

Special Notice / Hearing: 10-day notice; publication and 300-foot radius
Vote Required: Majority

To: Honorable Board of Supervisors
From: Steve Monowitz, Community Development Director
Subject: Consideration of an appeal of the Planning Commission's decision to adopt an Initial Study/Mitigated Negative Declaration and approve a Design Review Permit and Grading Permit to allow the construction of a new three-story, 4,249 sq. ft. single-family residence in the unincorporated Palomar Park area.

County File Number: PLN 2020-00251 (Thalapaneni Jackson)

RECOMMENDATION:

Public hearing to consider an appeal of the Planning Commission's decision to adopt an Initial Study/Mitigated Negative Declaration and approve a Design Review Permit and Grading Permit to allow construction of a new three-story, 4,249 sq. ft. single family residence in the unincorporated Palomar Park area:

- A) Open public hearing
- B) Close public hearing
- C) Deny the appeal and uphold the Planning Commission's decision to approve the Design Review Permit and Grading Permit, PLN 2020-00251, by making findings and adopting the conditions of approval in Attachment A and adopting the Initial Study/Mitigated Negative Declaration, pursuant to the California Environmental Quality Act.

PROPOSAL

The applicant proposes construction of a new three-story, 4,249 sq. ft. single-family residence, 315 sq. ft. covered terrace, a 155 sq. ft. deck, and a 554 sq. ft. attached garage, on a 18,122 sq. ft. legal parcel (Lot Line Adjustment recorded on April 26, 1983). The property would be accessed from an improved existing gravel driveway and access easement located on 636 Palomar Drive and an undeveloped parcel (APN 051-022-470). The project involves 880 cubic yards (c.y.) of cut and 90 c.y. of fill and the removal of two (2) significant trees. The property is located within an existing residential neighborhood and adjoins developed parcels on the east, south, and southwest sides. The property slopes upward from Los Cerros Road with an average slope of approximately 34 percent.

BACKGROUND:

Report Prepared By: Camille Leung, Senior Planner

Owners/Applicants: Anusha Thalapaneni and David E. Jackson

Public Notification: Ten (10) day advanced notification for the hearing was mailed to property owners within 300 feet of the project parcel and a notice for the hearing posted in the San Mateo Times newspaper.

Location: Development of vacant parcel located at Palomar Drive and Los Cerros Road (Subject Property), and minor associated work at 636 Palomar Drive and APN 051-022-250, located in the unincorporated Palomar Park area of San Mateo County.

APN(s) and Property Size: APN 051-022-380 (18,122 sq. ft.; Subject Parcel). Project also involves work on APN 051-022-360 (Approx. 0.359 Acres) at 636 Palomar Drive, the adjoining parcel to east which uses a shared driveway and APN 051-022-250, as well as a vacant parcel to east of 636 Palomar Drive which also uses the shared driveway.

Existing Zoning: One-Family Residential/Combining District (Minimum Lot Size 10,000 sq. ft.)/Design Review (R-1/S-91/DR)

General Plan Designation: Medium Low Density Residential; Urban

Existing Land Use: Undeveloped

Water Supply: California Water Service - San Carlos

Sewage Disposal: Proposed septic system

Flood Zone: Flood Zone X (Area of minimal flood hazard, usually depicted on FIRMs as above the 500-year flood level), per FEMA Panel No. 06081C0282E, effective October 16, 2012.

Environmental Evaluation: An Initial Study/Mitigated Negative Declaration was prepared and released for public review from July 2, 2022 to July 22, 2022. The County received two (2) comment letters expressing concern with the land stability, drainage, house size and design, and trees to be removed, amongst other concerns. See Section B of this report for more discussion.

Setting: The property is located within an existing residential neighborhood and adjoins developed parcels on the east, south, and southwest sides. Access is proposed via an access easement and an improved existing gravel driveway on 636 Palomar Drive and APN 051-022-250. The property slopes upward from Los Cerros Road with an average slope of approximately 34 percent.

Chronology:

| <i>Date</i> | <i>Action</i> |
|--------------------------------|--|
| April 2020 | - Completion of emergency slope repair of the front portion of the parcel along Los Cerros Road. |
| July 2, 2022 | - An Initial Study/Mitigated Negative Declaration was prepared and released for public review from July 2, 2022 to July 22, 2022. The County received several comment letters expressing concern with the land stability, drainage, house size and design, and trees to be removed, amongst other concerns. See Section B of this report for further discussion. |
| August 3, 2022 | - At a public meeting, the Bayside Design Review Committee (BDRC) continues its review of the project to address concerns expressed regarding the compatibility of the architectural style with the area; design of house to further step down with natural topography; and change color palette to comply with the design review standards. |
| October 26, 2022 | - At a public meeting, the BDRC recommends approval of the project subject to conditions requiring further reduction in the use of glass on the eastern and northern facades, change to roof design, and minimize tree removal. |
| December 2022/ January 2023 | - Applicant submits a revised design to address BDRC conditions and to demonstrate the preservation of 4 significant trees, where only 2 significant trees and 1 non-significant tree are now proposed for removal. |
| March 8, 2023 | - Planning Commission reviewed the project at a public hearing. Members of the public expressed concerns regarding potential project impacts, mainly concerns regarding site stability due to a history of land sliding in the area which could be exacerbated by project construction, site drainage, and septic system construction, as well as proposed tree removal. Members of the Planning Commission expressed concerns regarding potential project impacts related to site stability. Additionally, to allow time for the applicant's team and County staff to review the Balance Hydrologics letter submitted by a member of the public, the Planning Commission continued its review of the project to a date uncertain. |

- June 21, 2023 - Planning Commission reviewed the project at a public hearing and adopted the Initial Study/Mitigated Negative Declaration and approved the project, by making the required findings and adopting the conditions of approval listed, with a modification to Condition 64, to require an updated percolation test at the time of building permit application.
- July 6, 2023 - The Planning Commission's decision to approve the project is appealed to the Board of Supervisors by Denise Enea, Terry Irwin, Jim Goodrich, Mary Lassiter, Josh Miller, Yuriy Makarov, and Kathy Fagliano, based on site instability attributed to landslides and springs which could be exacerbated by location and construction of the pool, septic system, and proposed mature Oak tree removal near landslides.
- October 17, 2023 - Board of Supervisors' public hearing.

DISCUSSION:

A. APPEAL

On July 6, 2023, an appeal of the Planning Commission's decision to approve the project to the Board of Supervisors was filed by Denise Enea, Terry Irwin, Jim Goodrich, Mary Lassiter, Josh Miller, Yuriy Makarov, and Kathy Fagliano (referred to as "Appellants" in this report). The appeal pointed to site instability, attributed to landslides and springs, which the Appellants argue could be exacerbated by location and construction of the proposed pool, septic system, and the proposed removal of a mature Oak tree located near referenced landslides.

The Applicant has responded to the points of the appeal in a letter included as Attachment I and included in the discussion below.

The following is a discussion of each point raised by the appeal:

1. The Appellants assert that the proposed expansion leach field should not be located within 100 feet of the unstable land mass or the existing current 2023 landslide.

Applicant's Response: The leach field is not located within 100 feet of an unstable land mass. The property at 634 Palomar Drive is not an unstable land mass (see CEQA [Negative Declaration in Attachment E]), and the proposed leach field is 100 feet from the neighboring property in question.

Staff's Response: The Appellants' assertions of a "2023 landslide" and that the property is "an unstable land mass" have not been substantiated. As further discussed in Section B.2 of this report, Denise Enea Charlebois, in a letter dated April 5, 2023, notified the Property Owners of 634 Palomar Drive, regarding emergency measures taken under a building permit at 738 Loma Court, including installation of subdrain lines, in response to two potential new landslides. No information from a geotechnical or engineering professional was submitted as part of the April 5, 2023 letter or the building permit records (BLD 2023-00624) for the emergency work. Based on review by the County's Geotechnical consultant and the Project Geotechnical Engineer, there is no formal documentation or evidence of any new landslides.

The applicant has submitted comprehensive, site-specific reports, including subsurface exploration and testing, for the proposed residence and septic system, which have been reviewed by and received preliminary approval from the County Environmental Health Services and the County's Geologist and Geotechnical Engineer, and staff's recommendation of approval is based on the analysis and conditions of approval recommended in those reports.

2. The Appellants assert that the 100+ year old multi trunk oak, located in the 10-foot setback and located within 20 feet of current 2023 landslide and 2018 landslide, should not be removed, that the roots are vital to hillside stability and dewatering, and that the applicant can slightly modify the house design and slightly trim canopy to preserve the tree.

Applicant's Response: The applicant has demonstrated the preservation of 4 significant trees, where only 2 significant trees ([plus one non-significant tree]) are now proposed for removal. [The project includes] replacing the three (3) indigenous trees with a minimum of three (3), 24-inch box Oak trees. These trees [are] to be planted in the right-side setback to provide screening of the residence in the same location as the trees proposed for removal. The applicant has taken measures beyond County requirements, both from the design review (BDRC) feedback and the Planning Commission hearings, to preserve native trees on the property.

Staff's Response: Based on review by the County's Geotechnical consultant and the Project Geotechnical Engineer, there is no formal documentation or evidence of any new landslides. As further discussed in Section B.1, Tree 14 with stems of 21.1 inches and 17.5-inch diameter at breast height, is located in the right-side setback and the two significant trees to be removed will be replaced by three (3) oak trees in the same

location. The removal of the tree is necessary as it is in the proposed location of a new retaining wall for the attached pool.

3. The Appellants assert that the swimming pool should not be allowed as it sits at the base of a repaired landslide adjacent to unstable land mass. Appellants state that excess pool water will need to drain through neighbor's private drainage and flow into creek without treatment.

Applicant's Response: All aspects of the pool have met or exceeded County regulations [...]. Excess pool water will not [...] drain through the neighbor's private drainage as claimed by the Appellants. If the pool needs to be emptied, it will be safely emptied through other means as to not damage any property's soil. If there is minor spillage from the pool, it will flow through 634 Palomar drainage, not the neighboring property.

Staff's Response: The County requires pool water to be de-chlorinated prior to release and released in a metered, slow flow, preferably over landscaping and in dry weather. Condition 7 imposes these requirements.

4. The Appellants assert that a percolation test should be conducted under wet season conditions and stacking of existing neighboring leach fields should not be allowed per Environmental Health Ordinance.

Applicant's Response: The requirements of the percolation test meet or exceed County regulations, as summarized in the CEQA [document] and reviewed by the Planning Commission. County Environmental Health recognizes the recorded tests and approves of the location and design of the new leach field system. There [are] no existing leach lines on 634 Palomar and the system meets all setbacks from neighboring systems and properties.

Staff's Response: Condition 64 requires the applicant, at the time of building permit application, to submit an updated percolation test and plans consistent with the On-site Wastewater Treatment System (OWTS) design that has been reviewed and preliminarily approved by Environmental Health Services.

B. KEY ISSUES

1. Conformance with the General Plan
 - a. Soil Resources

Policy 2.23 (*Regulate Excavation, Grading, Filling, and Land Clearing Activities Against Accelerated Soil Erosion*) calls for the County to regulate excavation, grading, filling, and land clearing activities to protect against accelerated soil erosion and sedimentation. The project includes earthwork of 880 c.y. of cut and 90 c.y. of fill, with a total area of land disturbance of 14,369 square feet. The applicant proposes an Erosion Control Plan which includes measures that would contain and slow run-off, while allowing for natural infiltration. Due to the potential for erosion and sedimentation during land disturbing and earth-moving activities, the IS/MND included Mitigation Measures 11 through 15, which are included as conditions of approval in Attachment A. As proposed, mitigated, and conditioned, the applicant would off-haul all cut spoils and implement stormwater pollution prevention measures, and the Project Engineer would regularly inspect the erosion control measures for the duration of all grading remediation activities, especially after major storm events, and determine that they are functioning as designed and that proper maintenance and corrections are performed.

b. Wastewater

Policy 11.5 (*Wastewater Management in Urban Areas*) calls for the County to: a. Consider sewerage systems as the appropriate method of wastewater management in urban areas; b. Encourage the extension of sewerage systems to serve unincorporated urban areas presently using individual sewage disposal systems where warranted by public health concerns, environmental pollution or the planned density of development; and c. Continue the use of existing individual sewage disposal systems in urban areas where lot sizes, site conditions, and planned densities are appropriate for these systems and where individual sewage disposal systems have functioned satisfactorily in the past. The site is not located within the service area of any sewer provider; the applicant proposes a septic system (also referred to as an on-site wastewater treatment system, OWTS). The applicant has submitted comprehensive, site-specific reports, including subsurface exploration and testing, for the project, which have been reviewed by the Project Geologist and Geotechnical Engineer as well as by the County's Geologist and Geotechnical Engineer, and received preliminary approval from County Environmental Health Services.

c. Natural Hazards

Policy 15.12 (*Locating New Development in Areas Which Contain Natural Hazards*) calls for the County to: a. As precisely as possible, determine the areas of the County where development should be

avoided or where additional precautions should be undertaken during review of development proposals due to the presence of natural hazards; b. Give preference to land uses that minimize the number of people exposed to hazards in these areas; c. Determine appropriate densities and development; and d. Require detailed analysis of hazard risk and design of appropriate mitigation when development is proposed in these areas, including assessment of hazardous conditions expected to be exacerbated by climate change, such as increased risks of fire, flooding, and sea level rise.

Site conditions related to geology are described in detail in Section 7 of the IS/MND. The site has experienced land sliding in the past (slope repair completed in 2020). The applicant has submitted reports prepared by the Project Geologist and Project Geotechnical Engineers, which note past landslides and landslide repair at the property. In an email dated May 13, 2022, the Project Geotechnical Engineer states that there are no unmitigated landslides within the area of influence to the site. As stated in their 2020 Geotechnical Report Update, it is the opinion of Atlas Geosphere Consultants, Inc. (Project Geologist and Geotechnical Engineer), that the residential development as planned is feasible from a geotechnical standpoint. Compliance with the recommendations of the Project Geologist and Geotechnical Engineer is a standard requirement and required by Mitigation Measure 9. In a letter dated August 2020 from Cotton, Shires and Associates, Inc. (CSA), CSA reviewed the project and associated studies on behalf of the County and has provided preliminary approval. All mitigation measures of the IS/MND have been added as conditions of approval in Attachment A.

2. COMPLIANCE WITH COUNTY ZONING REGULATIONS

The property is zoned One-Family Residential/Combining District (Minimum Lot Size 10,000 sq. ft.)/Design Review (R-1/S-91/DR). The proposed single-family residential use is allowed in the R-1 Zoning District.

a. Project Compliance with the Development Standards of the S-91 Zoning District

As shown in the table below, the project complies with the development standards of the S-91 Zoning District.

| Development Standards | S-91 Zoning District | Proposed |
|-----------------------------------|-----------------------------|--------------------------|
| Building Site Area | 10,000 sq. ft. | 18,122 sq. ft. |
| Maximum Building Site Coverage | 30% | 17.3% (3,131 sq. ft.) |
| Maximum Building Floor Area Ratio | 5,036 sq. ft. | 5,034 sq. ft. |
| Minimum Front Setback | 20 feet | 54'-9" |
| Minimum Rear Setback | 20 feet | 49'-5" |
| Minimum Right Side Setback | 10 feet | 15 feet |
| Minimum Left Side Setback | 10 feet | 11'-5" |
| Maximum Building Height | 28 feet | 26'-11" |
| Minimum Covered Parking Spaces | 2 covered parking spaces | 2 covered parking spaces |

b. Project Compliance with Design Review Standards of the DR Zoning District:

At its August 3, 2022 and October 26, 2022 meetings, Bayside Design Review Committee (BDRC) reviewed the project. Many emails of correspondence were received, and many members of the public spoke at the public hearing. Concerns expressed by the members of the public focused on project design compatibility with existing houses in the neighborhood, privacy impacts, glare from windows, tree removal relative to slope stability, geological/hydrological concerns, and concerns regarding potential stormwater pollution from the proposed septic system. Staff clarified that the BDRC's review is limited to project compliance with design standards and that other issues are discussed in the IS/MND which will be reviewed by the Planning Commission. The BDRC recommended approval of the project subject to conditions requiring further reduction in the use of glass on the eastern and northern facades, change to roof design, and minimize tree removal, included as Condition 3 of Attachment A. The applicant has revised the proposal to remove only 2 significant trees (Trees 14 and 15), described further in Section B, below.

3. COMPLIANCE WITH COUNTY GRADING REGULATIONS

The proposed project requires approximately 880 c.y. of cut and 90 c.y. of fill to accommodate the proposed building. Planning and Geotechnical staff

have reviewed the proposal and submitted documents and determined that the project conforms to the criteria for review contained in the Regulations for Excavating, Grading, Filling and Clearing on Lands in Unincorporated San Mateo County (referred to in this report as “Grading Regulations”). The findings and supporting evidence are outlined below:

a. **That the granting of the permit will not have a significant adverse effect on the environment.**

The project will have a less-than-significant impact on the environment with the implementation of standard conditions of approval which will require excavated earth to be off-hauled and deposited to an approved disposal location, require application of erosion control measures prior to and during project grading and construction, place limitations on grading during the wet season, and require the Project Engineer to submit written certification that all grading has been completed in conformance with the approved plans, conditions of approval, and the Grading Regulations.

b. **That the project conforms to the criteria of the San Mateo County Grading Ordinance.**

The project, as it will be conditioned, conforms to the criteria for review contained in the Grading Regulations, including an erosion and sediment control plan and dust control measures.

c. **That the project is consistent with the General Plan.**

As outlined earlier in Section A of this report, the project conforms to applicable components of the County’s General Plan.

B. ENVIRONMENTAL REVIEW

An Initial Study/Mitigated Negative Declaration was prepared and released for public review from July 2, 2022 to July 22, 2022. The County received two (2) comment letters (included in Attachment F), including a letter from the Palomar Park Owners’ Association, expressing concern with the land stability, drainage, house size and design, and trees to be removed, amongst other concerns. The main concerns are summarized below, followed by staff’s response.

Main Concerns:

1. Trees: The Palomar Park Owners’ Association and Denise Enea at 738 Loma Court submitted letters stating that the initially proposed tree removal of seven (7) significant trees would negatively impact the stability of the property, due to the stabilization and drainage benefits provided by the root

systems of the trees. The Palomar Park Owners' Association also stated that the trees provide an aesthetic benefit. The applicant has revised the proposal to remove only 2 significant trees (Trees 14 and 15) and a 5.14-inch California bay tree (which is not a significant tree), described below, which are located in the right-side setback.

| Significant Trees Proposed for Removal | | | | | | | |
|--|--------------------------|--------------------|-----------------|---------------|---------------|------------------|------------------------------|
| <i>Tree No.</i> | <i>Genus Species</i> | <i>Common Name</i> | <i>Diameter</i> | <i>Height</i> | <i>Spread</i> | <i>Condition</i> | <i>Reason for Removal</i> |
| 13 | Umbellularia californica | California bay | 5.1" | 12' | 12' | Good | Sudden oak death carrier |
| 14 | Quercus agrifolia | Coast live oak | 21.1",17.5" | 40' | 60' | Good | Within footprint of house |
| 15 | Aesculus californica | California buckeye | 10.0",6.4" | 20' | 30' | Good | Within leach field footprint |
| Source Arborist Report, dated December 12, 2020 (Attachment G of IS/MND) | | | | | | | |
| *Diameter of Tree No. 13 has been recently updated by the Project Arborist per their email of January 26, 2023. Tree No. 13 is not a significant tree as its diameter is less than 6-inch d.b.h. | | | | | | | |

Staff has revised Mitigation Measure 1 of the IS/MND, as shown in Attachment A, to eliminate the requirement to replace exotic trees previously proposed for removal and to require the applicant to replace the three (3) indigenous trees with a minimum of three (3), 24-inch box Oak trees. The applicant proposes to plant these trees in the right-side setback to provide screening of the residence in the same location as the above listed trees proposed for removal.

Correspondence Received after the Publication of the IS/MND

Denise Enea Charlebois submitted “Tree Recommendations, Arborist Report for Denise Enea”, prepared by Richard Smith ISA Certified Arborist No. WE-8745A, based on an inspection on October 21, 2022. The 2022 arborist report expresses concern that the removal of trees at the subject site would further decrease the stability of the slope and hillside of the subject property. The applicant has submitted a revised design where only 2 significant trees, which are in the building or septic field footprint, are now proposed for removal, where the removal of seven (7) significant trees was initially proposed. The applicant also proposes to remove a 5.14-inch California bay tree (not a significant tree) that is a carrier of Sudden Oak Death. Mitigation Measure 1 of the IS/MND requires the applicant to replace the three (3) indigenous trees with a minimum of three (3), 24-inch box Oak trees. Regarding slope stability, as previously discussed, CSA reviewed the project and associated geologic and geotechnical studies on behalf of the County and has found them to be sufficient.

2. Geology: A letter from Denise Enea states that the IS/MND significantly underplays and leaves out critical information regarding the long history of dangerous and destructive landslides on and directly adjacent to this parcel and references letters from Kilik General Engineering, GeoForensics, Inc., Steven Connelly C.E.G., and Jeff Lea of Lea & Braze, which are included and analyzed in the IS/MND. As stated in Section 7 of the IS/MND, with the exception of the 2021 Connelly letter, the referenced letters describe recommendations based on brief reviews of the adjoining off-site properties. It is unclear if the letters represent a study of the project site, as they make only general reference to the site address, with no enclosed maps and no mention of specific site locations or the site APN. The 2021 Connelly report includes a review of the subject site but does not include subsurface exploration and testing. The applicant has submitted comprehensive, site-specific reports, including subsurface exploration and testing, for the proposed residence and septic system, which have been reviewed by and received preliminary approval from the County Environmental Health Services and the County’s Geologist and Geotechnical Engineer, and staff’s recommendation of approval is based on the analysis and conditions of approval recommended in those reports.

Correspondence Received after the Publication of the IS/MND

In a letter dated April 5, 2023, Denise Enea Charlebois notified the Property Owners of 634 Palomar Drive, regarding emergency measures taken under a building permit at 738 Loma Court, including installation of subdrain lines, in response to 2 potential new landslides. No information from a geotechnical or engineering professional was submitted as part of the April 5, 2023 letter or the building permit records (BLD 2023-00624) for the emergency work. The work was undertaken under a plumbing permit; no technical plans or analysis was provided to the County and no review of the

work was performed by the County. The Project Geologist and Cotton Shires Associates (CSA -- the County's Geologist) have reviewed and responded to this letter (see notice letter, response, and review letters, as well as permit records, under Attachment E). Based on staff's review of these documents, staff has concluded that there is no formal documentation or evidence of any potential new landslides.

3. Hydrology: Ms. Enea states that "ground water is the basis for the instability of the all the parcels" and that the IS/MND "does not include a vital report which I submitted to you. The hydrology report by Balance Hydrologic of 2014 examines and lays out the existence of a significant ground water supply which runs from the top of Loma Court thru the 634 Palomar parcel as well as the 738 Loma Court and 0 Los Cerros parcel. Page 20 of the IS/MND cites the report titled "Spring Source and Protection Reconnaissance, prepared by Balance Hydrologics, Inc., for APN 051-022-310, dated April 16, 2014". This report maps spring areas on the two parcels, APNs 051-022-310 and 051-022-180, but does not map any springs on the subject parcel. A landslide that was repaired in April 2020 is mapped at the front of the subject property.

Ms. Enea states that past drilling at the property by a previous owner caused water from an underground spring to flood the street and eroded the pavement. She states that, if grading and pier drilling are attempted on this parcel, there is a high chance that flooding of roadways would occur, resulting in traffic impacts.

As stated in the IS/MND, and in an email dated May 13, 2022, the Project Geotechnical Engineer states that the 2013 Earth Investigations Consultants Geotechnical Investigation mentions no observed seepage from the ground surface (i.e., spring), and all the borings drilled on 634 Palomar Drive site encountered no ground water, with the exception of in the 2017 Earth Investigations Consultants Geotechnical Investigation when slight seepage perched at the top of bedrock 3 feet below the ground surface B-2 in the lower northeast corner (approx. site elevation 68). Numerous other borings encountered no ground water to support a conclusion that pervasive springs exist on the project site.

Correspondence Received after the Publication of the IS/MND

At the March 8, 2023 Planning Commission hearing, Mark Haesloop (on behalf of Denise Enea Charlebois at 738 Loma Court), and Barry Hecht from Balance Hydrologics presented a letter, dated March 7, 2023 (referred to in this report as Balance Hydrologics Letter), including analysis pertaining to site hydrology, past land sliding in the area, and concerns regarding potential land instability resulting from project grading.

Planning staff forwarded the Balance Hydrologics Letter, as well as additional documentation from the Project Geologist and Civil Engineer to CSA for their review (see letters under Attachment C). In a letter dated April 20, 2023, CSA states that they have reviewed the recently submitted letter reports and concluded that, “based on the data and conclusions presented in the reports, combined with our knowledge of the site geology, [CSA] finds that there is no new information that would compel us to modify our opinion that the Project Geologist and Geotechnical Engineer have: 1) investigated the site in accordance with the standards of practice in the County, 2) identified the significant geologic and geotechnical hazards at the site; 3) recommended suitable mitigation measures to address those hazards; and 4) adequately addressed CSA’s previously provided comments and concerns”. In conclusion, the letter states that “CSA has no objection to the County granting approval for the subject planning permit.”

As stated in their 2020 Geotechnical Report Update, it is the opinion of the Project Geologist and Geotechnical Engineer, that the residential development as planned is feasible from a geotechnical standpoint. Compliance with the recommendations of the Project Geologist and Geotechnical Engineer is a standard requirement and required by Mitigation Measure 9. The County’s Geotechnical Section has reviewed the project and associated studies and has provided preliminary approval.

4. Traffic: Ms. Enea states that a past pier drilling project at the site caused flooding and associated damage to neighborhood driveways and roadways, due to water run-off from on-site springs. Please see the above section regarding minimal springs found at the property. Additionally, as proposed and conditioned, run-off from the property would be minimized by erosion control measures. Additionally, road repair of damage caused by the project is required per Condition 62.
5. Aesthetics: Ms. Enea states that the proposed residence will affect the views of properties at 730 Loma Court and 722 Palomar Drive. As discussed in the IS/MND, the site is visible from adjoining areas within the residential area in which it is located. As the new residence and driveway would abut developed residential property and blend in with other houses and driveways in the area, the project would not have a significant adverse effect on views from existing residential areas.

C. REVIEWING AGENCIES

Building Inspection’s Drainage Section
Building Inspection Geotechnical Section
County Environmental Health Services
County Department of Public Works
County Arborist

San Mateo County Fire
California Water Service – San Carlos

This report has been reviewed and approved by the County Attorney's Office as to form.

FISCAL IMPACT:

There is no fiscal impact to the County from denying the appeal and upholding the Planning Commission's approval of the requested permits.

ATTACHMENTS:

- A. Recommended Findings and Conditions of Approval
- B. Vicinity Map
- C. Project Plans
- D. Design Review Recommendation Letter
- E. Initial Study/Mitigated Negative Declaration
- F. Comments letters received for IS/MND
- G. Planning Commission Letter of Decision, dated June 27, 2023
- H. Appeal filed on July 6, 2023
- I. Applicant's response to appeal, dated August 22, 2023
- J. Staff Report for March 8, 2023 Planning Commission Hearing
- K. Staff Report for June 21, 2023 Planning Commission Hearing