

County of San Mateo
Planning and Building Department

RECOMMENDED ACTIONS AND FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2018-00271

Hearing Date: July 26, 2022

Prepared By: Summer Burlison,
Project Planner

For Adoption By: Board of Supervisors

RECOMMENDED ACTIONS

1. Adopt a resolution adopting the Initial Study and Mitigated Negative Declaration for the General Plan Land Use Map Amendment, Zoning Map Amendment, Minor Subdivision, and Grading Permit for the project at 501 Palmer Lane in the unincorporated North Fair Oaks area;
2. Adopt a resolution amending the San Mateo County General Plan Land Use Map to assign a land use designation of Single-family Residential to a 9,500 square foot portion of Assessor's Parcel Number 060-162-130 at 501 Palmer Lane in the unincorporated North Fair Oaks area;
3. Adopt an ordinance amending Chapter 2 of Division VI of the San Mateo County Ordinance Code (Zoning Annex) to revise the zoning maps, Appendix A, to assign a zoning designation of R-1/S-93 (One-family Residential/S-93 Combining District) to a 9,500 sq. ft. portion of Assessor's Parcel Number 060-162-130 at 501 Palmer Lane in the unincorporated North Fair Oaks area; and
4. Approve the Minor Subdivision and Grading Permit, County File Number PLN 2018-00271 by adopting the findings and conditions found in this Attachment A.

RECOMMENDED FINDINGS

Regarding the Minor Subdivision, Find:

1. That the proposed map and the design and improvements of the proposed subdivision is consistent with applicable general and specific plans. The proposed subdivision would result in an increase in the number of housing units on the site and would not exceed the North Fair Oaks Community Plan land use designations for the property. Additionally, all public services and infrastructure are available to serve the proposed lots.

2. That the site is physically suitable for the type and proposed density of development. The proposed subdivision is in an established single-family residential neighborhood and would comply with zoning and general plan density requirements. The site is therefore physically suitable for the type and the proposed density of development. Additionally, utility connections are available to serve future development.
3. That the design of the subdivision or type of improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The design of the subdivision and the proposed improvements would not substantially injure fish or wildlife or their habitat, as the site is not located within as the site is not near any water bodies or sensitive habitat areas. Additionally, the project would be required to minimize the transport and discharge of pollutants from the project site into local storm drain systems and water bodies by adhering to the San Mateo Countywide Stormwater Prevention Programs and General Construction and Site Supervision Guidelines throughout the duration of any subdivision improvements.
4. That the design of the subdivision or type of improvements is not likely to cause serious public health problems. There is no evidence to suggest that the project would create a public health problem or cause substantial environmental damage.
5. That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public-at-large for access through or use of property within the proposed subdivision. There are no existing or proposed access easements on the parcel.
6. 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 Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the State Water Code. The Fair Oaks Sewer District has indicated that sewer capacity is available.
7. That, since the land is not subject to a Williamson Act Contract, the finding regarding Williamson Act Contract compliance related to sustaining agricultural use is not applicable.
8. That, since the land is not located in a very high fire hazard severity zone or state responsibility area, as defined in Section 51177 of the California Government Code, the project is not subject to the fire safety provisions of Section 7013.3.c.(11) (a-c) of the County Subdivision Regulations.
9. That, since the proposed subdivision does not include land designated in the County General Plan/NFO Community Plan as open space and is not located in a state responsibility area or a very high fire hazard severity zone, the finding regarding consistency with open space purposes and the requirement for a

recorded restriction prohibiting the development of a habitable, industrial or commercial building or structure is not applicable.

10. That pursuant to Section 7005 of the Subdivision Regulations, in carrying out the provisions of the Subdivision Regulations, the County has considered the effect of actions taken pursuant to these regulations on the housing needs of the region and the housing needs of the County as expressed in the Housing Chapter of the County's General Plan and has balanced these needs against the public service needs of residents. The proposed subdivision will support an increase in housing supply in the North Fair Oaks area with minimal impact to services, infrastructure or the community.

Regarding the Grading Permit, Find:

11. That the granting of the permit will not have a significant adverse effect on the environment as staff has prepared an Initial Study and Mitigated Negative Declaration (MND) and has concluded that the project, with the recommended mitigation measures, will not have a significant adverse impact on the environment. All mitigation measures from the MND are included as recommended conditions of approval. In addition, the County's Geotechnical Section, Department of Public Works, and Drainage Review Section have reviewed and approved the project with conditions.
12. That the project conforms to the criteria of Chapter 8, Division VII, of the San Mateo County Ordinance Code, including the standards referenced in Section 9296, including those relative to an erosion and sediment control plan, dust control plan, fire safety, and the timing of grading activity. The project plans have been reviewed and recommended for approval by the Geotechnical Section, the Department of Public Works, and Drainage Review Section.
13. That the project has been reviewed against the applicable policies of the San Mateo County General Plan and found to be consistent with its goals and objectives. See Section A.1 of the staff report for a detailed discussion regarding the project's compliance with the applicable General Plan Policies.

CONDITIONS OF APPROVAL

Current Planning Section

1. This approval only applies to the proposal, documents and plans described in this report and approved by the Board of Supervisors. Minor modifications to the project may be approved by the Community Development Director if they are consistent with the intent of, and in substantial conformance with this approval.
2. This subdivision approval is valid for two years, during which time a final map shall be recorded. An extension to the time period, pursuant to Section 7013.5 of the

County Subdivision Regulations, may be issued by the Planning Department upon written request and payment of any applicable extension fees prior to the expiration date.

3. A building permit shall be applied for and obtained from the Building Inspection Section prior to demolishing any existing on-site structures.
4. Prior to recordation of the Final Map, the applicant shall pay to the San Mateo County Planning and Building Department in-lieu park fees as required by County Subdivision Regulations, Section 7055.3. The fees shall be based upon the assessed value of the project parcel at the time of payment and calculated per the method on the attached worksheet.
5. 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, 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 applications 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.
6. 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.
7. No site disturbance shall occur, including any tree/vegetation removal or grading, until a building permit has been issued.
8. 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 shall impede through traffic along the right-of-ways. All construction vehicles shall be parked on-site outside the public right-of-way or in locations which do not impede safe access. There shall be no storage of construction vehicles in the public right-of-way.

9. The property owner(s) shall coordinate with the project planner to record the Notice of Determination and pay an environmental filing fee of \$2,548.00 (current filing fee), as required under Fish and Game Code Section 711.4(d), plus a \$50.00 recording fee to the San Mateo County within four (4) working days of the final approval date of this project. Note: the filing fee increases on an annual basis.
10. No additional significant trees, beyond the four (4) identified in the staff report, are approved for removal. Any additional tree removal is subject to the San Mateo County Significant Tree Ordinance and may require a separate permit for removal.
11. The applicant shall preserve all significant trees authorized for removal until after:
 - a. The plans submitted for a building permit for development of each lot, or the subdivision improvements, demonstrates the necessity to remove the tree; and
 - b. A building permit for development of the lot(s), or construction of subdivision improvements, has been issued.
12. The applicant shall provide for the extension of water, electric, cable and television lines to service the new lots. All new electrical lines for the proposed subdivision shall be installed from the nearest existing utility pole. The extension of water, gas and electrical lines will require the issuance of a building permit.
13. 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).
14. No grading shall be allowed during the winter season (October 1 to April 30) to avoid potential soil erosion, unless the applicant applies for an Exception to the Winter Grading Moratorium and the Community Development Director grants the exception. Exceptions will only be granted if the associated building permit is week or less from being issued, dry weather is forecasted during scheduled grading operations, and the erosion control plan includes adequate winterization measures (amongst other determining factors). An applicant-completed and County-issued grading permit "hard card" is required prior to the start of any land disturbance/grading operations.
15. No grading activities shall commence until the property owner has been issued a grading permit (issued as the "hard card" with all necessary information filled out and signatures obtained) by the Current Planning Section. A grading "hard card" is only issued concurrently with a building permit for subdivision improvements or development.

16. Prior to any land disturbance and throughout the grading operation, the property owner shall implement the erosion control plan, as prepared and signed by the engineer of record and approved by the decision maker. Revisions to the approved erosion control plan shall be prepared and signed by the engineer and submitted to the Community Development Director for review and approval.
17. Prior to issuance of the grading permit “hard card,” the property owner shall submit a schedule of all grading operations to the Current Planning Section, subject to review and approval by the Current Planning Section. The submitted schedule shall include a schedule for winterizing the site. If the schedule of grading operations calls for the grading to be completed in one grading season, then the winterizing plan shall be considered a contingent plan to be implemented if work falls behind schedule. All submitted schedules shall represent the work in detail and shall project the grading operations through to completion.
18. It shall be the responsibility of the engineer of record to 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 is being performed. Deficiencies shall be immediately corrected, as determined by and implemented under the observation of the engineer of record.
19. For the final approval of the grading permit, the property owner shall ensure the performance of the following activities within 30 days of the completion of grading at the project site: (a) The engineer shall submit written certification that all grading has been completed in conformance with the approved plans, conditions of approval/mitigation measures, and the Grading Regulations, to the Department of Public Works and the Planning and Building Department’s Geotechnical Engineer, and (b) The geotechnical consultant shall observe and approve all applicable work during construction and sign Section II of the Geotechnical Consultant Approval form, for submittal to the Planning and Building Department’s Geotechnical Engineer and the Current Planning Section.
20. An Erosion Control and Tree Protection Pre-Site Inspection shall be conducted prior to the issuance of a grading permit “hard card” and building permit to ensure the approved erosion control and tree protection measures are installed adequately prior to the start of any ground disturbing activities.

Mitigation Measures from the Mitigated Negative Declaration

21. **Mitigation Measure 1:** The applicant shall require construction contractors to implement all the Bay Area Air Quality Management District’s Basic Construction Mitigation Measures, listed below, and include these measures on permit plans submitted to the Building Inspection Section:

- a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
 - b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
 - c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day; the use of dry power sweeping is prohibited.
 - d. All vehicle speeds on unpaved roads shall be limited to 15 mph.
 - e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - f. All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
 - g. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485, of the California Code of Regulations (CCR)). Clear signage shall be provided for construction workers at all access points.
 - h. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
22. **Mitigation Measure 2:** All significant trees approved for removal shall be replaced at a 1:1 ratio, minimum 24-inch box size. Proposed replacement trees shall be shown on a Tree Planting Plan or Landscape Plan included in construction plans submitted for building permit review. The Plan shall include species, size, and location of all replacement trees. The Planning Division shall verify the approved plantings prior to final building inspection

Drainage Review Section

The following will be required at the time of building permit submittal:

- 23. **Stormwater Management Design:** The applicant shall have prepared, by a registered civil engineer, a drainage analysis of the proposed subdivision and submit it to the Department of Planning and Building for review and approval. The

drainage analysis shall consist of a written narrative and plan and conform to the County's current drainage policy at the time of building permit application. The flow of the stormwater onto, over, and off the property being subdivided shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the measures to certify adequate drainage. Recommended measures shall be designed and included on applicable improvement plans and submitted to the Department of Planning and Building for review and approval.

24. An updated C.3/C.6 Checklist.

Geotechnical Section

25. A detailed geotechnical report shall be submitted at the building permit stage that includes all relevant project scope for the project.

Department of Public Works

26. 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. The applicant shall contact a Department of Public Works Inspector 48 hours prior to commencing work in the right-of-way.
27. Prior to the issuance of the building permit, 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, as determined by the Department of Public Works, this 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.
28. 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.
29. Prior to recording the final map, the applicant will be required to submit to the Department of Public Works a complete set of improvement plans including all provisions for roadways, driveways, utilities, storm drainage, and stormwater treatment, all in accordance with the County Subdivision Regulations, County Standard Details, County Drainage Policy and NPDES permit. Improvement plans must be accompanied by a plan review deposit in the amount of \$1,000 made payable to the County of San Mateo Department of Public Works.

30. Upon the Department of Public Works' approval of the improvement plans, the applicant will be required to execute a Subdivision Improvement Agreement and post securities with the Department of Public Works as follows:
 - a. Faithful Performance - 100% on the estimated cost of constructing the improvements;
 - b. Labor and Materials - 50% of the estimated cost of constructing the improvements.
31. The applicant shall submit a Parcel Map to the Department of Public Works County Surveyor for review, to satisfy the State of California Subdivision Map Act. The final map will be recorded only after all Inter-Department conditions have been met.
32. The applicant shall submit written certification from the appropriate utilities to the Department of Public Works and the Planning and Building Department stating that they will provide utility (e.g., sewer, water, energy, communication, etc.) services to the proposed parcels of this subdivision.

Menlo Park Fire Protection District

33. The project shall comply with all applicable current California Building and Fire Codes and local amendments.
34. Install a NFPA 13-D fire sprinkler system for each new structure under separate fire permit. Fire sprinkler systems shall comply with Menlo Park Fire Protection District Standards. If the homes are larger than 3,600 sq. ft., the sprinkler system shall be calculated to a 4-head calculated design.
35. Residential fire sprinklers shall have an interior alarm, activated by the flow switch that is audible in all sleeping areas.
36. Fire flow data shall be provided at the time of deferred submittal for the fire suppression system.
37. Install smoke detectors in each sleeping area and the area outside sleeping areas. Install carbon monoxide detectors outside sleeping areas. Smoke and carbon monoxide detectors shall be hardwired and inter-connected for alarm.
38. The applicant shall provide at least 4-inch tall with 1/2-inch stroke illuminated address numbers. The address shall be visible from the street and contrasting to its background. Address numbers shall be maintained.
39. The approved plans and approval letter must be on site at the time of inspection
40. Final acceptance of this project is subject to field inspection.

Fair Oaks Sewer District

41. The Sewer District will allow the proposed additional two connections to support the subdivision provided that all associated fees are paid. The Sewer District will require the applicant to purchase the additional sewer connections and obtain all appropriate permits for the installation of the connections. The fees for new sewer connections will be calculated based on the plans submitted prior to final approval of the building plans.
42. Each subdivided parcel must connect to the Sewer District main with an individual 4-inch sewer lateral.
43. The Sewer District will allow the proposed connection providing that all associated fees are paid. The Sewer District may require payment of additional sewer connection fees and sewage treatment capacity fees.
44. The applicant shall submit building plans to the Sewer District for review when the building permit application is submitted. Detailed plans showing the proposed sewer connections shall be submitted to the Sewer District for review prior to final approval of the building plans. The plans shall indicate the location of the existing and proposed sewer laterals.
45. The applicant shall pay a plan review fee in the amount of \$300. Payment shall be made to the County of San Mateo.

California Water Service – Bear Gulch

46. The owner shall apply for two water connections to serve the two new proposed lots.