Centers" of the Zoning Regulations, repealing Section 6401.2. (General Provisions Relating to Large Family Day Care Homes) and amending the text of the County Zoning Regulations for various zoning districts, as listed in Attachment C;

And adopt a resolution directing staff to submit the Ordinance to the Coastal Commission.

4. Correspondence and Other Matters

Correspondence received from Ron Snow and Janet Davis, Steve will follow up with the concerns that were raised.

5. Consideration of Study Session for Next Meeting

Presentation on the Long-range Planning work plan for 2021-2022 by Joe LaClair in addition to 3 additional projects on consent are scheduled for the next agenda.

6. Director's Report

Update on the Coastal Commission meeting scheduled for this Friday, please reach out to Steve or Janneth if you need the link in order to connect to the meeting.

Update on the 2nd phase of the Accela upgrade has been released and will now include Solar Permits.

The Customer Service window has been installed and is helping serve the public safely with face-to-face interaction.

7. **Commissioner Updates and Questions**

Is there anything being done regarding Fires with the community like La Honda and Skylonda? Yes. The County is collaborating with a # of partners including property owners.

8. **Adjournment**

Meeting adjourned at 12:31pm
