County of San Mateo - Planning and Building Department

ATTACHMENT A

Attachment A

COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit File Number: PLN 2014-00409 Board Meeting Date: November 17, 2015

Prepared By: Erica D. Adams
Emerald Lake Hills,
Design Review Officer

For Adoption By: Board of Supervisors

RECOMMENDED FINDINGS:

Regarding the Environmental Review, Find:

1. That the project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), Section 15303, Class 3, relating to the construction of a single-family residence, in a residential zone, within an urbanized area.

Regarding the Design Review, Find:

2. That this project, as proposed 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 by the Emerald Lake Hills Design Review Officer (DRO) on April 7, 2015 and approved by the Community Development Director on April 20, 2015. On August 26, 2015, the Planning Commission upheld the Community Development Director's approval.

3. That, after consideration of public testimony, the Board of Supervisors found that the project, as proposed and conditioned, is in compliance with the Design Review Standards, as outlined below:

   A. Site Planning

      Section 656.15 states that, as much as possible, site new buildings on a parcel in locations that:

      1. *Minimize tree removal*: The applicant has reduced the number of significant trees to be removed from four (as approved by the Community Development Director) to two, under the current proposal.

Condition Nos. 3 and 4 require the applicant to implement enhanced tree protection measures as recommended by an arborist.

2. *Minimize alteration of the natural topography*: Project grading has been reduced from 668 cubic yards to 448 cubic yards in part by eliminating grading at the rear of the house.

3. *Respect the privacy of neighboring houses and outdoor living areas*: To address privacy concerns, Trees #4 and #5 which provide screening would be preserved by removing a retaining wall and the applicant will plant a red bud tree in front of the kitchen window; the finished floor elevation of the proposed home will be lowered by one foot; first floor windows are small bathroom windows; and outdoor gathering areas would be located in the front and rear of the residence, avoiding side yards.

4. *Minimize the blockage of sunlight on neighboring buildings*: The project minimizes the blockage of sunlight, to the extent feasible, as the proposed residence is located at the center of the parcel, approximately 50 feet from the Ingram residence and approximately 15 feet from the Thompson residence.

5. *Minimize alteration of streams and natural drainage channels*: The subject parcel is more than 150 feet from Cordilleras Creek and on the north side (opposite side) of Cordilleras Road. Staff has determined that the project will not have an impact on Cordilleras Creek.

B. Architectural Styles

Design new buildings that are architecturally compatible with existing buildings by requiring them to reflect and emulate, as much as possible, the predominant architectural styles and the natural surroundings of the immediate area (e.g., bungalow, craftsman, ranch): The proposed craftsman design, color and materials of the residence are architecturally compatible with existing buildings in the area.

C. Building Shapes and Bulk

Design buildings with shapes that respect and conform to the natural topography of the site by requiring them to step up or down hillsides in the same direction as the natural grade: As shown in project elevation drawings included in Attachment H, the building has been designed to conform to the natural topography of the site, stepping down the hillside in the same direction as the natural grade.

D. Facades

Design well-articulated and proportioned facades: The proposed design is well articulated, including use of a pitched roof design.

E. Materials and Colors

Make varying architectural styles compatible by using similar materials and colors which blend with the natural setting and the immediate area: The Design Review Officer found that the residence, as proposed and conditioned, is architecturally compatible with existing buildings in the area. Regarding proposed materials, the Design Review Officer found that, while the selected stacked stone and wood siding comply with the design review standards, a change to a rock veneer also complies and addresses the neighbors' concerns about compatibility. Condition No. 9 requires the applicant to apply a stone veneer to the garage and the retaining walls which face Cordilleras Road.

Regarding the Grading Permit, Find:

4. That the granting of the permit will not have a significant adverse effect on the environment due to the fact that the proposed grading will be subject to conditions of approval that include pre-construction, during-construction, and post-construction measures to ensure that the project is in compliance with the San Mateo County Grading Ordinance.

5. That the project conforms to the criteria of the Grading Ordinance, Chapter 8, including the standards referenced in Section 8605. The project, as proposed and conditioned, conforms to the standards in the Grading Regulations, specifically in the areas of erosion and sediment control, dust control, and the timing of grading activity. These standards are addressed through the erosion and sediment control measures that have been required, must remain in place, and will be monitored throughout construction. Per Condition No. 20, a dust control plan must be implemented on the site. The proposed grading plan was prepared by a licensed civil engineer and reviewed by the San Mateo County Department of Public Works, and grading is only allowed during the dry season from May 1 to September 30.

6. That the project is consistent with the General Plan with respect to grading allowed on land designated as "Low Density Residential" and located within a Design Review District. As proposed and conditioned, the project complies with General Plan Policies 2.23 (*Regulate Excavation, Grading, Filling, and Land Clearing Activities Against Accelerated Soil Erosion*) and 2.17 (*Erosion and Sedimentation*) because the project includes measures to maintain the existing slope and minimizes the removal of significant trees.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

1. The project shall be constructed in compliance with the approved plans and conditions of approval. Any changes or revisions to the approved plans shall be submitted for review by the Community Development Director to determine if they are compatible with Design Review Standards and in substantial compliance with the approved plans prior to being incorporated into the building plans. Adjustments to the project may be approved by the Design Review Officer if they are consistent with the intent of and are in substantial conformance with this approval. Adjustments to the design during the building plan 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 $1,500 fee.

   The approved project includes project compliance with a list of agreed upon project modifications, dated August 6, 2015 (Attachment K), between the applicant and the appellants. Specifically, the list states that to address the Thompson's privacy concerns, Trees #4 and #5 will be preserved by removing a retaining wall. The trees will provide a natural privacy screen between the residences. To address the Ingram's privacy concerns, the applicant will plant a red bud tree in front of the kitchen window. In addition, the finished floor elevation of the proposed home will be lowered by one foot. Prior to the Current Planning Section's approval of the building permit application, the applicant shall demonstrate compliance with this condition.

2. The design review and grading permit final approval shall be valid for five (5) years from the date of 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 and grading permit approval may be extended one time by one (1) year with submittal of an application for permit extension and payment of applicable extension fees sixty (60) days prior to the expiration date.

3. Tree Protection Measures:

   a. Two significant trees, Trees #2 (23.9" DBH Coast Live Oak) and #3 (7.2-9.1" DBH Buckeye) and one (1) non-significant tree (Tree #1, 5.5-4.8" Black Acacia), are approved for removal.

   b. Trees designated to remain shall be protected from damage during construction according to measures outlined in the arborist report dated August 11, 2015. Any additional tree removal or trimming of tree branches

greater than 6 inches in diameter is subject to the San Mateo County Tree Ordinance and will require a separate permit for removal or trimming.

c. A retaining wall shall be no closer than (1) 48 inches from Tree #6, (2) 34 inches from Tree #8, and (3) 14 inches from Tree #10. The retaining wall shown near Trees #4 and #5 shall be eliminated from the project and removed from the building plans. Excavation for all retaining walls near trees shall not exceed the minimum required for construction.

d. If Tree #6, Tree #8, or Tree #10 becomes damaged and needs to be removed, or dies within two years from the commencement of construction due to installation of retaining walls, the tree(s) shall be replaced to provide screening. A tree replanting plan shall be submitted for review and approval by the Community Development Director, and implement within 30 days of approval.

4. The tree protection measures contained in the tree protection plan developed by Kielty Arborist Services, LLC, dated August 11, 2015, shall be detailed on construction plans submitted for a building permit and implemented during construction. An arborist shall directly undertake elements of the tree protection Plan that involve cutting of roots or crown, relocation of roots, and treatment of trees (application of fertilizer, protection of exposed roots). The applicant shall consult with an arborist regarding the installation of recommended irrigation. The applicant shall provide documentation to Planning staff to demonstrate compliance with this condition at the time of plan implementation.

5. If field inspections by County officials indicate that the tree protection plan is not being properly implemented, work on the site shall cease until the necessary measures are taken to ensure that the tree protection is adequate and adheres to the approved tree protection plan.

6. A tree replanting plan, showing four (4) replacement trees, of which three (3) trees shall be planted within the side yard setback. All indigenous trees shall be replaced with indigenous trees.

7. Four, 15-gallon, drought-tolerant trees shall be planted prior to Planning final approval of the building permit for the residence. Photographs of the planted trees shall be provided to the Current Planning Section as proof of compliance with this condition.

8. The grading plan shall be revised to remove grading in the rear portion of the parcel behind the proposed residence, except to grading necessary to create a swale to assist with on-site water retention, near the rear retaining wall.

9. The stacked stone proposed for the garage shall be modified to a rock veneer. The rock veneer shall also be applied to the retaining wall elevations which face

Cordilleras Road. The selected rock shall be approved by the Design Review Officer prior to the installation.

10. a. The plans shall be modified to show a one (1) foot reduction in elevation height (the garage plate height shall be 9 feet, finished floor of first floor shall be no greater than 191 feet and finished floor of the second floor shall be no greater than 202 feet).

    b. Prior to Planning approval of the building permit application, the applicant shall 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).

11. a. 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. The first floor elevation shall not exceed 191 feet. Similarly, certifications on the garage slab and the topmost elevation of the roof are required.

    b. 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.

12. The approved exterior colors and materials shall be verified prior to final approval on the building permit. The applicant shall provide photographs to the Design Review Officer to verify adherence to this condition prior to a final sign off by the Current Planning Section.

13. The applicant shall include an erosion and sediment control plan that complies with County guidelines on the plans submitted for the building permit. This plan shall identify the type and location of erosion control devices to be installed upon the commencement of grading and construction and to be retained until the site is landscaped, in order to maintain the stability of the site and to prevent erosion and sedimentation off-site. In addition to the measures on the submitted erosion control plan, the erosion and sediment control plan submitted with the building permit application shall also include the following:

a. Separate erosion and sediment control plans are required to show the measures to be implemented at the grading stage (e.g., grading, foundation/retaining walls) and at the construction stage of the project.

b. Protect Undisturbed Areas. Show the "limits of work" in your plans. Show protection for areas that will not be disturbed during grading and construction (area of the parcel to the rear of the house). Show barriers along the "limit." Forbid work, storage, earth moving, vegetation clearing, and other disturbance outside of this area, except as necessary to create a swale.

14. The applicant shall apply for a building permit and shall adhere to all requirements from the Building Inspection Section, the Department of Public Works, and Cal-Fire.

15. No site disturbance shall occur, including any grading or tree removal, until a building permit has been issued.

16. 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 Cordilleras Road. All construction vehicles shall be parked on-site outside the public right-of-way or in locations which do not impede safe access on Cordilleras Road. There shall be no storage of construction vehicles in the public right-of-way.

17. 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 Ordinance Code, Section 4.88.360).

18. All utilities shall be installed underground.

Grading Conditions

19. No grading shall be allowed during the winter season (October 1 to April 30) to avoid potential soil erosion. This project is not eligible for an exception to prohibited wet season grading. An applicant-completed and County-issued grading permit "hard card" is required prior to the start of any land disturbance/grading operations. The "hard card" shall only be issued at the same time or after the issuance of the building permit for the new residence.

20. Prior to the issuance of the grading permit "hard card," the applicant shall include the following dust control measures in plans submitted with the building permit application. Measures shall be implemented during all earth-moving activities.

    a. Water all construction and grading areas at least twice daily.

    b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard.

    c. Pave, apply water two times daily, or apply (non-toxic) soil on all unpaved access roads, parking areas and staging areas at the project site.

    d. Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.

    e. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).

21. Projects subject to Provision C.3.i (individual single-family home projects that create and/or replace 2,500 sq. ft. or more of impervious surface, and other projects that create and/or replace at least 2,500 sq. ft. of impervious surface but are not C.3 Regulated Projects) shall implement at least one of the six site design measures listed below:

    a. Direct roof runoff into cisterns or rain barrels and use rainwater for irrigation or other non-potable use.

    b. Direct roof runoff onto vegetated areas.

    c. Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas.

    d. Direct runoff from driveways, and/or uncovered parking lots onto vegetated areas.

    e. Construct sidewalks, walkways, and/or patios with permeable surfaces.

f. Construct bike lanes, driveways, and/or uncovered parking lots with permeable surfaces.

22. 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. Along with the "hard card" application, the applicant shall submit a letter to the Current Planning Section, at least two (2) weeks prior to commencement of grading, stating the date when grading operations will begin, the anticipated end date of grading operations, including dates of revegetation, and the estimated date of establishment of newly planted vegetation. 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.

23. 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.

24. 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.

25. For the final approval of the grading permit, the property owner shall ensure that the performance of the following activities shall be performed within thirty (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.

<u>Cal-Fire</u>

26. Fire Department access shall be to within 150 feet of all exterior portions of the facility and all portions of the exterior walls of the first story of the buildings as measured by an approved access route around the exterior of the building or facility. Access shall be 20 feet wide, all weather capability, and able to support a

fire apparatus weighing 75,000 lbs. Where a fire hydrant is located in the access, a minimum of 26 feet is required for a minimum of 20 feet on each side of the hydrant. This access shall be provided from a publicly maintained road to the property. Grades over 15% shall be paved and no grade shall be over 20%. When gravel roads are used, it shall be Class 2 base or equivalent compacted to 95%. Gravel road access shall be certified by an engineer as to the material thickness, compaction, all weather capability, and the weight it will support.

27. 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" x 18" green reflective metal sign.

28. Contact the San Mateo County Fire Marshal to schedule a Final Inspection prior to occupancy and Final Inspection by a Building Inspector. Allow for a minimum of 72-hour notice to the Fire Department at 650/573-3846.

29. A fire flow of 1,000 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 the site.

30. Any chimney or woodstove outlet shall have installed onto the opening thereof an approved (galvanized) spark arrester of a mesh with an opening no larger than 1/2 inch in size or an approved spark arresting device. Maintain around and adjacent to such buildings or structures a fuelbreak/firebreak made by removing and clearing away flammable vegetation for a distance of not less than 30 feet and up to 100 feet around the perimeter of all structures or to the property line, if the property line is less than 30 feet from any structure. This is not a requirement nor an authorization for the removal of live trees. Remove that flammable portion of any tree which extends within 10 feet of the outlet of any chimney or stovepipe, or within 5 feet of any portion of any building or structures. Remove that dead or dying portion of any tree which extends over the roofline of any structure.

31. The required fire flow shall be available from a County Standard 6" Wet Barrel Fire Hydrant. The configuration of the hydrant shall have a minimum of one each

4 1/2” outlet and one each 2 1/2” outlet located not more than 250 feet from the building measured by way of approved drivable access to the project site.

32. 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 the current California Building and Residential Codes.

33. 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.

34. A statement that the building will be equipped and protected by automatic fire sprinklers must appear on the title page of the building plans.

35. 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 Department for review and approval by the San Mateo County Fire Department.

36. This project is located in a wildland urban interface area. Roofing, attic ventilation, exterior walls, windows, exterior doors, decking, floors, and underfloor protection shall meet CRC R327 or CBC Chapter 7A requirements.

Department of Public Works

37. Prior to the issuance of the building permit or planning permit, 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 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 for review and approval.

38. Prior to the issuance of the building permit or planning permit (if applicable), 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 Depart-

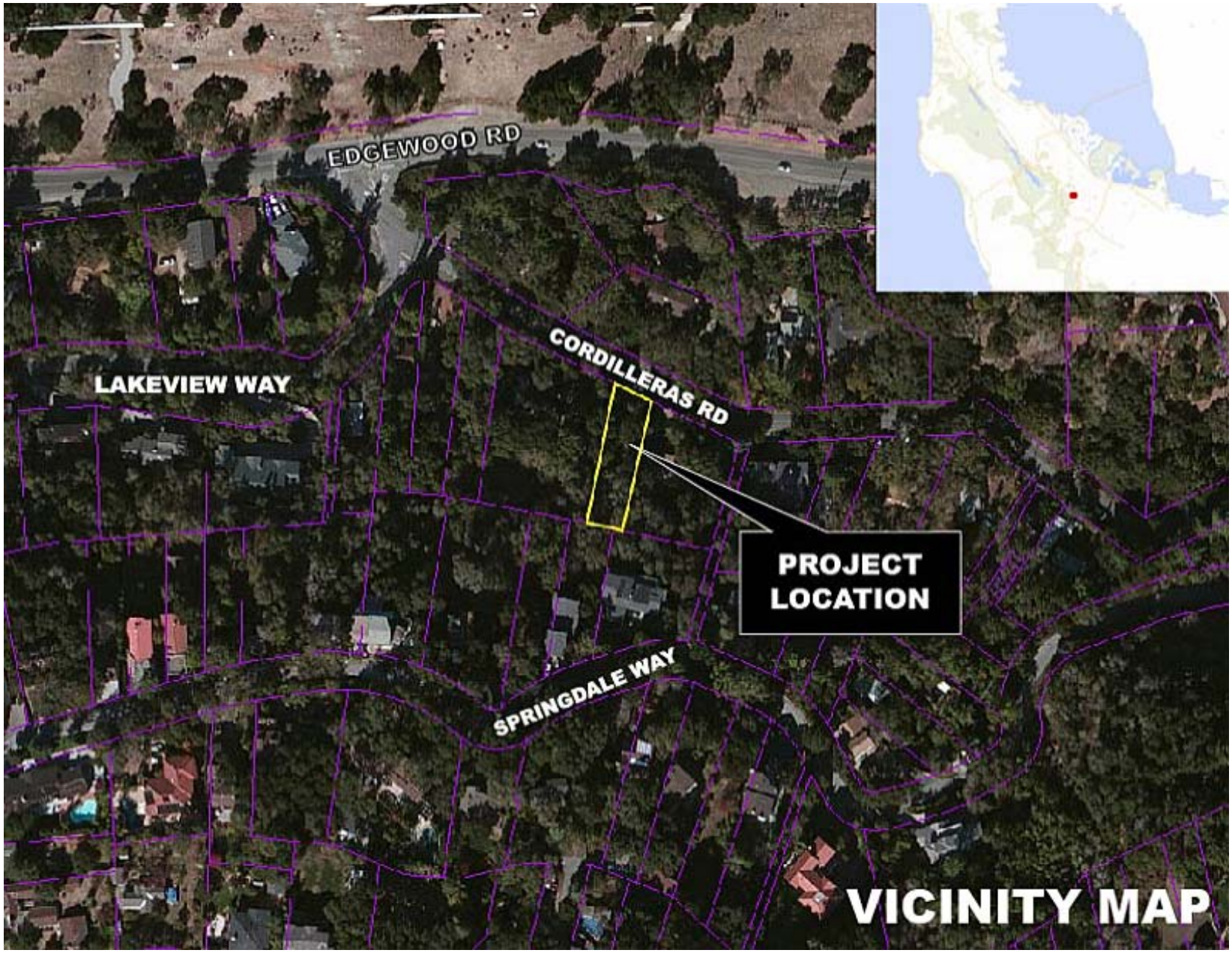
ment of Public Works, this plan and profile shall be prepared from elevations and alignment shown on the roadway improvement plans. The driveway plan shall also include and show specific provisions and details for both the existing and the proposed drainage patterns and drainage facilities.

39. 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.

40. 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.

County of San Mateo - Planning and Building Department

ATTACHMENT B



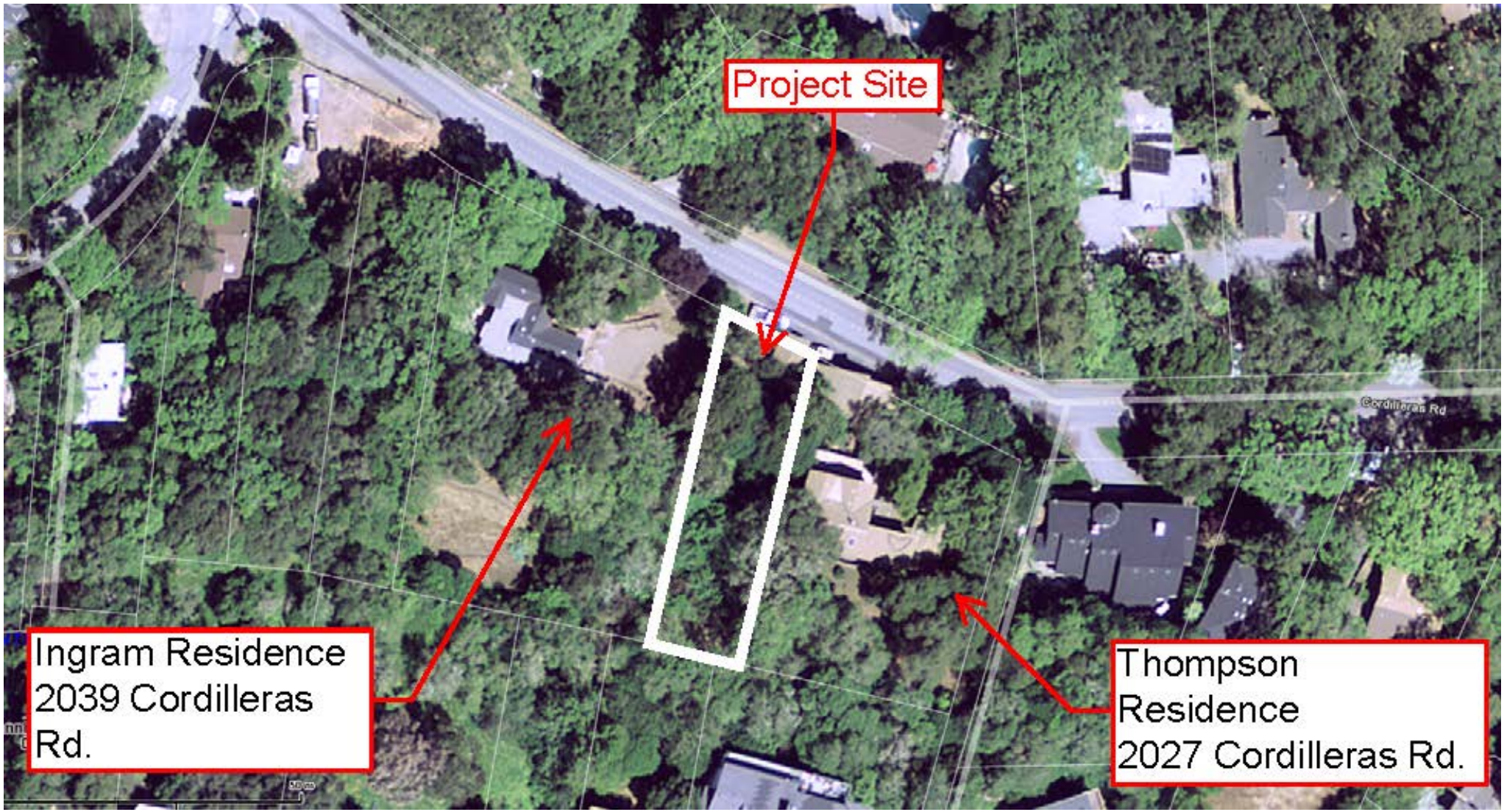
San Mateo County Board of Supervisors Meeting

Owner/Applicant: **Ryan Karcich / Nicholas Zmay** Attachment: **B**

File Numbers: **PLN2014-00409**

County of San Mateo - Planning and Building Department

ATTACHMENT C



San Mateo County Board of Supervisors Meeting

Owner/Applicant: **Ryan Karcich / Nicholas Zmay** Attachment: **H**

File Numbers: **PLN2014-00409**

County of San Mateo - Planning and Building Department

ATTACHMENT D

San Mateo County

Application for Appeal

RECEIVED

SEP 10 2015

San Mateo County
Planning Division

County Government Center ▪ 455 County Center, 2nd Floor
Redwood City ▪ CA ▪ 94063 ▪ Mail Drop PLN 122
Phone: 650 ▪ 363 ▪ 4161 Fax: 650 ▪ 363 ▪ 4849

☐ To the Planning Commission

☑ To the Board of Supervisors

Name: Peter C. Ingram
Seth Thompson

Phone, W: H: 7404779

Address: 2039 & 2027 Cordilleras Rd.
Em. Hills

Zip: 94062

Permit Numbers involved:
PLN2014-00409
APN 057-031-210

I hereby appeal the decision of the:

☐ Staff or Planning Director
☐ Zoning Hearing Officer
☐ Design Review Committee
☑ Planning Commission

made on 8/26 20 15, to approve/deny the above-listed permit applications.

I have read and understood the attached information regarding appeal process and alternatives.

☑ yes ☐ no

Appellant's Signature:

Date: Sept 10 - 15

SEPT. 10, 2015

Planning staff will prepare a report based on your appeal. In order to facilitate this, your precise objections are needed. For example: Do you wish the decision reversed? If so, why? Do you object to certain conditions of approval? If so, then which conditions and why?

The Planning Commission failed to add sufficient conditions of approval ("CoA") to bring the proposed project into compliance with the Design Review Standards as stipulated in Chapter 28, Section 6565.15 of the San Mateo County Zoning Regulations. Referring to the Sept. 2, 2015 Letter of Decision to the applicant - Specifically:

- CoA No. 3, Tree Protection Measures. Minimum distances from new retaining walls to existing significant indigenous trees violate arboricultural best practices for avoiding excessive disturbance to roots and crowns during and after construction. Additionally, CoA No. 3-c does not clearly limit over-excavation on the site, and CoA 3-d provides a clear disincentive to the applicant to do everything possible to ensure tree survival.

- CoA No. 8 only addresses "grading" but does not stipulate leaving the upper portion of the parcel in an undisturbed condition throughout the construction period. No CoAs given to minimize grading impacts at property lines.

- CoA No. 10 does not go far enough to lower proposed floor elevations and revise setbacks such that the project will respect the privacy of neighboring homes as much as possible.

Attachment D

County of San Mateo - Planning and Building Department

ATTACHMENT E

COUNTY OF SAN MATEO
PLANNING AND BUILDING

County Government Center
455 County Center, 2nd Floor
Redwood City, CA 94063
650-363-4161 T
650-363-4849 F
www.planning.smcgov.org

September 2, 2015

Nicholas Zmay
751 Laurel St., #409
San Carlos, CA 94070

Dear Mr. Zmay:

Subject: **LETTER OF DECISION**
File Number: PLN2014-00409
Location: 2029 Cordilleras Road, Emerald Lake Hills
APN: 057-03-1210

On August 26, 2015, the San Mateo County Planning Commission considered a Design Review Permit and a Grading Permit, to allow construction of a new 2,394 sq. ft. single-family residence (1,932 sq. ft. residence with an attached 441 sq. ft. garage), and associated grading in the amount of 668 cubic yards, on a 7,623 sq. ft. legal parcel located on Cordilleras Road in the unincorporated Emerald Lake Hills area of the County. Four significant trees were proposed to be removed. (Appeal of the approval by the Community Development Director.)

Based on information provided by staff and evidence presented at the hearing, the Planning Commission denied the appeal and uphold the decision made by the Community Development Director to approve the project by adopting the required findings and conditions of approval as identified in Attachment A.

Any interested party aggrieved by the determination of the Planning Commission has the right of appeal to the Board of Supervisors within ten (10) business days from such date of determination. The appeal period for this matter will end at **5:00 p.m. on September 10, 2015**.

Attachment E

PLN2014-00409

Please direct any questions regarding this matter to Erica Adams, Project Planner, at (650)363-1828 or eadams@smcgov.org. To provide feedback, please visit the Department's Customer Survey at the following link: http://planning.smcgov.org/survey.

Sincerely,

Janneth Lujan
Planning Commission Secretary

cc: California Coastal Commission
Peter C. Ingram
Van Thein
Ryan Karcich
Terry Anderlini
Seth Thompson

Attachment A

County of San Mateo
Planning and Building Department

FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2014-00409 Hearing Date: August 26, 2015

Prepared By: Erica Adams, Project Planner Adopted By: Planning Commission

FINDINGS

Regarding the Environmental Review, Found:

1. That the project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), Section 15303, Class 3, relating to the construction of a single-family residence, in a residential zone, within an urbanized area.

Regarding the Design Review, Found:

2. This project, as proposed 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 by the Emerald Lake Hills Design Review Officer (DRO) on April 7, 2015.

3. After consideration of public testimony, the DRO found that the project, as proposed and conditioned, is in compliance with the Design Review Standards because the project: (a) has a site design which minimizes tree removal and respects privacy, (b) is architecturally compatible with the neighborhood, (c) has a well-articulated facade and other elevations, and (d) uses colors and materials that comply with the Design Review Standards.

Regarding the Grading Permit, Found:

4. That the granting of the permit will not have a significant adverse effect on the environment due to the fact that the proposed grading will be subject to conditions of approval that include pre-construction, during-construction, and post-construction measures to ensure that the project is in compliance with the San Mateo County Grading Ordinance.

5. That the project conforms to the criteria of the Grading Ordinance, Chapter 8, including the standards referenced in Section 8605.

These standards are addressed through the erosion and sediment control measures that have been required, must remain in place, and will be monitored throughout construction. A dust control plan must be submitted for approval and implemented on the site. The proposed grading was prepared by a licensed civil engineer and reviewed by the San Mateo County Department of Public Works, and grading is only allowed from April 15 to October 15. In addition, the project is required to obtain a National Pollutant Discharge Elimination System (NPDES) Permit.

6. That the project is consistent with the General Plan with respect to grading.

7. That the granting of the permit will not have a significant adverse effect on the environment due to the fact that the proposed grading will be subject to conditions of approval that include pre-construction, during, and post-construction measures to ensure that the project is in compliance with the San Mateo County Grading Ordinance.

8. That the project is consistent with the General Plan with respect to grading allowed on land designated as "Low Density Residential" and located within a Design Review District.

   The granting of the permit will not have a significant adverse effect on the environment. The proposed grading is required to construct a new single-family residence. This project has been reviewed by the Department of Public Works and the Building Inspection Section's Geotechnical Engineer.

9. The project conforms to the criteria of Chapter 8, Division VII, San Mateo County Ordinance Code, including the standards referenced in Section 8605. The project, as proposed and conditioned, conforms to the standards in the Grading Regulations, specifically in the areas of erosion and sediment control, dust control, and the timing of grading activity.

10. The project is consistent with the General Plan. As proposed and conditioned, the project complies with General Plan Policies 2.23 (*Regulate Excavation, Grading, Filling, and Land Clearing Activities Against Accelerated Soil Erosion*) and 2.17 (*Erosion and Sedimentation*) because the project includes measures to maintain the existing slope and minimizes the removal of significant trees.

CONDITIONS OF APPROVAL

Current Planning Section

1. The project shall be constructed in compliance with the approved plans and conditions of approval. Any changes or revisions to the approved plans shall be submitted for review by the Community Development Director to determine if they are compatible with Design Review Standards and in substantial compliance with the approved plans prior to being incorporated into the building plans. Adjustments to the project may be approved by the Design Review Officer if they are consistent with the intent of and are in substantial conformance with this approval. Adjustments to the design during the building plan 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 $1,500 fee.

2. The design review and grading permit final approval shall be valid for five (5) years from the date of 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 and grading approval may be extended one time by one (1) year with submittal of an application for permit extension and payment of applicable extension fees sixty (60) days prior to the expiration date.

3. Tree Protection Measures:
   a. Four trees, (trees 1, 2, 3, 7, as identified in the arborist's report from Kielty Arborist Services, LLC, dated August 11, 2015) are approved for removal.

   b. Trees designated to trimmed and remain shall be protected from damage during construction according to measures outlined in the arborist report dated August 11, 2015. Any additional tree removal or trimming of tree branches greater than 6 inches in diameter is subject to the San Mateo County Tree Ordinance and will require a separate permit for removal or trimming.

   c. A retaining wall shall be no closer than 1) 48 inches away from Tree #6, 2) 34 inches from Tree #8, and 3) 14 inches from Tree #10. The retaining wall shown near trees #4 and #5 shall be eliminated from the project and removed from the building plans. Excavation for all retaining walls near trees shall not exceed the minimum required for construction.

   d. If Tree # 6, Tree # 8, or Tree #10, becomes damaged and needs to be removed, or dies due installation of retaining walls within two years from the commencement of construction, the tree(s) shall be replaced to provide screening.

A tree replanting plan shall be submitted for review and approval by the Community Development Director, and implement within 30 days of approval.

4. The tree protection measures contained in the Tree Protection Plan developed by Kielty Arborist Services, LLC, dated August 11, 2015, shall be detailed on construction plans submitted for a building permit and implemented during construction.

5. Implementation of the tree protection measures, including any cutting of large tree roots greater than 2 inches in diameter, shall be supervised by a certified arborist. If field inspections by County officials indicate that the tree protection plan is not being properly implemented, work on the site will cease until the necessary measures are taken to ensure that the tree protection adheres to the approved protection plan.

6. A tree replanting plan, showing ten (10) replacement trees, of which three (3) trees shall be planted within the side yard setback. All indigenous trees shall be replaced with indigenous trees.

7. Ten, 15-gallon, drought-tolerant trees shall be planted prior to Planning final approval of the building permit for the residence. Photographs of the planted trees shall be provided to the Current Planning Section as proof of compliance with this condition.

8. The grading plan shall be revised to remove grading in the rear portion of the parcel behind the proposed residence, except to create a swale to assist with on-site water retention, near the rear retaining wall.

9. The stacked stone proposed for the garage shall be modified to a rock veneer. The rock veneer shall also be applied to the retaining wall elevations which face Cordilleras Road. The selected rock shall be approved by the Design Review Officer prior to the installation.

10. a. The plans shall be modified to show a one (1) foot reduction in elevation height (The garage plate height shall be 9 feet, finished floor of first floor shall be no greater than191' and finished floor of the second floor shall be no greater than 202'..

    b. Prior to Planning approval of the building permit application, the applicant shall 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).

11. a. 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. The first floor elevation shall not exceed 202 feet. Similarly, certifications on the garage slab and the topmost elevation of the roof are required.

    b. 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.

12. The approved exterior colors and materials shall be verified prior to final approval on the building permit. The applicant shall provide photographs to the Design Review Officer to verify adherence to this condition prior to a final sign off by the Current Planning Section.

13. The applicant shall include an erosion and sediment control plan that complies with County guidance on the plans submitted for the building permit. This plan shall identify the type and location of erosion control devices to be installed upon the commencement of construction in order to maintain the stability of the site and to prevent erosion and sedimentation off-site.

14. The applicant shall apply for a building permit and shall adhere to all requirements from the Building Inspection Section, the Department of Public Works, and Cal-Fire.

15. No site disturbance shall occur, including any grading or tree removal, until a building permit has been issued.

16. 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 Cordilleras Road. All construction

vehicles shall be parked on-site outside the public right-of-way or in locations which do not impede safe access on Cordilleras Road. There shall be no storage of construction vehicles in the public right-of-way.

17. 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 Ordinance Code, Section 4.88.360).

18. All utilities shall be installed underground.

Grading Conditions

19. No grading shall be allowed during the winter season (October 1 to April 30) to avoid potential soil erosion. An applicant-completed and County-issued grading permit "hard card" is required prior to the start of any land disturbance/grading operations. The "hard card" shall only be issued at the same time or after the issuance of the building permit for the new residence.

20. Prior to the issuance of the grading permit "hard card," the applicant shall submit a dust control plan for review and approval by the Current Planning Section. The plan, at a minimum, shall include the following measures:

    a. Water all construction and grading areas at least twice daily.

    b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard.

    c. Pave, apply water two times daily, or (non-toxic) soil on all unpaved access roads, parking areas and staging areas at the project site.

    d. Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.

    e. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).

21. Projects subject to Provision C.3.i (individual single-family home projects that create and/or replace 2,500 sq. ft. or more of impervious surface, and other projects that create and/or replace at least 2,500 sq. ft. of impervious surface but are not C.3 Regulated Projects) shall implement at least one of the six site design measures listed below:

    a. Direct roof runoff into cisterns or rain barrels and use rainwater for irrigation or other non-potable use.

b. Direct roof runoff onto vegetated areas.

c. Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas.

d. Direct runoff from driveways, and/or uncovered parking lots onto vegetated areas.

e. Construct sidewalks, walkways, and/or patios with permeable surfaces.

f. Construct bike lanes, driveways, and/or uncovered parking lots with permeable surfaces.

22. 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. Along with the "hard card" application, the applicant shall submit a letter to the Current Planning Section, at least two (2) weeks prior to commencement of grading, stating the date when grading operations will begin, the anticipated end date of grading operations, including dates of revegetation, and the estimated date of establishment of newly planted vegetation. 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.

23. 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.

24. 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.

25. For the final approval of the grading permit, the property owner shall ensure that the performance of the following activities shall be performed within thirty (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.

Cal-Fire

26. Fire Department access shall be to within 150 feet of all exterior portions of the facility and all portions of the exterior walls of the first story of the buildings as measured by an approved access route around the exterior of the building or facility. Access shall be 20 feet wide, all weather capability, and able to support a fire apparatus weighing 75,000 lbs. Where a fire hydrant is located in the access, a minimum of 26 feet is required for a minimum of 20 feet on each side of the hydrant. This access shall be provided from a publicly maintained road to the property. Grades over 15% shall be paved and no grade shall be over 20%. When gravel roads are used, it shall be Class 2 base or equivalent compacted to 95%. Gravel road access shall be certified by an engineer as to the material thickness, compaction, all weather capability, and the weight it will support.

27. 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 6" x 18" green reflective metal sign.

28. Contact the San Mateo County Fire Marshal to schedule a Final Inspection prior to occupancy and Final Inspection by a Building Inspector. Allow for a minimum of 72-hour notice to the Fire Department at 650/573-3846.

29. A fire flow of 1,000 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.

30. 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 fuelbreak/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.

31. The required fire flow shall be available from a County Standard 6" Wet Barrel Fire Hydrant. The configuration of the hydrant shall have a minimum of one each 4 1/2" outlet and one each 2 1/2" outlet located not more than 250 feet from the building measured by way of approved drivable access to the project site.

32. 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 the current California Building and Residential Codes.

33. 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.

34. A statement that the building will be equipped and protected by automatic fire sprinklers must appear on the title page of the building plans.

35. 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 Department for review and approval by the San Mateo County Fire Department.

36. 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

37. Prior to the issuance of the building permit or planning permit, 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 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 for review and approval.

38. Prior to the issuance of the building permit or planning permit (if applicable), 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.

39. 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.

40. 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.

County of San Mateo - Planning and Building Department

ATTACHMENT F

San Mateo County

Application for Appeal

☑ To the Planning Commission

☐ To the Board of Supervisors

County Government Center • 455 County Center, 2nd Floor
Redwood City • CA • 94063 • Mail Drop PLN 122
Phone: 650 • 363 • 4161 Fax: 650 • 363 • 4849

Name: Peter C. Ingram 650-740-4779
Seth Thompson 650-346-8745

Phone, W: H:

Address: 2039 & 2027 Cordilleras Rd.
Em. Hills

Zip: 94062

Permit Numbers involved:
PLN2014-00409

I hereby appeal the decision of the:

☑ Staff or Planning Director
☑ Zoning Hearing Officer (D.R.O.)
☐ Design Review Committee
☐ Planning Commission

made on 4/7 20 15, to approve/deny the above-listed permit applications.

I have read and understood the attached information regarding appeal process and alternatives.

☑ yes ☐ no

Appellant's Signature: Seth Thompson

Date: 5/03/2015

Planning staff will prepare a report based on your appeal. In order to facilitate this, your precise objections are needed. For example: Do you wish the decision reversed? If so, why? Do you object to certain conditions of approval? If so, then which conditions and why?

See attached letter from Camas J. Steinmetz, Attorney for Appellant, dated April 6, 2015.
It was not apparent that the Design Review Officer considered the letter prior to her determination on this application at the 4/07/2015 Design Review hearing.

It was also not apparent that the Planning Director considered the letter in issuing his subsequent approval of a Design Review and grading permit.

Attachment F

County of San Mateo - Planning and Building Department

ATTACHMENT G

COUNTY OF SAN MATEO
PLANNING AND BUILDING

County Government Center
455 County Center, 2nd Floor
Redwood City, CA 94063
650-363-4161 T
650-363-4849 F
www.planning.smcgov.org

April 20, 2015

Nick Zmay
751 Laurel Street, Suite 409
San Carlos, CA 94070

Dear Mr. Zmay:

SUBJECT: Emerald Lake Hills Design Review and Grading Permit Approval
2029 Cordilleras Road, Emerald Lake Hills
APN 057-031-210; County File No. PLN 2014-00409

At the meeting of April 7, 2015, the San Mateo County Emerald Lake Hills Design Review Officer (DRO) considered your application for construction of a new 2,394 sq. ft. single-family residence (1,932 sq. ft. with an attached 441 sq. ft. garage) on a 7,623 sq. ft. legal parcel. Four significant trees are proposed to be removed. The project also requires a staff-level grading permit for the 647 cubic yards of cut and fill.

All neighbors within 300 feet of the subject property, the Emerald Lake Hills Homeowners Association, and the Emerald Hills Community Coalition were notified on July 5, 2014. Twelve neighbors attended the meeting, several emails were received, and correspondence was submitted at the hearing, all in opposition to the project.

At the hearing, the neighbors raised numerous concerns. They stated that the proposed tree removal was excessive and expressed concerns that tree protection measures identified by the project arborist would not be adequate to ensure the survival of existing trees during and post-construction due to the proximity to house foundation. Concerns about drainage and grading were raised. The adjacent neighbor expressed concern about loss of privacy. Finally, there was a sentiment from many that the design of the proposed residence is not compatible with the existing community due to the proposed materials and size. In particular, a neighbor stated that the stacked stone accent detail was not similar to that found on any houses in the immediate vicinity.

The DRO addressed the concerns, discussed the project's compliance applicable with design review standards and added conditions of approval, prior to a final recommendation on the project. The DRO stated that, on a small, narrow lot, such as this, there is no other place on the site for the house. Therefore, the proposal to remove four significant trees to accommodate the footprint of the house, along with the preservation of other significant trees on the site, complies with the design standards. In addition, the project will be conditioned to include all the recommendations from the project arborist regarding tree protection and maintenance. Six, 15-gallon replacement trees are required to be planted on the site.

Attachment G

The DRO stated that privacy issues have been minimized and addressed in several ways. First, through project design: (1) The first floor windows are small bathroom windows and second floor windows are dining room/living room windows; (2) The outdoor gathering areas for the residence will be in the front and rear of the house and not on the sides where there is less distance between houses, and (3) The front terrace does not have parallel alignment with the residence to the east (left side) and there is a 9-foot privacy wall being installed by the homeowner on the parcel to the west (right side). Secondly, the project is conditioned such that, at least three replacement trees are to be planted in the side yards to add privacy screening.

The DRO stated that grading in the rear yard area, primarily fill, is to be eliminated per Condition No. 7 so the project can better address minimization of alteration of existing topography. Drainage has been reviewed and conditioned for approval by the Department of Public Works (DPW). No concerns were identified by the DPW about the project's impact to Cordilleras Creek due to its distance from the project. In addition, the project has been conditioned by DPW and the Planning Department to ensure that erosion and drainage plans are executed at the building permit stage.

The DRO stated that while the selected stacked stone and wood siding complies with the design review standards, a change to a rock veneer also complies, and addresses neighbors' concerns. A modification in material was recommended at the meeting by the Design Review Officer and added as a condition of approval. This stone veneer should also be applied to the retaining walls which face Cordilleras Road.

The Design Review Officer (DRO) stated that the project, as proposed and conditioned, complies with the standards regarding architectural style, building materials and colors. The proposed residence is well sited, has articulated elevations, and uses natural colors and materials that are compatible with the Emerald Lake Hills Design Review Standards. The removal of four (4) trees is consistent with the standards for removal, as the trees are located within the footprint of the proposed development. Based on the plans, application forms, and accompanying materials submitted, the Emerald Lake Hills Design Review Officer recommended approval of the design review permit for the project subject to the following findings and conditions of approval.

In addition, the project and associated grading have been reviewed and recommended for approval by the Environmental Health Division, the Department of Public Works, and the Building Inspection Section's Geotechnical Engineer. Staff hereby approves your application for a design review permit and grading permit, subject to the following required findings and conditions of approval:

FINDINGS

The Emerald Lake Hills Design Review Officer found that:

For the Environmental Review

1. This project is exempt from environmental review pursuant to the California Environ-mental Quality Act (CEQA), Section 15303, Class 3, relating to construction of small structures.

For the Design Review

2. This project, as proposed 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 by the Emerald Lake Hills Design Review Officer (DRO) on April 7, 2015.

3. After consideration of public testimony, the DRO found that the project, as proposed and conditioned, is in compliance with the Design Review Standards because the project: (a) has a site design which minimizes tree removal and respects privacy, (b) is architecturally compatible with the neighborhood, (c) has a well-articulated facade and other elevations, and (d) uses colors and materials that comply with the Design Review Standards.

For the Grading Permit

4. The granting of the permit will not have a significant adverse effect on the environment. The proposed grading is required to construct a new single-family residence. This project has been reviewed by the Department of Public Works and the Building Inspection Section's Geotechnical Engineer.

5. The project conforms to the criteria of Chapter 8, Division VII, San Mateo County Ordinance Code, including the standards referenced in Section 8605. The project, as proposed and conditioned, conforms to the standards in the Grading Regulations, specifically in the areas of erosion and sediment control, dust control, and the timing of grading activity.

6. The project is consistent with the General Plan. As proposed and conditioned, the project complies with General Plan Policies 2.23 (*Regulate Excavation, Grading, Filling, and Land Clearing Activities Against Accelerated Soil Erosion*) and 2.17 (*Erosion and Sedimentation*) because the project includes measures to maintain the existing slope and minimizes the removal of significant trees.

CONDITIONS OF APPROVAL

Current Planning Section

1. The project shall be constructed in compliance with the approved plans and conditions of approval. Any changes or revisions to the approved plans shall be submitted for review by the Community Development Director to determine if they are compatible with Design Review Standards and in substantial compliance with the approved plans prior to being incorporated into the building plans. Adjustments to the project may be approved by the Design Review Officer if they are consistent with the intent of and are in substantial conformance with this approval. Adjustments to the design during the building plan 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 $1,500 fee.

2. The design review and grading permit final approval shall be valid for five (5) years from the date of 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 one time by one (1) year with submittal of an application for permit extension and payment of applicable extension fees sixty (60) days prior to the expiration date.

3. Four significant trees were approved for removal. Trees designated to remain shall be protected from damage during construction according to measures outlined in the arborist report. Any additional tree removal or trimming of tree branches greater than 6 inches in diameter is subject to the San Mateo County Tree Ordinance and will require a separate permit for removal or trimming.

4. The tree protection plan developed by Kielty Arborist Services LLC, dated shall be detailed on construction plans submitted for a building permit and implemented during construction. Implementation of the measures shall be supervised by a certified arborist. If a field inspection by a County official indicated that the tree protection plan is not being properly implemented, work on the site will cease until the necessary measures are taken to ensure tree protection adheres to the approved protection plan.

5. A tree replanting plan, showing six (6) replacement trees, of which three (3) trees shall be planted within the side yard setback.

6. Six, 15-gallon trees shall be planted prior to Planning final approval of the building permit for the residence. Photographs of the planted trees shall be provided to the Current Planning Section as proof of compliance with this condition.

7. Prior to any grading or construction activity on the project site, the property owner shall implement the following tree protection plan described in the arborist report by Kielty Arborist Services, dated February 3, 2015, and updated March 31, 2015.

8. The grading plan shall be revised to remove grading in the rear portion of the parcel behind the proposed residence, except to create a swale to assist with on-site water retention, near the rear retaining wall.

9. The stacked stone proposed for the garage shall be modified to a rock veneer. The rock veneer shall also be applied to the retaining wall elevations which face Cordilleras Road. The selected rock shall be approved by the Design Review Officer prior to the installation.

10. Prior to Planning 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).

11. The approved exterior colors and materials shall be verified prior to final approval on the building permit. The applicant shall provide photographs to the Design Review Officer to verify adherence to this condition prior to a final sign off by the Current Planning Section.

12. The applicant shall include an erosion and sediment control plan on the plans submitted for the building permit. This plan shall identify the type and location of erosion control devices to be installed upon the commencement of construction in order to maintain the stability of the site and to prevent erosion and sedimentation off site.

13. The applicant shall apply for a building permit and shall adhere to all requirements from the Building Inspection Section, the Department of Public Works, and Cal-Fire.

14. No site disturbance shall occur, including any grading or tree removal, until a building permit has been issued.

15. 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 Cordilleras Road. All construction vehicles shall be parked on-site outside the public right-of-way or in locations which do not impede safe access on Cordilleras Road. There shall be no storage of construction vehicles in the public right-of-way.

16. Noise levels produced by the proposed construction activity shall not exceed the 80-dBA level at any one moment. Construction activities shall be limited to the hours from 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday. Construction operations shall be prohibited on Sundays, and Thanksgiving and Christmas.

17. All utilities shall be installed underground.

Grading Conditions

18. No grading shall be allowed during the winter season (October 1 to April 30) to avoid potential soil erosion. An applicant-completed and County-issued grading permit "hard card" is required prior to the start of any land disturbance/grading operations. The "hard card" shall only be issued at the same time or after the issuance of the building permit for the new residence.

19. Prior to the issuance of the grading permit "hard card," the applicant shall submit a dust control plan for review and approval by the Current Planning Section. The plan, at a minimum, shall include the following measures:

    a. Water all construction and grading areas at least twice daily.

b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard.

c. Pave, apply water two times daily, or (non-toxic) soil on all unpaved access roads, parking areas and staging areas at the project site.

d. Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.

e. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).

20. Projects subject to Provision C.3.i (individual single-family home projects that create and/or replace 2,500 sq. ft. or more of impervious surface, and other projects that create and/or replace at least 2,500 sq. ft. of impervious surface but are not C.3 Regulated Projects) shall implement at least one of the six site design measures listed below:

a. Direct roof runoff into cisterns or rain barrels and use rainwater for irrigation or other non-potable use.

b. Direct roof runoff onto vegetated areas.

c. Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas.

d. Direct runoff from driveways, and/or uncovered parking lots onto vegetated areas.

e. Construct sidewalks, walkways, and/or patios with permeable surfaces.

f. Construct bike lanes, driveways, and/or uncovered parking lots with permeable surfaces.

21. 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. Along with the "hard card" application, the applicant shall submit a letter to the Current Planning Section, at least two (2) weeks prior to commencement of grading, stating the date when grading operations will begin, anticipated end date of grading operations, including dates of revegetation, and estimated date of establishment of newly planted vegetation. 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.

22. 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 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.

23. 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.

24. For the final approval of the grading permit, the property owner shall ensure the performance of the following activities within thirty (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.

Cal-Fire

25. Fire Department access shall be to within 150 ft. of all exterior portions of the facility and all portions of the exterior walls of the first story of the buildings as measured by an approved access route around the exterior of the building or facility. Access shall be 20 ft. wide, all weather capability, and able to support a fire apparatus weighing 75,000 lbs. Where a fire hydrant is located in the access, a minimum of 26 ft. is required for a minimum of 20 ft. on each side of the hydrant. This access shall be provided from a publicly maintained road to the property. Grades over 15% shall be paved and no grade shall be over 20%. When gravel roads are used, it shall be Class 2 base or equivalent compacted to 95%. Gravel road access shall be certified by an engineer as to the material thickness, compaction, all weather capability, and weight it will support.

26. 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 six 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 6" x 18" green reflective metal sign.

27. Contact the San Mateo County Fire Marshal to schedule a Final Inspection prior to occupancy and Final Inspection by a Building Inspector. Allow for a minimum of 72-hour notice to the Fire Department at 650/ 573-3846.

28. A fire flow of 1,000 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.

29. 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 fuelbreak/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.

30. The required fire flow shall be available from a County Standard 6" Wet Barrel Fire Hydrant. The configuration of the hydrant shall have a minimum of one each 4 1/2" outlet and one each 2 1/2" outlet located not more than 250 feet from the building measured by way of approved drivable access to the project site.

31. 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 the current California Building and Residential Codes.

32. 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.

33. A statement that the building will be equipped and protected by automatic fire sprinklers must appear on the title page of the building plans.

34. 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 Department for review and approval by the San Mateo County Fire Department.

35. 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

36. Prior to the issuance of the building permit or planning permit, 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 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 for review and approval.

37. Prior to the issuance of the building permit or planning permit (if applicable), 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.

38. 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.

39. 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 #3277.

This approval may be appealed by the applicant or any aggrieved party on or before **5:00 p.m. on May 4, 2015**, the tenth working day following this action. An appeal is made by completing and filing a Notice of Appeal, including a statement of grounds for the appeal, with the Planning and Building Department, and paying the applicable fee of $639.83. Further information may be obtained by calling Erica Adams, Project Planner, at 650/363-1828 or by email at eadams@smcgov.org.

To provide feedback, please visit the Department's Customer Survey at the following link: http://planning.smcgov.org/survey.

FOR STEVE MONOWITZ
ACTING COMMUNITY DEVELOPMENT DIRECTOR, By:

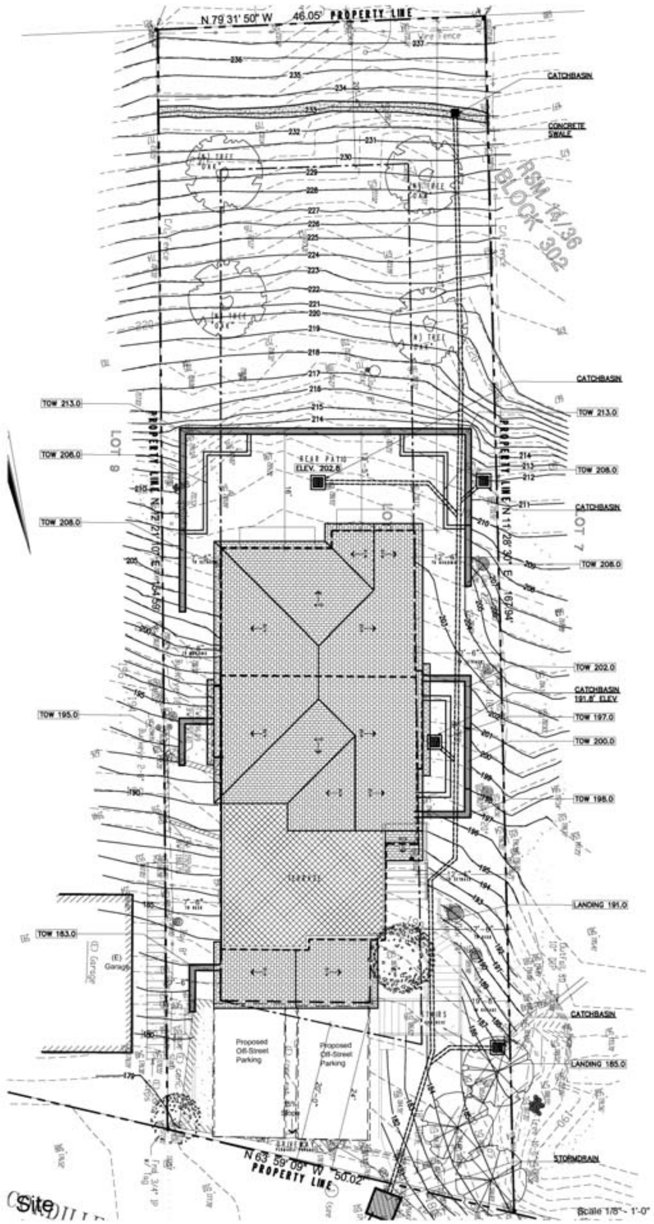
Camille Leung, Senior Planner

CML:EDA:jlh – EDAZ0285_WJN.DOCX

cc: Joanna Heringer
William Burks
Denise and John Edwards
Sheila Bailey
Penelope Jones
Peter Ingram
Seth Thompson
Van Thein
Camas Steinmetz
Rochelle Kopp

County of San Mateo - Planning and Building Department

ATTACHMENT H



PROJECT DATA SHEET

APN	057-031-210		
Lot Size	7622.56 sf		
Zonning	RH		
Fire Sprinkles	Yes		
Occupancy	R-3		
Construction Type	V-B		
	Allowed	Existing	Proposed
Lot Coverage	sf	0 sf	1625 sf
Floor Area Ratio	sf	0 sf	2373.79 sf

Areas

Lower Floor

(N) Garage Area	441 sf

Main Floor

(N) Living Area	970.36 sf

Upper Floor

(N) Living Area	962.43 sf

Sheet Index

Directory

Designer	Surveyor	Title 24	Structural Engineer
LUIS BARBOSA	ALCON ENGINEERING		

Civil Engineer

J.T. CONSULTING

Fire notes

1.- The residence will be require an NFPA 13D automatic fire sprinkler system.

2.- The Building is in a Very High Fire Hazard Severity Zone and will required a Class A Roof.

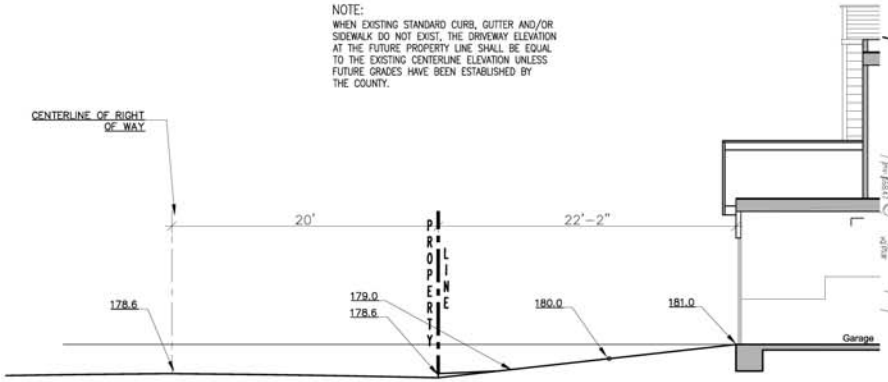
3.- This Project is located in state Responsability Area for wildfire protection. Roofing attic ventilation, exterior walls, windows , exterior doors, decking, floors and underfloor protection to meet CRC R237 requirements.

San Mateo County Board of Supervisors Meeting

Owner/Applicant: **Ryan Karcich / Nicholas Zmay**

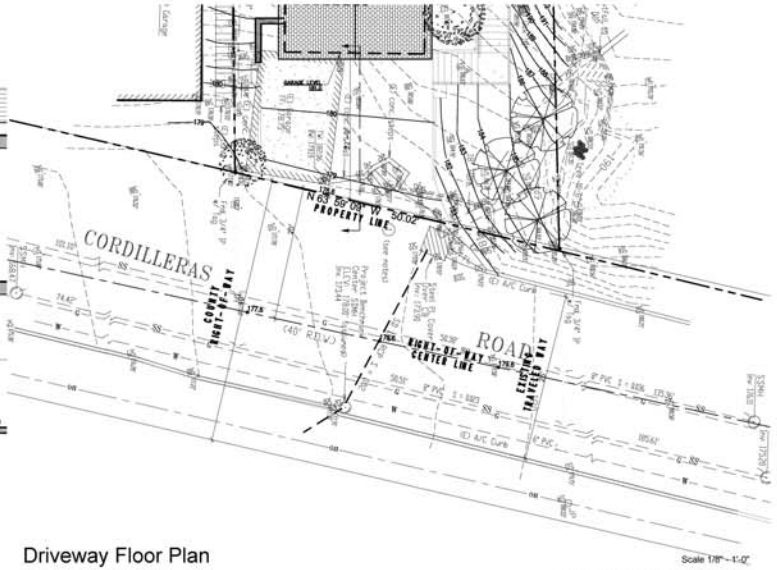
Attachment: **H**

File Numbers: **PLN2014-00409**



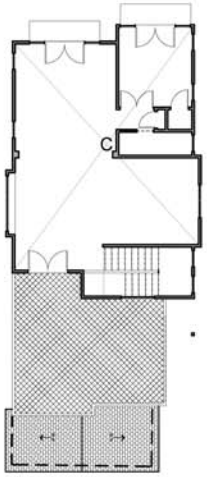
Driveway Profile View

Scale 1/8" - 1'-0"



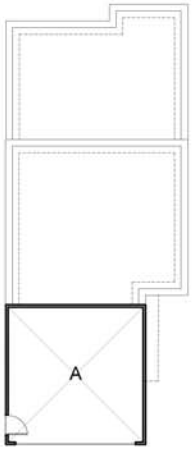
Driveway Floor Plan

Scale 1/8" - 1'-0"



Upper Floor

Scale 1/8" - 1'-0" Main Floor



Scale 1/8" - 1'-0" Lower Floor

AREAS DIAGRHAM

1st Floor		
A	441	sf
B	970.36	sf
C	962.43	sf

Scale 1/8" - 1'-0"

HOMEPLANS
& COMMERCIAL
650-520-9128

ZMAY
Residence
Cordilleras rd.
Redwood City , Ca. 94062
APN 057-031-210

Area Diagrams

DRAWN BY: Lee Barbosa
CHECKED BY:
DATE:

REVISIONS
Submittal set

SHEET No.
T-2

San Mateo County Board of Supervisors Meeting

Owner/Applicant: **Ryan Karcich / Nicholas Zmay** Attachment: **H**

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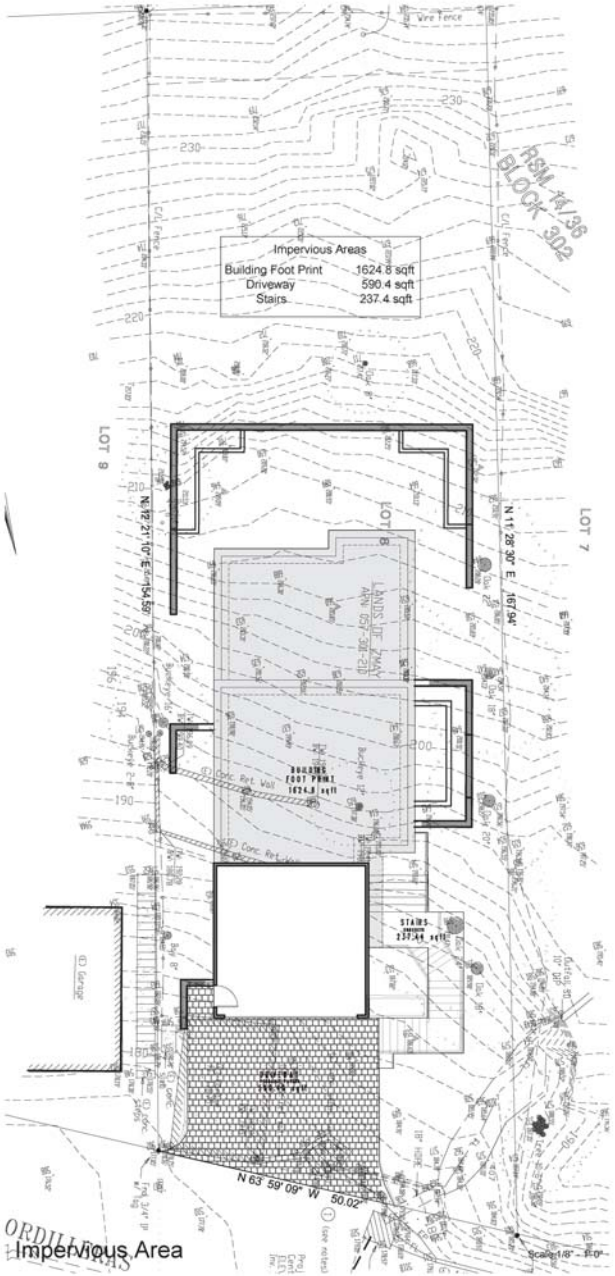
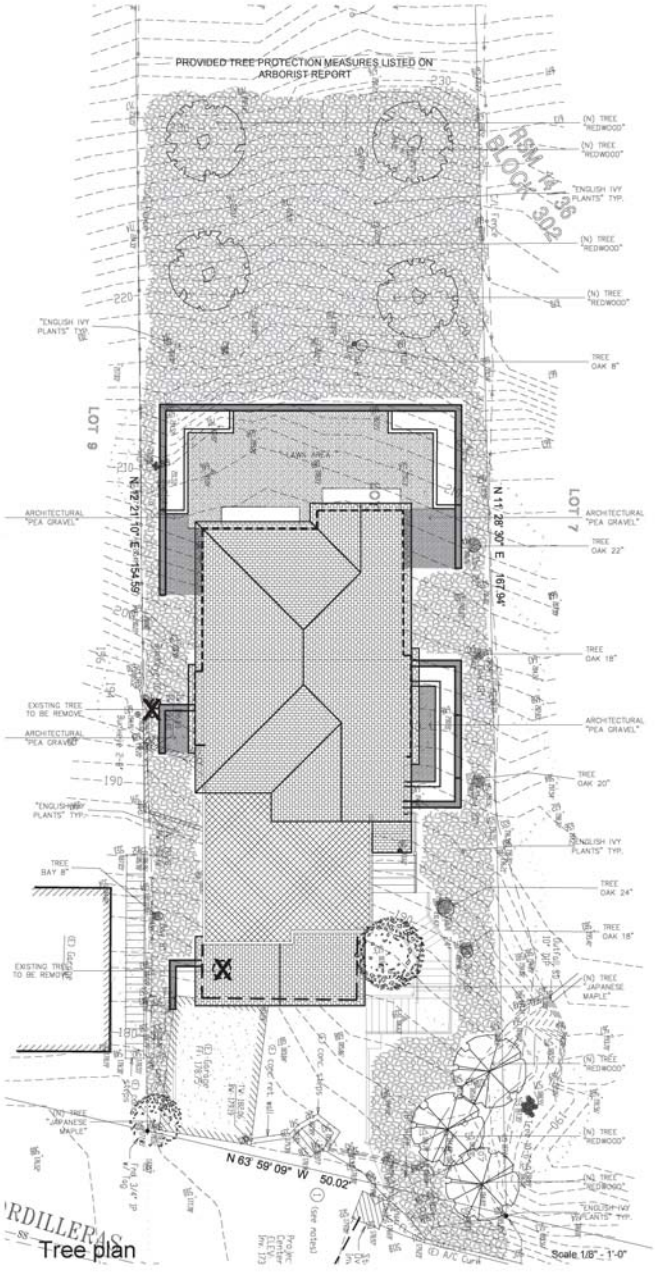


Impervious Area



Tree plan

San Mateo County Board of Supervisors Meeting

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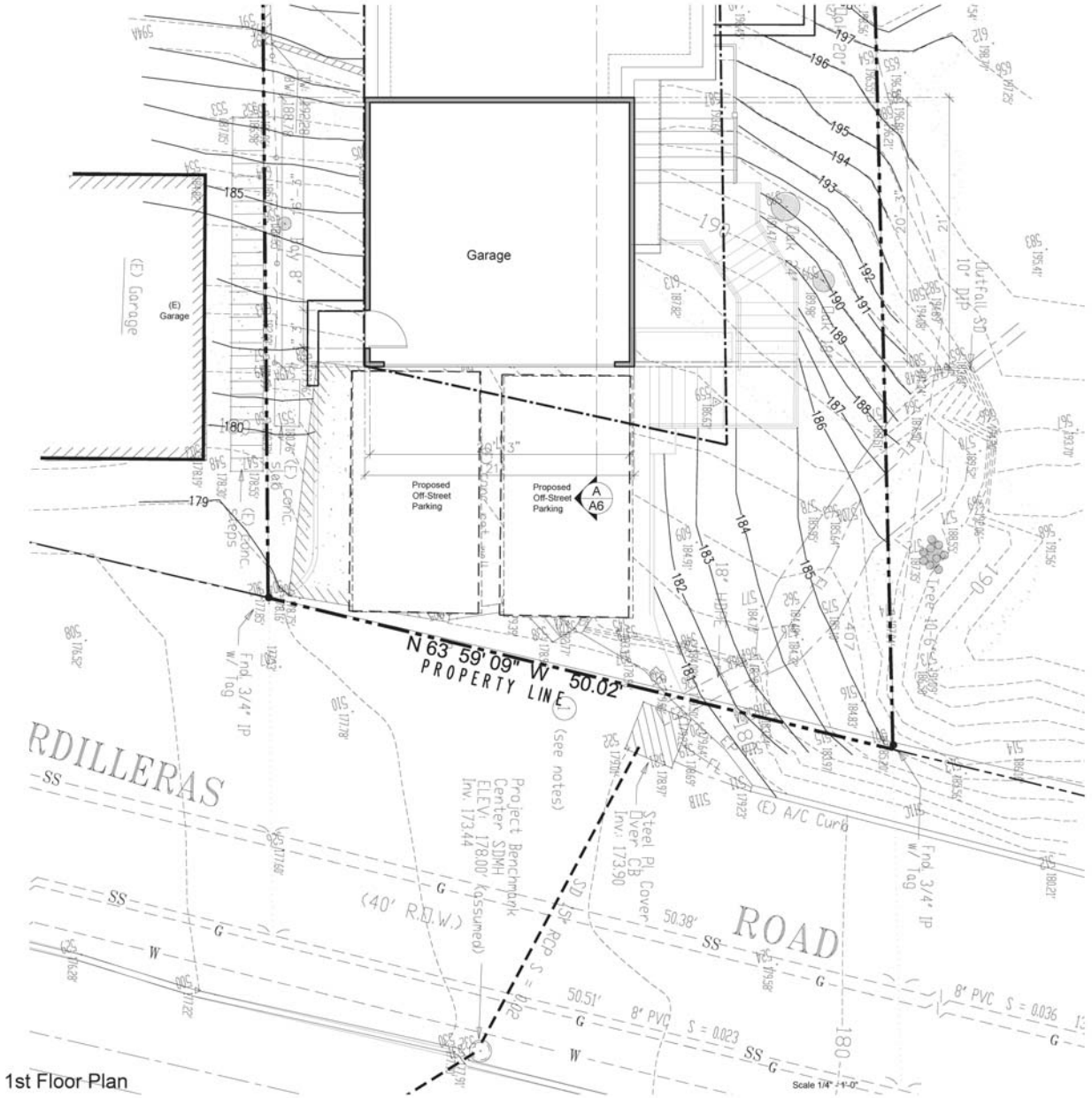

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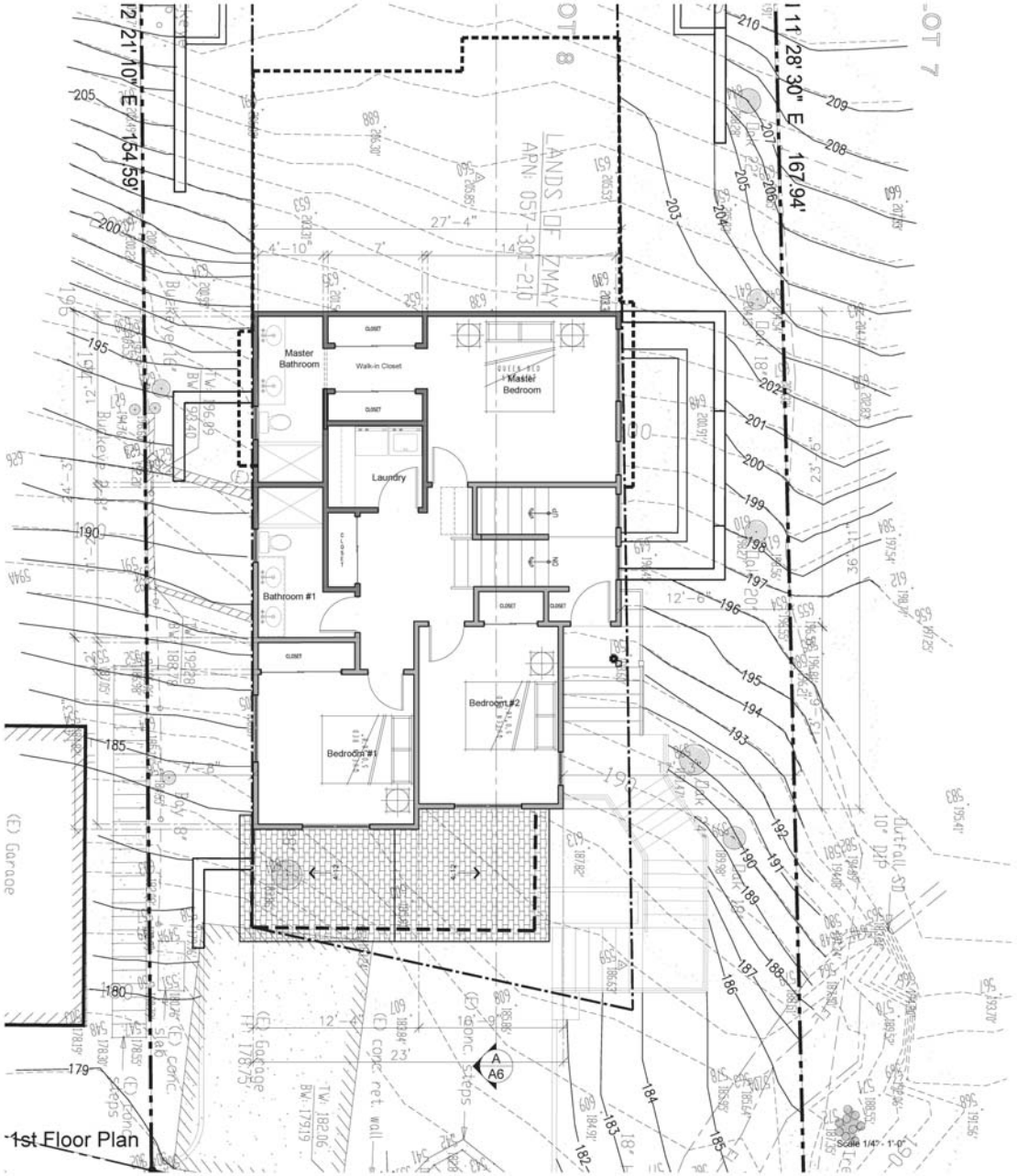

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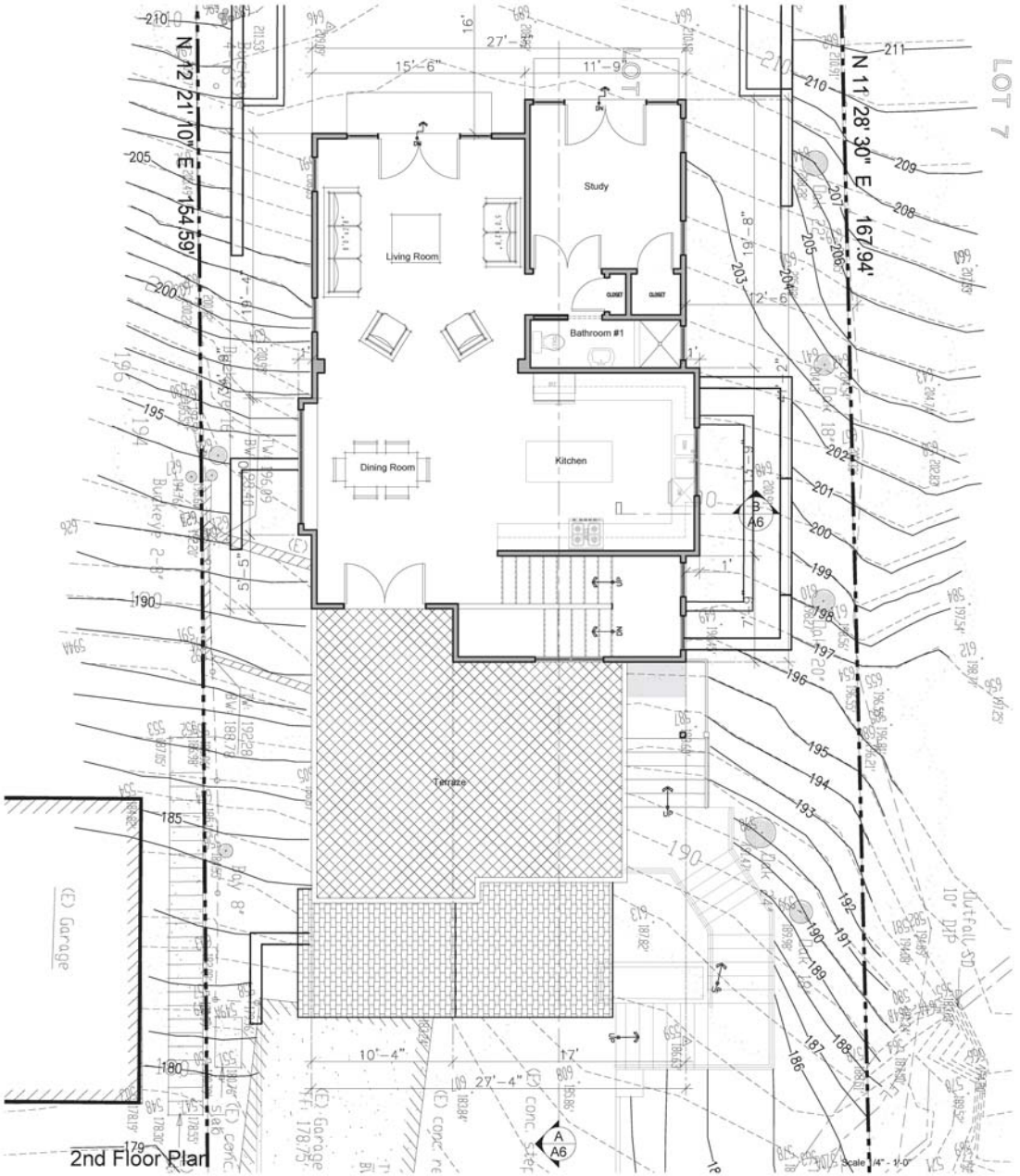

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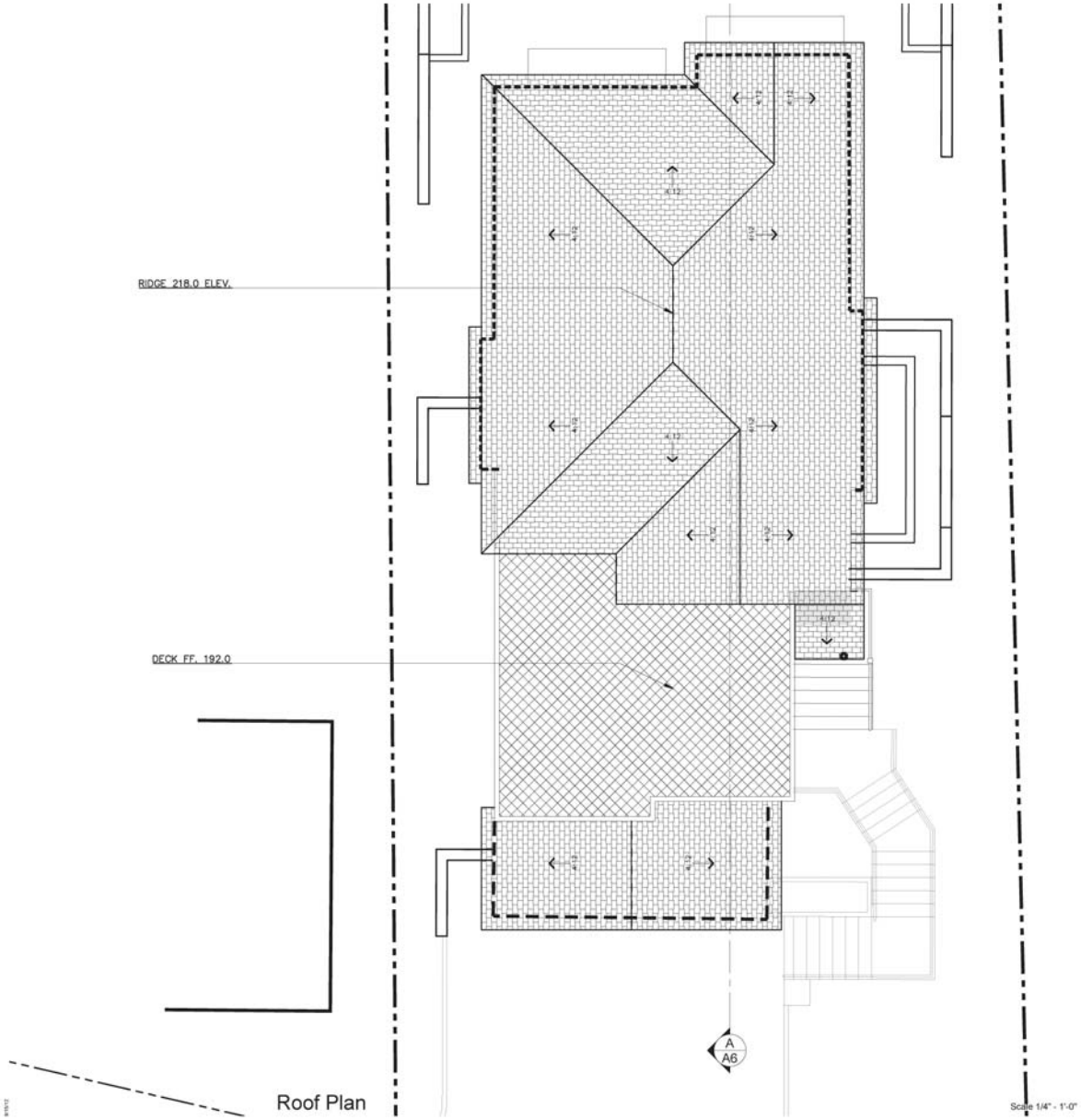

San Mateo County Board of Supervisors Meeting

Owner/Applicant: **Ryan Karcich / Nicholas Zmay** Attachment: **H**

File Numbers: **PLN2014-00409**

Front Elevation

Scale 1/4" - 1'-0"

Rear Elevation

Scale 1/4" - 1'-0"

Elevations

EX-1 6" WOOD SIDING, OVER WATERPROOF WRAPING "TYVEK" OR SIMILAR, OVER WOOD SHEATING.

EX-2 REDWOOD BATT AND BOARD, OVER WATERPROOF WRAPING "TYVEK" OR SIMILAR, OVER WOOD SHEATING.

EX-3 VINYL WINDOWS. INSULATED GLASS, LOW-E-GLASS COLOR "WHITE"

EX-4 6" METAL GUTTER

EX-5 ROCK VENEER "EL DORADO STONE", RUSTIC LEDGE, COLOR: SEQUOIA OVER WOOD FRAMING

EX-6 PAINT GRADE 2X12 BAND.

EX-7 1x WOOD TRIM, PAINT GRADE.

EX-8 UNDERFLOOR VENT 8"x16" NET OPENING VENTS SHALL BE COVERED WITH A CORROSION-RESISTAN WIRE-MESH WITH MESH OPENINGS OF 1/4" IN DIMENSION.

RF-1 ASPHALT SHINGLES COLOR BY OWNER MINIMUM CLASS "A" APPROVED SELF-SEALING OR HAND SEALED AND INSTALLED WITH AN UNDERLAYMENT OF 2 LAYERS OF NON-PERFORATE TYPE 15 FELT APPLIED SHINGLE FASHION.

RF-2 "WINTGARD" LOW PROFILE SLANT BACK ROOF VENT

Wall Legend

F.F.	FINISH FLOOR
F.G.	FINISH GRADE
T.O.P	TOP OF PLATE
T.O.S	TOP OF SLAB
R.B.	RIDGE BOARD
ELEV.	ELEVATION
C.H.	CEILING HEIGHT

San Mateo County Board of Supervisors Meeting

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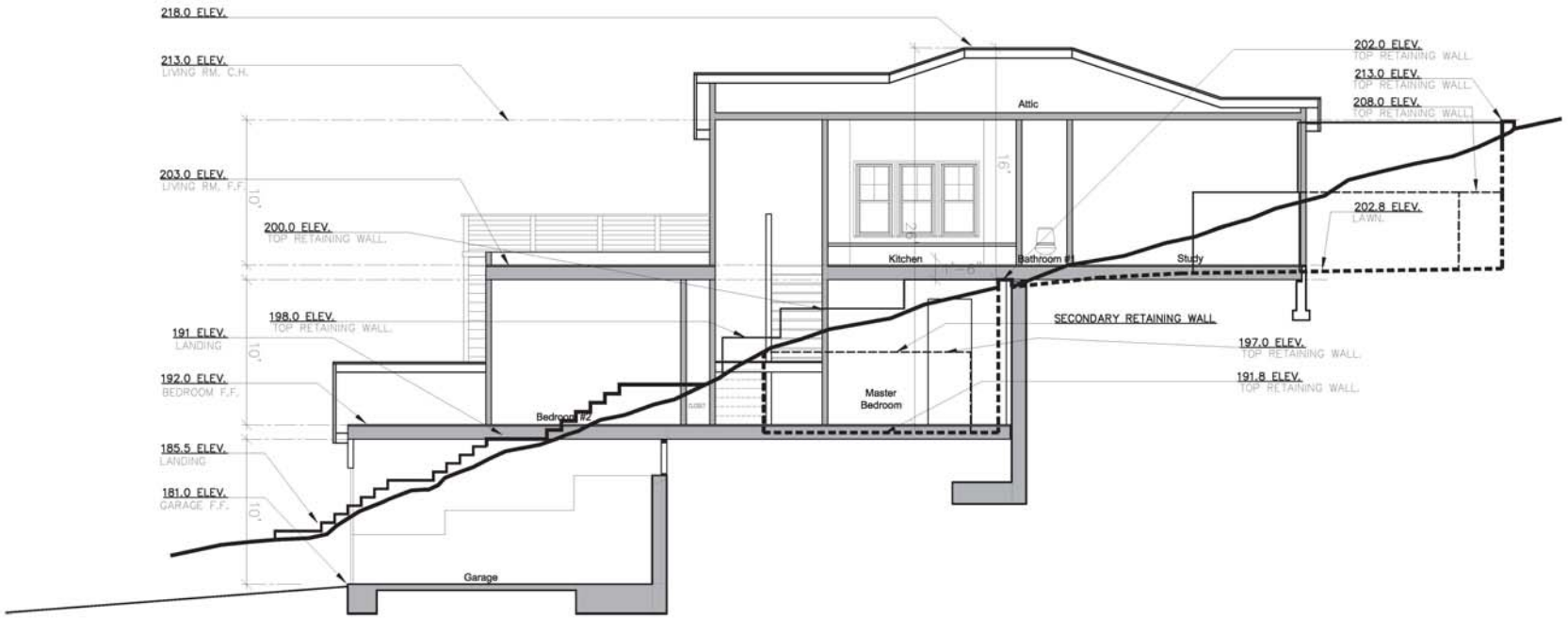

Section A

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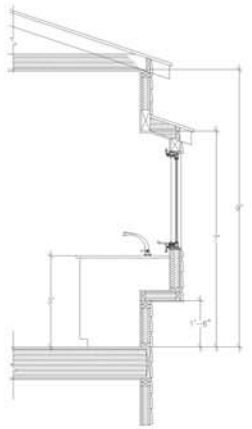

Section B

Scale 1/2" - 1'-0"

San Mateo County Board of Supervisors Meeting

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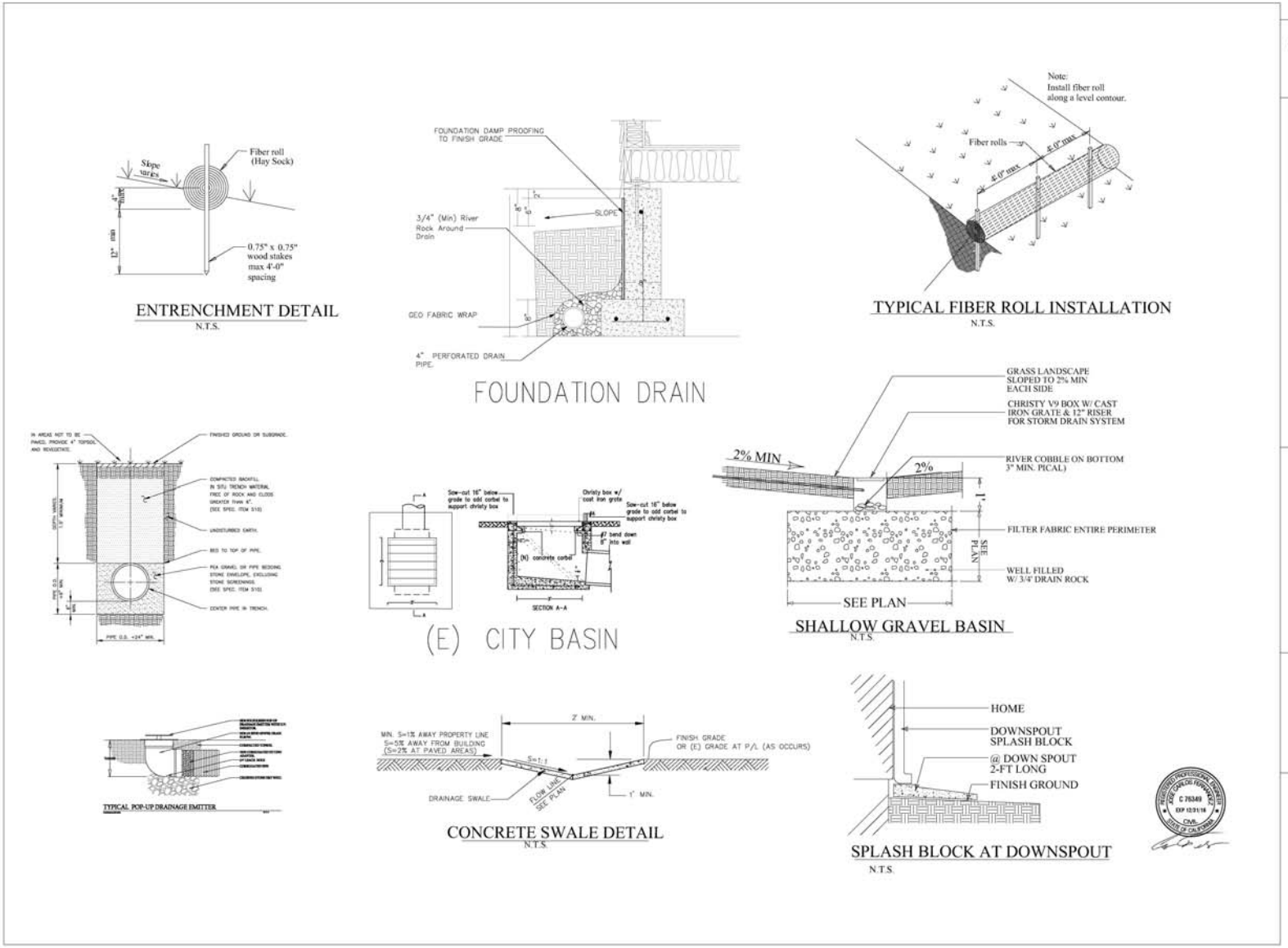

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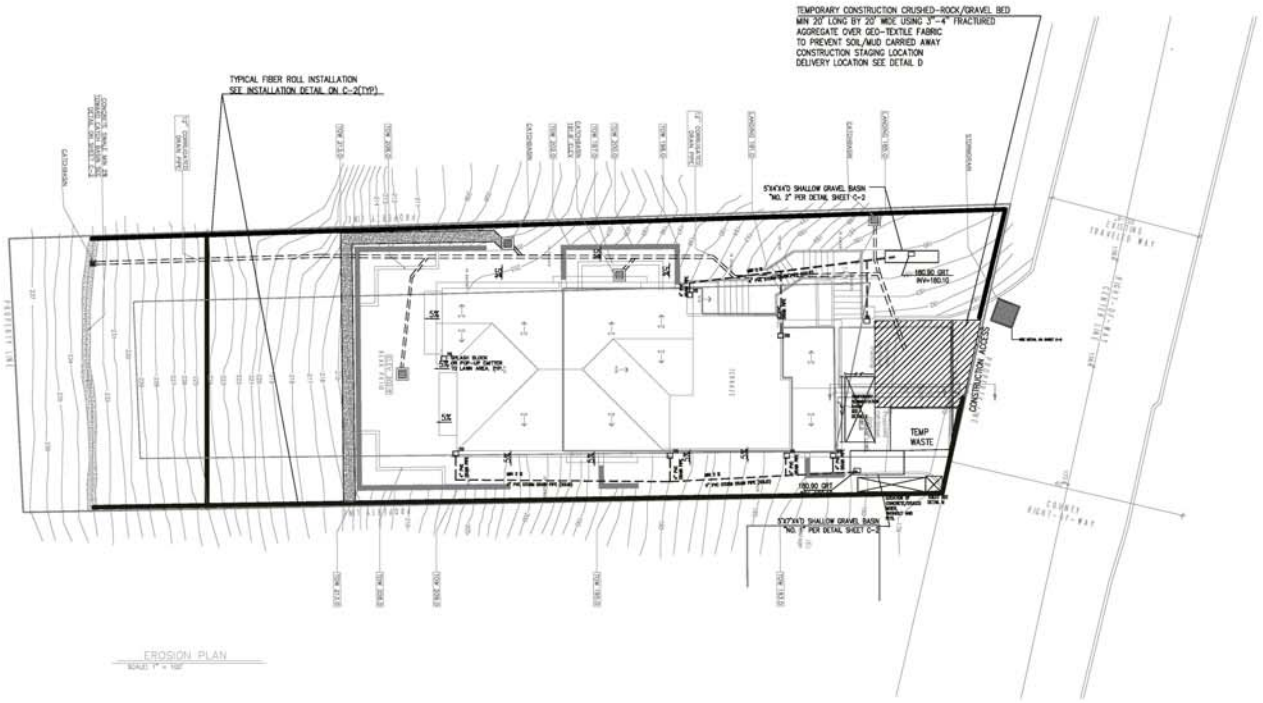


EROSION PLAN

SCALE: 1" = 100'

General Erosion and Sediment Control Note:

1. Maximize and protect areas to be undisturbed (sensitive areas and buffer zones), using a vegetative buffer strip or fence/barrier.
2. Protect storm drain inlets using permeable rock sacks and/or fiber rolls.
3. Identify and protect trees, using fencing placed along driplines.
4. Cover temporary stockpiles using anchored-down plastic sheeting in dry weather. In wet weather or for longer storage, use seeding and mulching, soil blankets or mats.
5. Perform clearing and earth-moving activities only during dry weather. Measures to ensure adequate erosion and sediment control shall be installed prior to earth-moving activities and construction.
6. Stabilize all denuded areas and maintain erosion control measures continuously between October 1 and April 30.
7. Store, handle, and dispose of construction materials and wastes properly, so as to prevent their contact with stormwater.
8. Control and prevent 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.
9. Use sediment controls or filtration to remove sediment when dewatering site and obtain Regional Water Quality Control Board (RWQCB) permit(s) as necessary.
10. Avoid cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
11. Limit time applications of pesticides and fertilizers to prevent polluted runoff.
12. Limit construction access routes to stabilized, designated access points.
13. Avoid tracking dirt or other materials off-site; clean off-site paved areas and sidewalks using dry sweeping methods.
14. Train and provide instruction to all employees and subcontractors regarding the Watershed Protection maintenance Standards and Construction Best Management Practices.
15. The areas delineated on the plans for parking, grubbing, storage, etc., shall not be enlarged or run over.
16. Dust control is required year-round. Erosion control materials shall be stored on-site.
17. Use of plastic sheeting between October 1 and April 30 is not acceptable, unless for use on stockpiles where the stockpile is also protected with fiber rolls containing the base of the stockpile.
18. Tree protection shall be in place before any grading, excavating or grubbing is started.

REGISTERED PROFESSIONAL ENGINEER
JOSE CARLOS FERNANDEZ
C 76349
EXP 12/31/16
CIVIL
STATE OF CALIFORNIA

REVISIONS BY

1 REVISION FOR COMMENTS 3/2/15 M.K.

JOSE C. FERNANDEZ
J.F. CONSULTING
408.512.8400
21060 HOMESTEAD RD., #212
CUPERTINO CA 95014
(408) 512 – 8400
jfplans @ gmail.com

SHEET TITLE:

EROSION AND SEDIMENT CONTROL PLAN

NEW CUSTOM HOME

ZMAY RESIDENCE

CORDILLERAS RD.,
Redwood City, Ca.

DATE :	03/04/15
SCALE :	1" = 100'
DRAWN BY :	JCF
JOB NO :	
SHEET :	

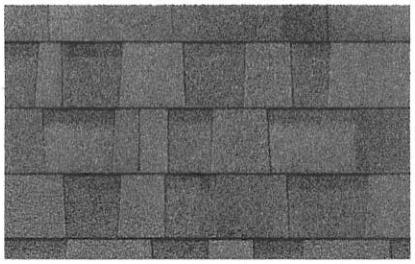
C – 3

San Mateo County Board of Supervisors Meeting

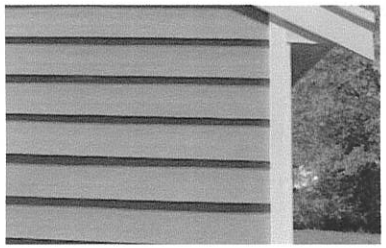
Owner/Applicant: **Ryan Karcich / Nicholas Zmay** Attachment: **H**

File Numbers: **PLN2014-00409**

Attachment H



Asphalt Shingles , "Oakridge"
Color: Flagstone



Redwood Siding 6"

Rdwood Framinf and Stainless Steel Cables

Vinyl Windows, Double pane
W/ Grids

Rock Veneer "El Dorado Stone"
Rustic Ledge
Color: " Sequioa"

ZMAY RESIDENCE
CORDILLERAS RD.
APN. 057-031-210

PLN2014-00409

County of San Mateo - Planning and Building Department

ATTACHMENT I

Attachment I

Kielty Arborist Services

Certified Arborist WE#0476A
P.O. Box 6187
San Mateo, CA 94403
650- 515- 9783

February 3, 2015, updated March 31, 2015

Mr. Nick Zmay
751 Laurel Street
San Carlos, CA 94070

Site: Lot APN# 057-031-210 on Cordilleras, Redwood City, CA

Dear Mr. Zmay,

As requested on Monday, February 2, 2015, I visited the above site for the purpose of inspecting and commenting on the trees. A new home and landscape is planned for this site and your concern as to the future health and safety has prompted this visit.

Method:
All inspections were made from the ground; the trees were not climbed for this inspection. The trees in question were located on a map provided by you. The latest plans for the site were reviewed including, Site plans T-1 and T-2, Tree plan TP and Lower floor plan A-1. The trees were then measured for diameter at 54 inches above ground level (DBH or diameter at breast height). The tree was given a condition rating for form and vitality. The trees' condition rating is based on 50 percent vitality and 50 percent form, using the following scale.

1	-	29	Very Poor
30	-	49	Poor
50	-	69	Fair
70	-	89	Good
90	-	100	Excellent

The height of the tree was measured using a Nikon Forestry 550 Hypsometer. The spread was paced off. Comments and recommendations for future maintenance are provided.

Survey:

Tree#	Species	DBH	CON	HT/SP	Comments
1	Black acacia *(Acacia melanoxylon)*	5.5-4.8	40	30/20	Poor vigor, poor form, codominant at base.
2	Coast live oak *(Quercus agrifolia)*	23.9	30	40/55	Fair vigor, poor form, heavy lean to the south over neighbor's.
3	Buckeye *(Aesculus californica)*	7.2-9.1	55	20/25	Fair vigor, poor form, codominant at 6 inches, suppressed.
4	Buckeye *(Aesculus californica)*	6.5-4.9	35	20/25	Fair vigor, poor form, leans east.
5	Buckeye *(Aesculus californica)*	9.2-6.8	45	20/30	Fair vigor, poor form, suppressed.
6	Coast live oak *(Quercus agrifolia)*	17.8	55	40/35	Fair vigor, poor-fair form.
7	Coast live oak *(Quercus agrifolia)*	12.8	35	35/40	Fair vigor, poor form, trunk leans south. Decay at base, from failed leader.
8	Coast live oak *(Quercus agrifolia)*	20.8	60	45/35	Fair vigor, fair form, heavy to the west.
9	Coast live oak *(Quercus agrifolia)*	24.5	45	50/40	Fair vigor, poor form, poor live crown ratio, hollow at base.
10	Coast live oak *(Quercus agrifolia)*	15.3	50	50/35	Fair vigor, poor form, leans north, poor live crown ratio.
11	Grecian laurel *(Laurus noblis)*	10x6"	55	35/30	Good vigor, poor form, multi leader at base.

Summary:
The trees on site are a mix of native oaks and buckeyes and two species of imported trees. The imported trees include tree #1 a black acacia and a Grecian laurel #11. The acacia is a poor invasive tree and will be removed. The Grecian laurel is on the property line and provides screening to the property.

The oaks and buckeyes are in poor-fair condition. Oak tree #2 has very poor form with a heavy lean over the neighbor's house. If tree #2 were to fail the likely target would be the neighbor's house. Oak tree #9 has a large hollow area at the base and is an immediate hazard. Remove and replace this oak as failure is likely. Oak #7 has a heavy lean and is being supported by oak #6 remove this tree. The buckeyes have very poor form and should be removed. Other trees may be removed to facilitate the construction. The removed trees will be replaced at the time of landscaping.

The site will include a series of retaining walls that will have some effect on a few of the retained trees. Excavation for the retaining walls will be hand dug when within the driplines of the protected trees. The site arborist will be on site to document any root loss and provide mitigating measures if root loss is evident.

The retained trees where root loss is expected will be fertilized prior to the start of construction. Fertilizing will help to improve the vigor of the trees and lessen the trees chances of decline. The following tree protection should be utilized for any trees
that will be retained.

Tree Protection Plan:
Tree Protection Fencing
Tree protection zones should be established and maintained throughout the entire length of the project. Fencing for the protection zones should be 4 foot tall orange plastic supported by metal poles or stakes pounded into the ground. The support poles should be spaced no more than 10 feet apart on center. The location for the protection fencing should be as close to the dripline as possible still allowing room for construction to safely continue. Signs should be placed on fencing signifying "Tree Protection Zone - Keep Out". No materials or equipment should be stored or cleaned inside the tree protection zones. Areas outside the fencing but still beneath the dripline of protected trees, where foot traffic is expected to be heavy, should be mulched with 4 to 6 inches of chipper chips. Tree protection for the trees on the perimeter where construction will not affect the trees can be of orange plastic fencing supported by metal stakes.

Trenching
Trenching for irrigation, electrical, drainage or any other reason should be hand dug when beneath the driplines of protected trees. Hand digging and carefully laying pipes below or beside protected roots will dramatically reduce root loss of desired trees thus reducing trauma to the entire tree. Trenches should be backfilled as soon as possible with native material and compacted to near its original level. Trenches that must be left exposed for a period of time

should also be covered with layers of burlap or straw wattle and kept moist. Plywood over the top of the trench will also help protect exposed roots below.

Root Buffer
A root buffer consisting of 6 inches of wood chips shall be spread within the trees driplines where foot traffic is expected to be heavy. The wood chips will help to relieve compaction and retain moisture during watering periods.

Root Cutting
All roots to be severed should be cut clean with a saw or a loppers. Large roots (over 2" diameter) or large masses of roots will be inspected by the site arborist. Root cutting will be mitigated by irrigation or fertilization.

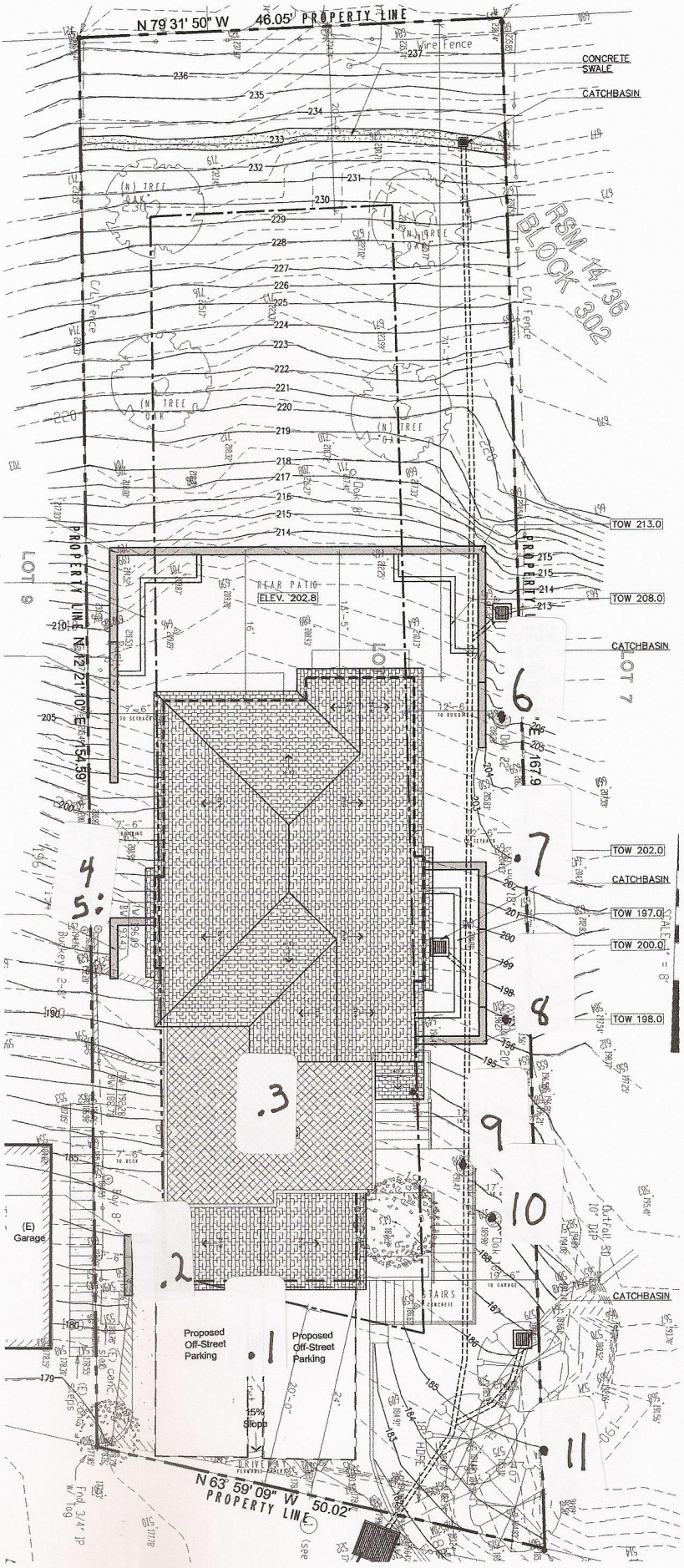
Tree Trimming
Trimming of the trees to be retained will be minor with no significant impacts expected. All trimming will be carried out by a licensed tree care provider and inspected by the site arborist. Root crowns of the oaks should be exposed and inspected for crown rot. The oaks should be treated for sudden oak death annually during the month of November.

Irrigation
Normal irrigation should be maintained throughout the entire length of the project. The imported trees on this site will require irrigation during the warm season months. Some irrigation may be required during the winter months depending on the seasonal rainfall. During the summer months the trees on this site should receive heavy flood type irrigation 2 times a month. During the fall and winter 1 time a month should suffice. The native trees will require warm season irrigation if there root zones are traumatized. Mulching the root zone of protected trees will help the soil retain moisture, thus reducing water consumption.

The information included in this report is believed to be true and based on sound arboricultural principles and practices.

Sincerely,

.
Kevin R. Kielty
Certified Arborist WE#0476A


N 79° 31' 50" W 46.05' PROPERTY LINE
Wire fence
CONCRETE SWALE
CATCHBASIN
RSM 14/36 BLOCK 302
C/L Fence
(N) TREE OAK
TOW 213.0
TOW 208.0
CATCHBASIN
PROPERTY LINE
LOT 6
LOT 7
REAR PATIO ELEV. 202.8
PROPERTY LINE N 12° 21' 10" E 154.59'
TOW 202.0
CATCHBASIN
TOW 197.0
TOW 200.0
TOW 198.0
SCALE: 1" = 8'
(E) Garage
Proposed Off-Street Parking
Proposed Off-Street Parking
15% Slope
STAIRS
CATCHBASIN
N 63° 59' 09" W 50.02'
PROPERTY LINE
Fnd 3/4" IP w/ tag

County of San Mateo - Planning and Building Department

ATTACHMENT J

Attachment J

Kielty Arborist Services

Certified Arborist WE#0476A
P.O. Box 6187
San Mateo, CA 94403
650- 515- 9783

August 11, 2015

Mr. Nick Zmay
751 Laurel Street
San Carlos, CA 94070

Site: Lot APN# 057-031-210 Lot at 2029 Cordilleras, Redwood City, CA

Dear Mr. Zmay,

As requested on Monday, February 2, 2015, I visited the above site for the purpose of inspecting and commenting on the trees. A new home and landscape is planned for this site and your concern as to the future health and safety has prompted this visit.

The purpose of the plan is to provide means and methods that will preserve and protect the trees to remain before, during, and after construction. This revised report now provides a specific tree protection plan for each individual tree to be retained on the property. This report is based on the most recent changes outlined in the attached drawing T1.

Method:
All inspections were made from the ground; the trees were not climbed for this inspection. The trees in question were located on a map provided by you. The latest plans for the site were reviewed including, Site plans T-1 and T-2, Tree plan TP and Lower floor plan A-1. The trees were then measured for diameter at 54 inches above ground level (DBH or diameter at breast height). The tree was given a condition rating for form and vitality. The trees' condition rating is based on 50 percent vitality and 50 percent form, using the following scale.

1	-	29	Very Poor
30	-	49	Poor
50	-	69	Fair
70	-	89	Good
90	-	100	Excellent

The height of the tree was measured using a Nikon Forestry 550 Hypsometer. The spread was paced off. Comments and recommendations for future maintenance are provided.

Survey:

Tree#	Species	DBH	CON	HT/SP	Comments
1*	Black acacia *(Acacia melanoxylon)*	5.5-4.8	40	30/20	Poor vigor, poor form, codominant at base.
2*	Coast live oak *(Quercus agrifolia)*	23.9	30	40/55	Fair vigor, poor form, heavy lean to the south over neighbor's.
3*	Buckeye *(Aesculus californica)*	7.2-9.1	55	20/25	Fair vigor, poor form, codominant at 6 inches, suppressed.
4	Buckeye *(Aesculus californica)*	5.5-4.9	35	20/25	Fair vigor, poor form, leans east.
5	Buckeye *(Aesculus californica)*	9.2-6.8	45	20/30	Fair vigor, poor form, suppressed.
6	Coast live oak *(Quercus agrifolia)*	17.8	55	40/35	Fair vigor, poor-fair form.
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8	Coast live oak *(Quercus agrifolia)*	20.8	60	45/35	Fair vigor, fair form, heavy to the west.
9	Coast live oak *(Quercus agrifolia)*	24.5	45	50/40	Fair vigor, poor form, poor live crown ratio, hollow at base.
10	Coast live oak *(Quercus agrifolia)*	15.3	50	50/35	Fair vigor, poor form, leans north, poor live crown ratio.
11	Grecian laurel *(Laurus noblis)*	10x6"	55	35/30	Good vigor, poor form, multi leader at base.

*indicates trees to be removed

Summary:

The trees on site are a mix of native oaks and buckeyes and two species of imported trees. The imported trees include tree #1 a black acacia and a Grecian laurel #11. The acacia is a poor invasive tree and will be removed. The Grecian laurel is on the property line and provides screening to the property.

The oaks and buckeyes are in poor-fair condition. Oak tree #2 has very poor form with a heavy lean over the neighbor's house. If tree #2 were to fail the likely target would be the neighbor's house. Oak tree #9 has a large hollow area at the base and is an immediate hazard. Remove and replace this oak as failure is likely. Oak #7 has a heavy lean and is being supported by oak #6 remove this tree. The buckeyes have very poor form and should be removed. Other trees may be removed to facilitate the construction. The removed trees will be replaced at the time of landscaping.

The site will include a series of retaining walls that will have some effect on a few of the retained trees. Excavation for the retaining walls will be hand dug when within the driplines of the protected trees. The site arborist will be on site to document any root loss and provide mitigating measures if root loss is evident.

The latest site plan has re-located retaining walls further from trees #6 and #8. The latest plan allows trees #4 and #5 to be retained. The plan will reduce impacts to retained trees and will allow other trees to be retained. Impacts to trees to be retained will be moderate with minor trimming required. Mitigating measures outlined in this report will be provided before, during, and after construction.

The retained trees where root loss is expected will be fertilized prior to the start of construction. Fertilizing will help to improve the vigor of the trees and lessen the trees chances of decline. The following tree protection should be utilized for any trees that will be retained.

Tree Protection Plan:

The following tree protection fencing distances and recommendations should be observed for the retained trees:

Tree #4 buckeye

- The minimum distance for the protective fencing will be 5 feet and will extend to 12 feet where possible.
- The buckeyes will be fertilized with 100 gallons of 22-14-14 prior to the start of construction.
- Relocate roots in backfill areas wherever possible. If large, main lateral roots are encountered, expose beyond excavation limits to bend and relocate without breaking.
- Severed roots will be cut clean with approved saw or loppers.
- The tree will be irrigated two times per month for until winter rains saturates soil.

- The root zone will be mulched with wood chips.
- Arborist will be on site to monitor any excavation impacts.
- Trimming impacts will be minor and should help to improve the trees form.
- Roots exposed for a period of time should also be covered with one (1) layer of wet burlap or straw wattle and kept moist.

Tree #5 buckeye

- Roots exposed for a period of time should also be covered with one (1) layer of wet burlap or straw wattle and kept moist.
- The minimum distance for the protective fencing will be 5 feet and will extend to 12 feet where possible.
- Relocate roots in backfill areas wherever possible. If large, main lateral roots are encountered, expose beyond excavation limits to bend and relocate without breaking.
- The buckeyes will be fertilized with 100 gallons of 22-14-14 prior to the start of construction.
- The root zone will be mulched with wood chips.
- Arborist will be on site to monitor any excavation impacts.
- Severed roots will be cut clean with approved saw or loppers and covered with plastic sandwich bags to avoid drying.
- The tree will be irrigated two times per month for until winter rains saturates soil.
- Trimming impacts will be minor and should help to improve the trees form.

Tree #6 coast live oak

- The minimum distance for fencing will be 8 feet and extend to 15 feet where possible.
- The oak will be fertilized with 100 gallons of 22-14-14.
- The root zone will be mulched with wood chips.
- The site arborist will be on site to monitor excavation impacts. Pruning impacts will be minor.
- Severed roots will be cut clean with approved saw or loppers covered with plastic sandwich bags to avoid drying.
- The tree will be irrigated two times per month for until winter rains saturates soil.
- Roots exposed for a period of time should also be covered with one (1) layer of wet burlap or straw wattle and kept moist.
- Relocate roots in backfill areas wherever possible. If large, main lateral roots are encountered, expose beyond excavation limits to bend and relocate without breaking.

Tree #8 coast live oak

- The minimum distance for fencing will be 5 feet and extend to 18 feet where possible.
- The oak will be fertilized with 125 gallons of 22-14-14 prior to the start of construction.
- The root zone will be mulched with wood chips.
- The site arborist will be on site to monitor excavation impacts.
- Relocate roots in backfill areas wherever possible. If large, main lateral roots are encountered, expose beyond excavation limits to bend and relocate without breaking.

- Severed roots will be cut clean with approved saw or loppers.
- The tree will be irrigated two times per month for until winter rains saturates soil.
- Trimming impacts will be minor.
- Roots exposed for a period of time should also be covered with one (1) layer of wet burlap or straw wattle and kept moist.

Tree #9 coast live oak

- The minimum distance for fencing will be 5 feet and extend to 18 feet where possible.
- The oak will be fertilized with 125 gallons of 22-14-14 prior to the start of construction.
- The root zone will be mulched with wood chips.
- The site arborist will be on site to monitor impacts.
- Severed roots will be cut clean with approved saw or loppers and covered with sandwich bags to prevent drying.
- The tree will be irrigated two times per month for until winter rains saturates soil.
- Trimming impacts will be minor.
- Roots exposed for a period of time should also be covered with one (1) layer of wet burlap or straw wattle and kept moist.

Tree #10 coast live oak

- The minimum distance for fencing will be 5 feet and extend to 18 feet where possible.
- The oak will be fertilized with 125 gallons of 22-14-14 prior to the start of construction.
- Roots exposed for a period of time should also be covered with one (1) layer of wet burlap or straw wattle and kept moist.
- The root zone will be mulched with wood chips.
- The site arborist will be on site to monitor impacts.
- Severed roots will be cut clean with approved saw or loppers.
- The tree will be irrigated two times per month for until winter rains saturates soil.
- Trimming impacts will be minor.

Tree #11 Grecian laurel

- The minimum distance will be 6 feet and extend to 25 feet where possible.
- The laurel will be fertilized with 125 gallons of 22-14-14.
- Severed roots will be cut clean with approved saw or loppers.
- The tree will be irrigated two times per month for until winter rains saturates soil.

Explanation of Recommendations:

Fertilization

Fertilization will utilize ***"Romeo Greenbelt 22-14-14"*** tree fertilizer or approved equal at 4 lbs/100 gal water.

Tree Protection Fencing

Tree protection zones should be established and maintained throughout the entire length of the project. Fencing for the protection zones should be 4 foot tall orange plastic supported by metal poles or stakes pounded into the ground. The support poles should be spaced no more than 10 feet apart on center. The location for the protection fencing should be as close to the dripline as possible still allowing room for construction to safely continue. Signs should be placed on fencing signifying "Tree Protection Zone - Keep Out". No materials or equipment should be stored or cleaned inside the tree protection zones. Areas outside the fencing but still beneath the dripline of protected trees, where foot traffic is expected to be heavy, should be mulched with 4 to 6 inches of chipper chips. Tree protection for the trees on the perimeter where construction will not affect the trees can be of orange plastic fencing supported by metal stakes.

Trenching

Excavation for irrigation, retaining walls, drainage or any other reason should be hand dug when beneath the driplines of protected trees. Hand digging and carefully laying pipes below or beside protected roots will dramatically reduce root loss of desired trees thus reducing trauma to the entire tree. Trenches should be backfilled as soon as possible with native material and compacted to near its original level. Trenches that must be left exposed for a period of time should also be covered with one (1) layer of wet burlap or straw wattle and kept moist. Plywood over the top of the trench will also help protect exposed roots below.

Root Buffer

A root buffer consisting of 6 inches of wood chips shall be spread within the trees driplines where foot traffic is expected to be heavy. The wood chips will help to relieve compaction and retain moisture during watering periods.

Root Cutting

All roots to be severed should be cut clean with approved saw or loppers and covered with sandwich bags to prevent drying. Large roots (over 2" diameter) or large masses of roots will be inspected by the site arborist. Cut branches and roots with sharp pruning instruments. Do not break, chop, or mutilate. Impacts of Root cutting will be mitigated by irrigation and fertilization.

Tree Trimming

Trimming of the trees to be retained will be minor with no significant impacts expected. Tree limbs in the way of proposed buildings shall only be trimmed by reputable ISA Certified Arborist or ISA Certified Climber and inspected by the project arborist. Root crowns of the oaks should be exposed and inspected for crown rot. Cut branches and roots with sharp pruning instrument, do not break, chop, or mutilate. The oaks should be treated for sudden oak death annually during the month of November.

Irrigation

Normal irrigation should be maintained throughout the entire length of the project. The imported trees on this site will require irrigation during the warm season months. Some irrigation may be required during the winter months depending on the seasonal rainfall. During the summer months the trees on this site should receive heavy flood type irrigation 2 times a month. During the fall and winter 1 time a month should suffice. The native trees will require warm season irrigation if there root zones are traumatized. Mulching the root zone of protected trees will help the soil retain moisture, thus reducing water consumption.

The information included in this report is believed to be true and based on sound arboricultural principles and practices.

Sincerely,

Kevin R. Kielty
Certified Arborist WE#0476A

County of San Mateo - Planning and Building Department

ATTACHMENT K

Attachment K

Nick Zmay
(650) 430-0075
nickzmay@gmail.com

August 6, 2015
APN: 057 031 210

2029 Cordilleras: Post Approved Design Review Minor Changes Responding to Appeal Letter & Outside Correspondence.

The purpose of this letter is to respond to present solutions to concerns raised by Appellants Peter Ingram and Seth Thompson in the April 6th appeal letter and outside correspondence with Nick Zmay.

1. To address the neighbors concern with finish floor elevation of the proposed home, Nick Zmay will reduce the total home elevation by 1'.

2. To address Seth Thompson's concern of privacy with the removal of trees #4 & 5, Nick Zmay will preserve these trees by deleting a retaining wall to maintain the natural barrier to Seth Thompson's property.

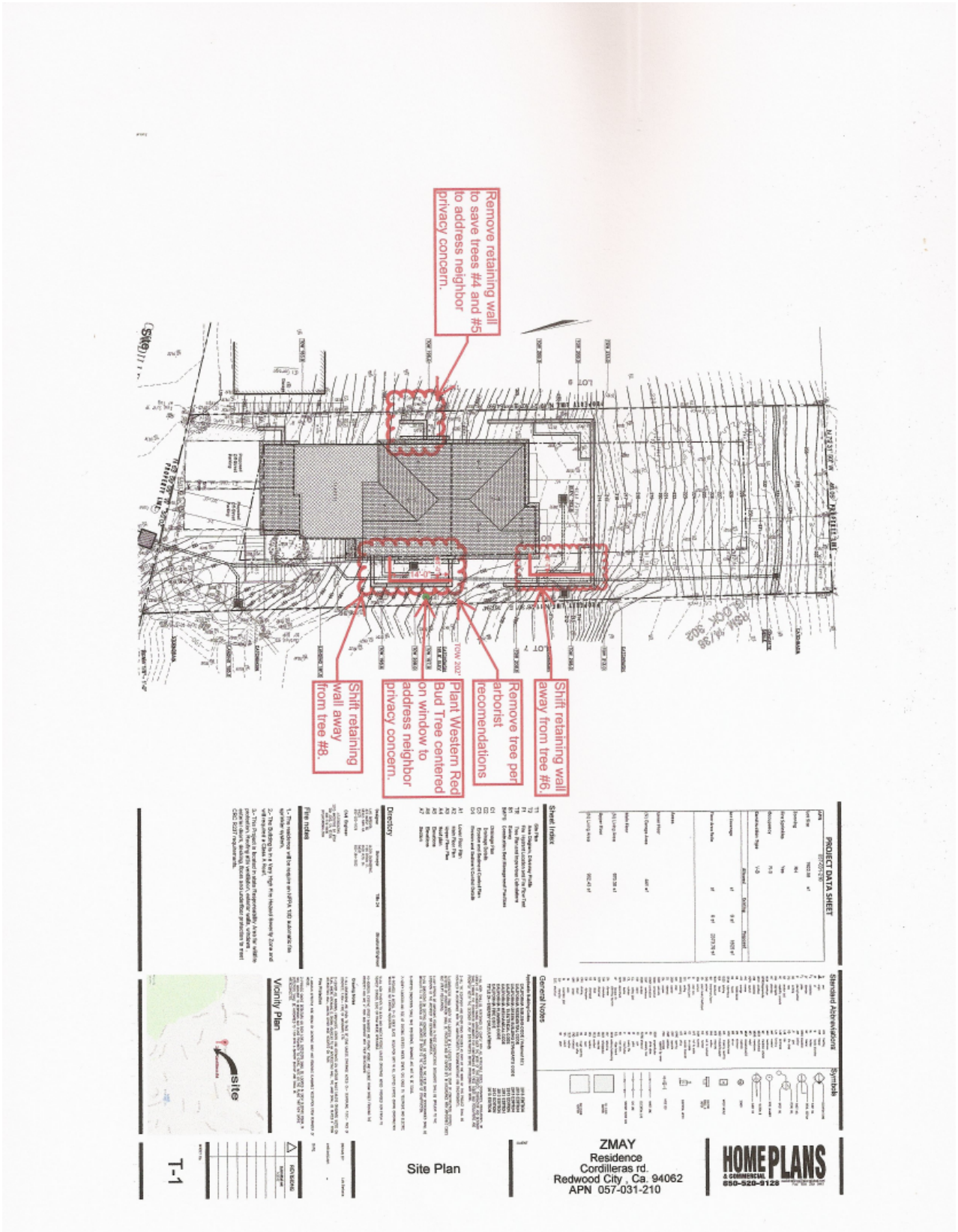
3. In response to the Peter Ingram's concern with the proximity of retaining walls to trees #6 and #8, Nick Zmay will shift retaining walls to better help preserve these trees. See attached for exact minor changes and updated arbor report.

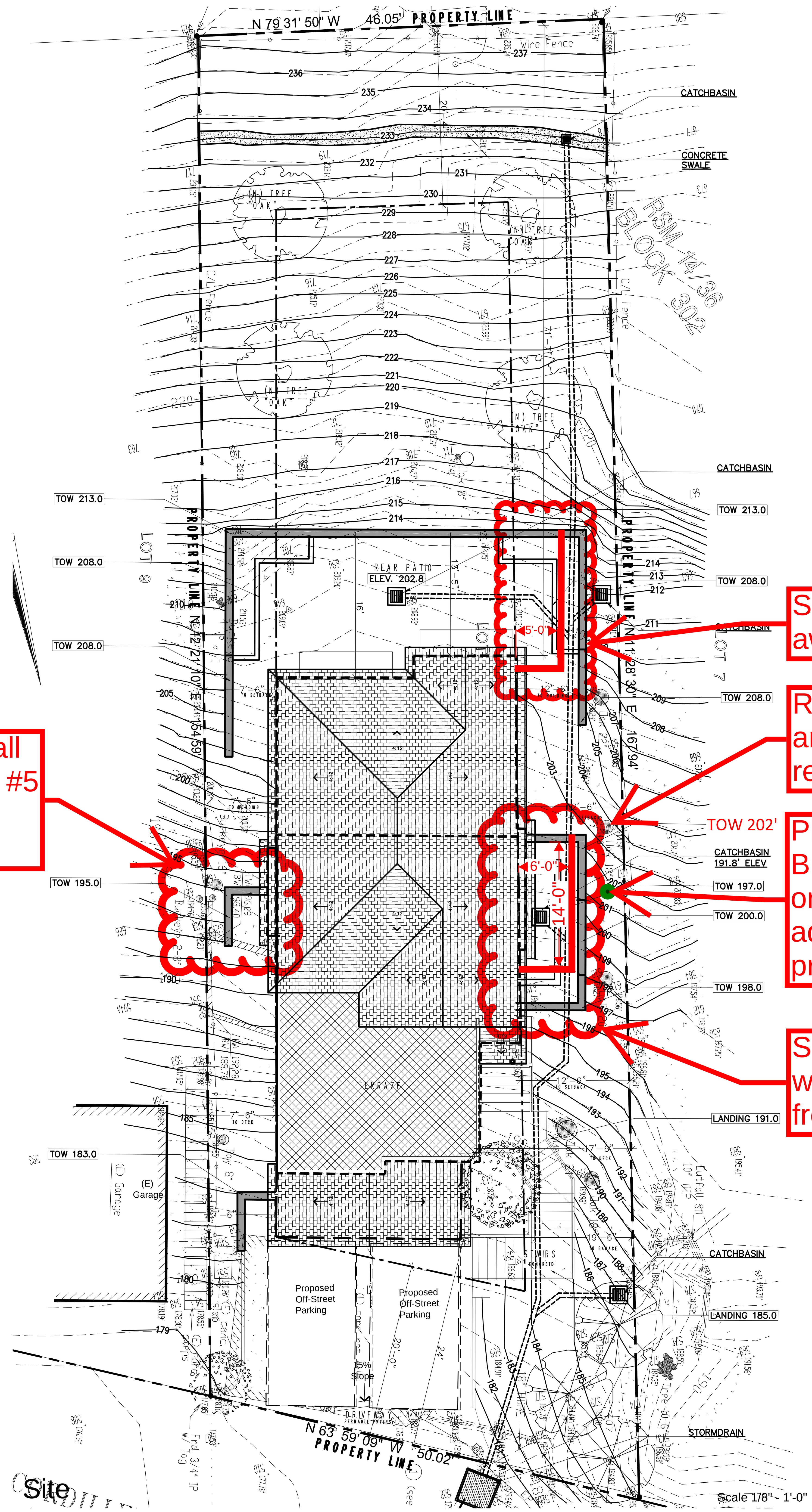
4. In response to Peter Ingram's concern with the proposed kitchen window privacy, Nick Zmay will plant a Western Redbud Tree centered on the kitchen window.

Attached:

Exhibit A: *Marked-up Sheets T1 & A6*

Latest Site Plan:





Remove retaining wall to save trees #4 and #5 to address neighbor privacy concern.

Shift retaining wall away from tree #6.

Remove tree per arborist recomendations

Plant Western Red Bud Tree centered on window to address neighbor privacy concern.

Shift retaining wall away from tree #8.

Site

Scale 1/8" - 1'-0"

PROJECT DATA SHEET

APN	057-031-210		
Lot Size	7622.56 sf		
Zonning	RH		
Fire Sprinkles	Yes		
Occupancy	R-3		
Construction Type	V-B		
	Allowed	**Existing**	**Proposed**
Lot Coverage	sf	0 sf	1625 sf
Floor Area Ratio	sf	0 sf	2373.79 sf
Areas			
Lower Floor			
(N) Garage Area	441 sf		
Main Floor			
(N) Living Area	970.36 sf		
Upper Floor			
(N) Living Area	962.43 sf		

Sheet Index

T1 Site Plan
T2 Area Diagram, Driveway Profile
F1 Fire Hydrant Location and Fire Flow Test
TR Tree Plan and Impervious Calculations
S1 Survey
BMP'S Construction Best Management Practices

C1 Drainage Plan
C2 Drainage Details
C3 Erosion and Sediment Control Plan
C4 Erosion and Sediment Control Details

A1 Lower Floor Plan
A2 Main Floor Plan
A3 Upper Floor Plan
A4 Roof plan
A5 Elevations
A6 Elevations
A7 Section

Directory

Designer
LUIS BARBOSA
823 MARSH RD
MENLO PARK CA.
94025
650-520-9128

Surveyor
ALCON ENGINEERING,
1125 BYRON ST.
PALO ALTO, CA.
94031
650-364-3832

Title 24

Structural Engineer

Civil Engineer
J.F.CONSULTING
2915 MACINTYRE DR. #104
SAN JOSE, CA. 95136
408-512-8400
JFPLANS@GMAIL.COM

Fire notes

1.- The residence will be require an NFPA 13D automatic fire sprinkler system.

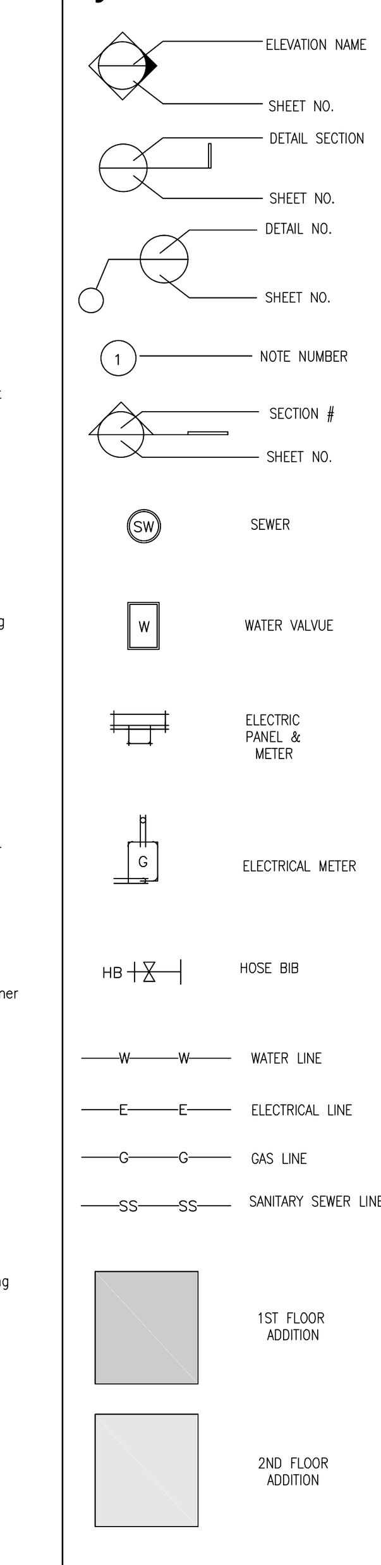
2.- The Building is in a Very High Fire Hazard Severity Zone and will required a Class A Roof.

3.- This Project is located in state Responsability Area for wildfire protection. Roofing attic ventilation, exterior walls, windows , exterior doors, decking, floors and underfloor protection to meet CRC R237 requirements.

Standard Abbreviations

&	and	HTG	heating
∠	angle	HTR	heater
@	at	ID	inside diameter
CL	centerline	IN	inches
Ø	diameter	INT	interior
PL	plate	INSUL	insulation
#	pound/number	JAN	janitor
(E)	existing	JT	joint
(N)	new	KD	kiln dried
AB	anchor bolt	LAB	lab
AC	asphaltic concrete	LAM	laminated
AGG	aggregate	LAV	lavatory
ALT	alternate	MAT	material
ALUM	aluminum	MAX	maximum
APPROX	approximate	MC	medicine cabinet
ARCH	architect	MECH	mechanical
ASB	asbestos	MEMB	membrane
ASPH	asphalt	MET	metal
AVE	avenue	MFGR	manufacture(r)
AVG	average	MH	manhole
BB	bulletinboard	MIN	minimum
BD	board	MIR	mirror
BITUM	bituminous	MISC	miscellaneous
BLDG	building	MO	masonry opening
BLK	block	MOD	module/modular
BVLD	boulevard	MTD	mounted
BM	benchmark/beam	MUL	mullion
CAB	cabinet	NIC	not in contract
CB	catch basin/chalkboard	NO	number
CEM	cement	NOM	nominal
CI	cast iron	NTS	not to scale
CJ	control joint	OC	on center
CLG	ceiling	OD	outside diameter
CLKG	caulking	OFF	office
CLR	clear	OPNG	opening
CNTR	counter	OPP	opposite
CO	cleanout	PART	partition
COL	column	PBO	provided supplied by owner
CONC	concrete	PERP	perpendicular
CONN	connection	PG	plate glass
CONST	contruction	PL	property line
CONT	continuous	PLYWD	plywood
CORR	corridor	PR	pair
CTR	center	PT	paint
C.J.	ceiling joist	QT	quarry tile
CYL	cylinder	R	rise/radius
DBL	double	RD	roof drain
DEPT	department	R.D.	ridge board
DF	Douglas Fir /drinking fountain	REINF	reiforce/reinforcing
DIA	diameter	REF	reference
DIM	dimension	REFR	refridgerator
DISP	dispenser	REQ	required
DN	down	RESIL	resiliant
DS	downspout	REV	revision
DW	dishwasher	RM	room
DWG	drawing	RO	rough opening
DWL	dowel	R.R.	roof rafter
DWR	drawer	RWD	redwood
EA	each	SECT	section
EJ	expansion joint	SEL	select
ELV	elevation	SH	shelf
ELEC	electrical		

Symbols



General Notes

Applicable Building Codes

CALIFORNIA BUILDING CODE (Volumes1&2)	2013 EDITION
CALIFORNIA RESIDENTIAL CODE	2013 EDITION
CALIFORNIA GREEN BUILDING STANDARTS CODE	2013 EDITION
CALIFORNIA ELECTRICAL CODE	2013 EDITION
CALIFORNIA MECHANICAL CODE	2013 EDITION
CALIFORNIA PLUMBING CODE	2013 EDITION
CALIFORNIA FIRE CODE	2013 EDITION
TITLE 24 - ENERGY CALCULATIONS	2013 EDITION

1-ALL WORK SHALL BE PERFORMED TO COMPLY WITH ALL APPLICABLE CODES, ORDINANCES, REGULACIONS, OR ORDERS OF AUTHORITIES HAVING JURISDICTION OVER THE WORK OF THIS PROJECT. CONTRACTOR AND DESIGNER SHALL EXAMINE THE CONTRACTOR DOCUMENTS FOR CONFORMANCE WITH THESE CODES AND REGULATIONS AND PROMPTLY NOTIFY THE DESIGNER OF ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK.

2-ALL THE EQUIPMENT AND OTHER ITEMS INCLUDED AS PART OF THE WORK OF THIS PROJECT SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS AND REQUIREMENTS.

3-CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO START OF CONSTRUCTION. UTILITIES AFFECTED BY CONSTRUCTION SHALL BE PROTECTED AND OR CAPPED OFF IN ACCORDANCE WITH APPLICABLE CODES AND UTILITY REGULATIONS.

4-ANY ERRORS OR OMISSIONS FOUND IN THESE CONSTRUCTIONS DOCUMENTS SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT OR DESIGNER IMMEDIATELY.

5-ALL DIMENSIONS ON EXISTING CONDITIONS SHALL BE VERIFIED IN THE FIELD AND ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.

6-WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE, DRAWINGS ARE NOT TO BE SCALE.

7-VERIFY LOCATION AND SIZE OF EXISTING UTILITIES: WATER, SEWER, GAS CABLE TV, TELEPHONE AND ELECTRIC.

8-PROVIDED & INSTALL R-13 FIBER GLASS INSULATION BATT IN ALL CAVITIES EXPOSE DURING CONSTRUCTION WHICH HAVE NO EXISTING INSULATION.

9-ALL NEW FINISHES TO ALIGN AND MATCH EXISTING UNLESS OTHERWISE NOTED. PROVIDED NEW FINISH TO NEAREST CORNER, EDGE OR TRIM WHERE APPLICABLE.

10-ADDRESS: EXISTING STREET NUMBERS ARE PLAINLY VISIBLE AND LEGIBLE FROM STREET FRONTING THE PROPERTY AND ARE 4" HIGH AND CONTRAST WITH THEIR BACKGROUND.

Drawing Notes

1-ALL DIMENSIONS ARE GIVEN TO FACE OF STUD UNLESS OTHERWISE NOTED: CL- CENTERLINE; F.O.C.- FACE OF CONCRETE; F.O.M.- FACE OF MASONARY; ETC.

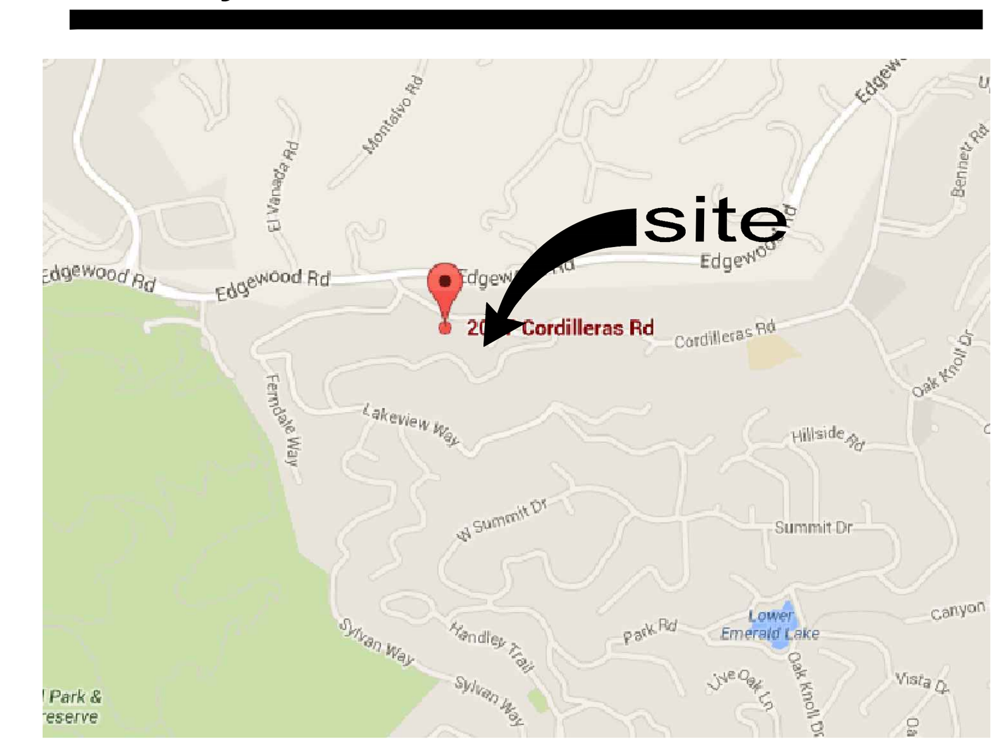
2-CENTER ALL WINDOWS, FIREPLACES, DOORS AND OPENINGS ON INTERIOR WALLS UNLESS OTHERWISE NOTED ON PLAN, WHERE OPENNING IS SHOWN ADJACENT TO AN INTERSECTING WALL, THE JAMB SHALL BE PLACED 4" FROM INTERSECTING WALL, UNLESS OTHER WISE INDICATED ON PLAN.

Fire Protection

1-MANTAIN EFFECTIVE FIRE BREAK BY CLEARING AWAY AND REMOVING FLAMMABLE VEGETATION FROM PERIMETER OF HOUSE.

2-PROVIDE SMOKE DETECTORS ON EACH LEVEL. DETECTORS SHALL BE LOCATED IN EACH SLEEPING ROOM, IN HALL ADJACENT TO BEDROOMS AND CLOSE PROXIMITY TO STAIRS. NOTE ON THE PLANS THAT NEW SMOKE DETECTORS SHALL BE HARDWIRED TO 110V WITH A BATTERY BACKUP AND SHALL BE INTERCONNECTED.

Vicinity Plan



HOMEPLANS & COMMERCIAL
650-520-9128
caddrafting@sbcglobal.net
Fax 650 249 3447

ZMAY
Residence
Cordilleras rd.
Redwood City , Ca. 94062
APN 057-031-210

CLIENT

Site Plan

DRAWN BY: Luis Barbosa

CHECKED BY: -

DATE:

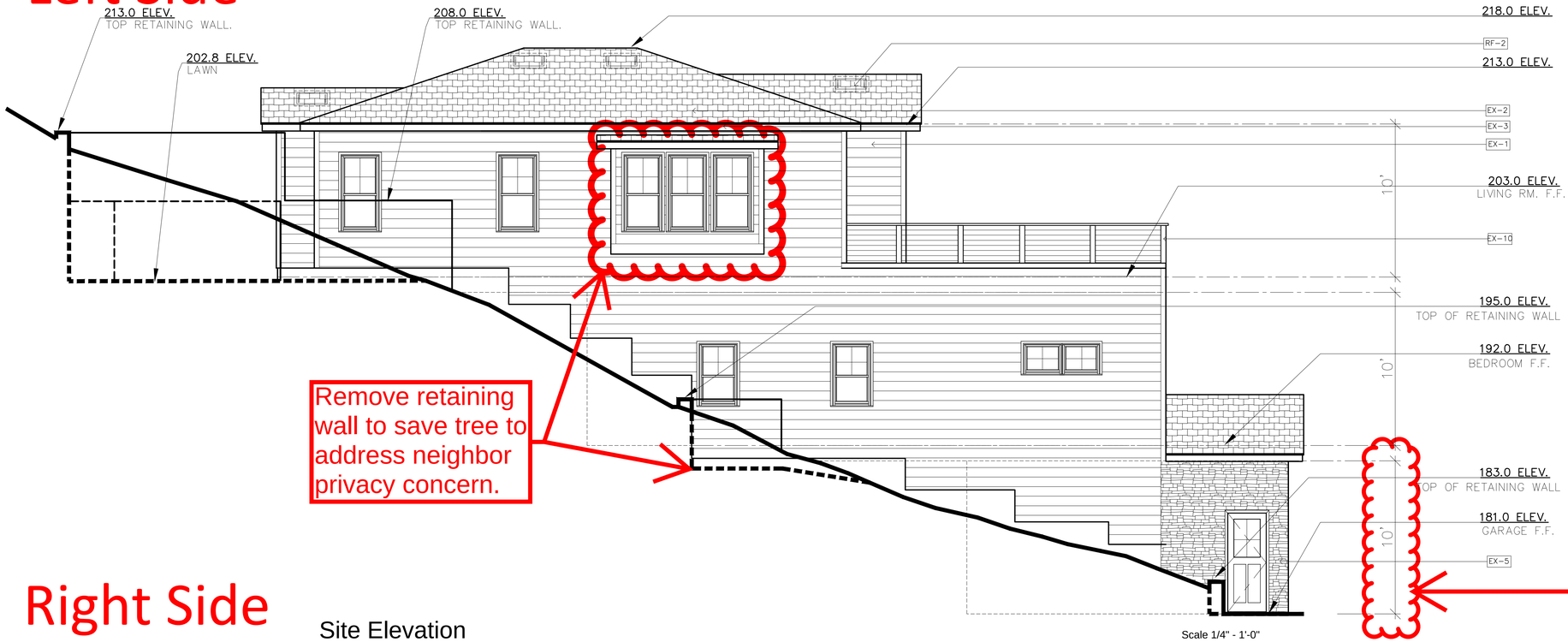
REVISIONS

Submittal set
1-25-15

SHEET No.

T-1

Left Side



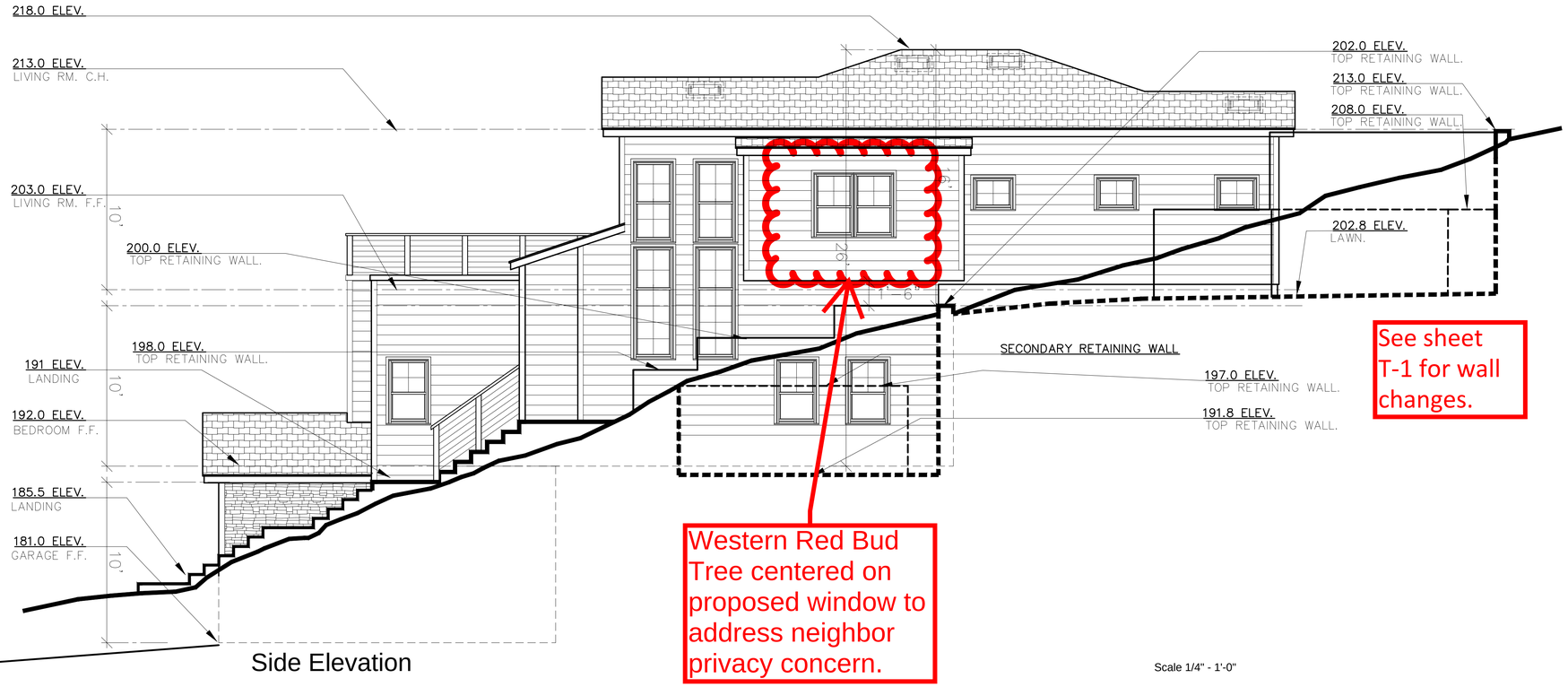
Scale 1/4" - 1'-0"

Elevations

- EX-1 6" WOOD SIDDING, OVER WATERPROOF WRAPING "TYVEX" OR SIMILAR, OVER WOOD SHEATING.
- EX-2 REDWOOD BATT AND BOARD, OVER WATERPROOF WRAPING "TYVEX" OR SIMILAR, OVER WOOD SHEATING.
- EX-3 VINYL WINDOWS, INSULATED GLASS, LOW-E-GLASS. COLOR "WHITE"
- EX-4 6" METAL GUTTER.
- EX-5 ROCK VENEER "EL DORADO STONE", RUSTIC LEDGE, COLOR: SEQUIOA. OVER WOOD FRAMING.
- EX-6 PAINT GRADE 2x10 BAND.
- EX-7 1x WOOD TRIM, PAINT GRADE.
- EX-9 UNDERFLOOR VENT 6"x10" NET OPENING VENTS SHALL BE COVERED WITH A CORROTION-RESISTAN WIRE-MESH WITH MESH OPENNING OF 1/4" IN DIMENSION.
- EX-10 PAINT GRADE POST AND GUARD RAIL, WITH STAINLESS STEEL CABLE.
- RF-1 ASPHALT SHINGLES COLOR BY OWNER MINIMUM CLASS "A" APPROVED SELF-SEALING OR HAND SEALED AND INSTALLED WITH AN UNDERLAYMENT OF 2 LAYERS OF NON-PERFORATE TYPE 15 FELT APPLIED SHINGLE FASHION.
- RF-2 "VENTSURE" LOW PROFILE SLANT BACK ROOF VENT

Right Side

Site Elevation



Side Elevation

Scale 1/4" - 1'-0"

Wall Legend

F.F.	FINISH FLOOR
F.G.	FINISH GRADE
T.O.P	TOP OF PLATE
T.O.S	TOP OF SLAB
R.B.	RIDGE BOARD
ELEV.	ELEVATION
C.H.	CEILING HEIGHT

HOMEPLANS
& COMMERCIAL
650-520-9128

ZMAY
Residence
Cordilleras rd.
Redwood City , Ca. 94062
APN 057-031-210

CLIENT

Elevations

DRAWN BY: Luis Barbosa

CHECKED BY: _

DATE:

REVISIONS
Submittal set

SHEET No.

A-6

9/10/12

County of San Mateo - Planning and Building Department

ATTACHMENT L

Attachment L

Erica Adams - Re: Please check this paragraph for accuracy

From: Nick Zmay <nickz93@sbcglobal.net>
To: Camille Leung <CLeung@smcgov.org>
Date: 10/7/2015 2:57 PM
Subject: Re: Please check this paragraph for accuracy
CC: Erica Adams <eadams@smcgov.org>

Camille

To clarify the two topics:

1. Lowering the garage finish floor an additional 1' on top of the 1' foot lowering that the PC meeting implemented would:
A. Increase grading amounts.
B. Lower the garage finish floor to point where proper driveway drainage could be an issue.
C. Peter Ingram stated that the finish floor of the main deck would have a one 1' sight line over his privacy wall, to address this concern we lowered the house 1' at the PC meeting.

2. The light well for the master bedroom is located on the right side of the property along with two oaks. We moved the light well wall to the left away from the trees to address the neighbors concern with wall and tree proximity. If we were to center the house we would be moving the house and the light well to the right, closer to the trees the neighbors are so concerned about.

If you have any questions Camille please feel free to contact me.

Thank you,

Nick Zmay
C 650.430.0075 F 650.366.1772
nickz93@sbcglobal.net

County of San Mateo - Planning and Building Department

ATTACHMENT M

Attachment M

COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

DATE: August 26, 2015

TO: Planning Commission

FROM: Planning Staff

SUBJECT: EXECUTIVE SUMMARY: Consideration of Design Review Permit and a Grading Permit, to allow construction of a new 2,394 sq. ft. single-family residence (1,932 sq. ft. residence with an attached 441 sq. ft. garage), and associated grading in the amount of 668 cubic yards, on a 7,623 sq. ft. legal parcel located on Cordilleras Road in the unincorporated Emerald Lake Hills area of the County. Four significant trees are proposed to be removed. (Appeal of the approval by the Community Development Director.)

County File Number: PLN 2014-00409 (Zmay)

PROPOSAL

The applicant proposes to construct a new single-family residence, which requires a Design Review Permit and a Grading Permit in the amount of 668 cubic yards of grading and involves the removal of four significant trees. The recommendation for approval of the project by the Emerald Lake Hills Design Review officer at its meeting of April 1, 2015 meeting and the final approval by the Community Development Director of the project on April 20, 2015 have been appealed by the residents and property owners of adjacent parcels, 2039 Cordilleras Road and 2027 Cordilleras Road.

RECOMMENDATION

That the Planning Commission deny the appeal and uphold the Community Development Director's decision to approve the Design Review Permit and Grading Permit, County File Number PLN 2014-00409, by making the findings and adopting the conditions of approval as shown on Attachment A.

SUMMARY

The subject parcel is located on the south side of Cordilleras Road, has an average slope of 35%, and is only 46 feet in width. The project was reviewed at the April 1, 2015 Emerald Lake Hills Design Review meeting.

Several neighbors attended the April 1, 2015 meeting and raised the following concerns: that the proposed tree removal is excessive, that the proposed grading is

excessive and the drainage plans are inadequate, that privacy of neighboring properties are not protected, and that the proposed structure is not compatible with surrounding residences due to the proposed materials and size.

The Emerald Lake Hills Design Review Officer (DRO) addressed the concerns of the neighbors and discussed the project's compliance with applicable design review standards at the meeting, and the conditions of approval were added prior to a final recommendation of project approval. Project compliance is summarized as follows: (1) The trees that are proposed for removal are within the footprint of the development. The applicant's proposal preserves mature trees between the proposed house and the existing houses. A certified arborist has provided tree protection measures, which have been made conditions of approval, to be implemented during construction, (2) The grading originally proposed in the rear portion of the parcel was eliminated from the project as a condition of approval. Grading plans, geotechnical reports, and drainage plans are adequate for planning review, and conditions of approval have been applied for the building plan set design. Cordilleras Creek is located 150 feet from the site, and therefore no impacts from construction are anticipated, (3) The proposed development provides adequate measures to protect privacy to adjacent parcels. Windows on the sides of the house are limited in number and the outdoor entertainment areas are in the front and rear yards, and (4) A required modification in the exterior materials from stacked stone to a rock veneer to address compatibility with surrounding residences was made a condition of approval.

At the close of public discussion, the project was recommended for approval by the DRO who stated that the project, as proposed and conditioned, complies with the applicable standards regarding architectural style, building materials, and colors. The proposed residence is well-sited, has articulated elevations, and uses natural colors and materials that are compatible with surrounding properties. The removal of four (4) trees is consistent with the standards for removal, as the trees are located within the footprint of the proposed development.

On May 3, 2015, Peter Ingram and Seth Thompson submitted an appeal of the County's decision to approve the project. The points of the appeal described in the letter, dated April 6, 2015, describe in more detail, the initial concerns about the project which were expressed at the Design Review meeting by the DRO.

Just prior to the publication of this report, the applicant has responded to the points of the appeal with some proposed modifications to the project, which have been determined by the Design Review Officer and the Community Development Director to be in compliance with the design review standards. These include changing window sizes to address privacy concerns, and adding replacement trees and new privacy fencing. Staff finds that, with the proposed modifications, the project continues to comply with the design review standards and adequately addresses the points of the appeal.

EDA:jlh – EDAZ0556_WJU.DOCX

COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

DATE: August 26, 2015

TO: Planning Commission

FROM: Planning Staff

SUBJECT: Consideration of a Design Review Permit and a Grading Permit, pursuant to Section 6565.3 of the San Mateo County Zoning Regulations and Section 8602 of San Mateo County Ordinance Code, respectively, to allow construction of a new 2,394 sq. ft. single-family residence (1,932 sq. ft. residence with an attached 441 sq. ft. garage) on a 7,623 sq. ft. legal parcel. Four significant trees are proposed to be removed. The project also requires a grading permit for the amount of 668 cubic yards of grading. (Appeal of the approval by the Community Development Director).

County File Number: PLN 2014-00409 (Zmay)

PROPOSAL

The applicant is proposing to construct a new 2,394 sq. ft. single-family residence with an attached two-car garage in the unincorporated Emerald Lake Hills area. Construction requires a Design Review approval and a Grading Permit, and involves the removal of four significant trees. The site is an undeveloped parcel with residential development on both adjacent parcels. The recommendation for approval of the project by the Emerald Lake Hills Design Review Officer at the April 1, 2015 meeting, and the final approval by the Community Development Director of the project on April 20, 2015, are being appealed by the residents on adjacent parcels 2039 Cordilleras Road (to the right, Peter Ingram's residence) and 2027 Cordilleras Road (to the left, Seth Thompson's residence).

RECOMMENDATION

That the Planning Commission deny the appeal, and uphold the Emerald Lake Hills Design Review Officer's decision to approve the project, by making the findings and adopting the conditions of approval as shown on Attachment A.

BACKGROUND

Report Prepared By: Erica D. Adams, Emerald Lake Hills Design Review Officer, Telephone 650/363-1828

Report Reviewed By: Camille Leung, Senior Planner, Telephone 650/363-4826

Owners: Nicholas Zmay and Ryan Karich

Applicant: Nicholas Zmay

Appellants: Peter C. Ingram and Seth Thompson

Location: 2029 Cordilleras Road, Emerald Hills

APN: 057-031-210

Parcel Size: 7,623 square feet

Existing Zoning: RH/DR (Residential Hillside/Design Review)

General Plan Designation: Low Density Residential (.3 to 2.3 dwelling units per acre)

Sphere-of-Influence: City of Redwood City

Existing Land Use: Undeveloped

Water and Sewer Services: Redwood City Municipal/Emerald Lake Hills Sewer District

Flood Zone: FEMA Flood Insurance Rate Map designation indicates parcel as Zone C, Areas of Minimal Flooding, Community Panel No. 06081C0282E, dated July 5, 1984.

Environmental Evaluation: Categorically exempt from CEQA pursuant to Section 15303, Class 3; construction of a single-family residence in a residential zone.

Parcel Legality: The parcel was legalized with a Certificate of Compliance, Type A (PLN 2014-00292); recorded on September 15, 2104.

Setting: The subject parcel is located on the south side of Cordilleras Road in the unincorporated community of Emerald Lake Hills. The parcel has a 35% average slope, is only 46 feet in width, and has eight significant trees. Both adjacent parcels are developed with single-family residences.

Chronology:

Date		Action
October 17, 2014	-	Application submitted.
March 24, 2015	-	Application deemed complete.
April 1, 2015	-	Emerald Lake Hills Design Review meeting - Project recommended for approval.

April 20, 2015 - Project, including grading permit, approved by Community Development Director.

May 3, 2015 - Appeal filed by Peter Ingram and Seth Thompson. Subsequently, the applicant entered into discussions with the appellants and their representative regarding the points of the appeal.

August 26, 2015 - Planning Commission public hearing.

DISCUSSION

A. PREVIOUS ACTION REGARDING CURRENT PROPOSAL

The applicant submitted a Design Review application to construct a new single-family residence on October 17, 2014. The initial submission was incomplete and revisions requested by staff. The application was deemed complete March 24, 2015 and scheduled for the April 1, 2015 Emerald Lake Hills Design Review meeting.

Several neighbors attended the April 1, 2015 meeting and raised the following concerns: (1) Tree Removal and Protection: That the proposed tree removal is excessive, and that tree protection measures identified by the project arborist would not be adequate to ensure the survival of existing trees during- and post-construction due to the proximity of the trees and their roots to house foundation, (2) Grading and Drainage: That the proposed grading is excessive and the drainage plans are inadequate, (3) Privacy: That neighboring properties are not protected, and (4) Architecture: That the proposed structure is not compatible with surrounding residences due to the proposed materials and size. In particular, that the stacked stone accent detail was not similar to that found on any houses in the immediate vicinity.

The Emerald Lake Hills Design Review Officer (DRO) addressed the concerns of the neighbors and discussed the project's compliance with applicable design review standards at the meeting, as discussed below. Conditions of approval were added prior to a final recommendation of project approval.

1. Tree Removal and Protection

In the review of the project, the DRO observed and stated that the parcel's width, steepness of the slope, and zoning requirements greatly limit options for development. The DRO stated that considering the parcel's constraints, there is no other place on the site for the house, and the proposal to remove four significant trees to accommodate the footprint of the house, along with the preservation of other significant trees on the site, complies with the design standards. A supplemental arborist statement was submitted the day of the hearing which added additional root buffer and irrigation specifications for tree care during construction. The DRO stated that the

project will be conditioned to include all the recommendations from the project arborist regarding tree protection and maintenance. Six, 15-gallon replacement trees are required to be planted on the site.

2. Grading and Drainage

At the meeting, the DRO stated that grading in the rear yard area, where the grading is primarily fill, be eliminated so the project can better address minimization of alteration of existing topography, and this is included as a condition of approval. Also, the DRO stated that preliminary drainage plans had been reviewed and conditions of approval were added by the Department of Public Works (DPW). No concerns were identified by the DPW about the project's impact to Cordilleras Creek due to its distance from the project. In addition, the project has been conditioned by DPW and the Planning Department to ensure that erosion and drainage plans are executed at the building permit stage so that the project will not increase runoff flows.

3. Privacy

The DRO stated that privacy issues have been minimized and addressed in several ways. First, through project design: (1) The first floor windows are small bathroom windows and the second floor windows are dining room/living room windows and necessary for light into the rooms; (2) The outdoor gathering areas for the residence will be in the front and rear of the house and not on the sides where there is less distance between houses; and (3) The front terrace does not have parallel alignment with the residence to the east (left side) and there is a 9-foot privacy wall being installed by the homeowner on the parcel to the west (right side). Secondly, the project is conditioned such that at least, three replacement trees are to be planted in the side yards to add privacy screening.

4. Architectural Compatibility

The DRO stated that, while the selected stacked stone and wood siding comply with the design review standards, a change to a rock veneer also complies and addresses the neighbors' concerns about compatibility. A condition of approval, recommending a modification in material and that the stone veneer should also be applied to the retaining walls which face Cordilleras Road, was added at the meeting by the Design Review Officer.

At the close of public discussion, the project was recommended for approval by the DRO who stated that the project, as proposed and conditioned, complies with the standards regarding architectural style, building materials, and colors. The proposed residence is well-sited, has articulated elevations, and uses natural colors and materials that are compatible with the Emerald Lake Hills Design Review Standards. The removal of four (4) trees is

consistent with the standards for removal, as the trees are located within the footprint of the proposed development.

Prior to a final decision on the grading permit and design review application, the appellants submitted a letter dated April 6, 2015 to state their concerns about the proposal. The letter mentions many of the issues discussed at the hearing and includes copies of policies and requirements from other jurisdictions.

B. APPELLANTS' BASIS FOR APPEAL

On May 3, 2015, a formal appeal was submitted with reference back to the April 6, 2015 letter. The following discussion includes staff's response to the main points of the appeal, the Emerald Lake Hills Design Review Officer's reasoning and/or recommendations for conditions of approval, and the Community Development Director's final approval of the project. It should be noted that many of the issues raised are similar to those raised in the hearing.

In response to the appellants' letter, the applicant has presented a number of minor modifications to the approval of the project. These proposed changes are described below as the Applicant's response and corresponding plans are attached.

Peter Ingram and Seth Thompson's appeal letter - enumerated sections to match their letter.

1. Trees

The appellants' letter states that tree removal is excessive since three of the eight significant trees will be removed and the remaining trees will be damaged by construction and will, eventually, need to be removed. Also, the arborist report does not address how the proposed project will impact the health of the trees that are to be preserved. The appellants elaborated on the trees with references to policies found in other jurisdictions, and about the impact of tree removal on remaining trees on the property and on adjacent parcels.

Staff's Response

As the DRO stated during the April 1, 2015 meeting, the site has constraints including width and slope. Setback requirements leave approximately 26 feet of width as the building envelope, and due to the parcel width, the trees which are outside of the construction zone, will be impacted by construction.

The project plans show that Trees #2 (24" coast live oak), #3 (12" buckeye), #5 (9" buckeye), and #7 (12" coast live oak) were the significant trees designated for removal at the time of the hearing. The appellants' arborist,

Kielty Arborist Services, provided a tree survey identifying compromised health for Tree #7, which states it has poor form and decay at the base, and Tree #9 has poor form and a hollow base. The applicant did not request removal of these trees and plans on using the arborist's recommended tree protection measures to retain them. A condition of approval was added to ensure that tree protection be implemented before, during, and post-construction. These measures include hand digging, mulching and irrigation procedures during construction, and deliberate care post-construction. The arborist's report reflects anticipated survival of the trees with proper attention during construction phases.

The appellants' letter also included a great deal of information from, and reference to, tree protection regulations in other jurisdictions, which limit excavation and drainage improvements within a tree's dripline, as a "rule of thumb standard for tree protection." The County commonly applies this "rule of thumb" protection measure, but allows for cutting of tree roots under an arborist's supervision.

Applicant's Response

The applicant submitted a second supplemental arborist report from Kielty Arborist Services, dated August 11, 2014, which includes a detailed tree protection plan with measures for each tree located within the construction zone. To address the appellants' concern with the proximity of retaining walls to Trees #6 and #8, the applicant states that the retaining walls will be shifted to better help preserve the trees. Plans show a 2-ft. shift for the wall near Tree #6 and a 1-ft. shift for Tree #8.

The applicant requests that Tree #7 be allowed to be removed and replaced. The Kielty arborist report states that the tree has poor form and decay at the base from a failed leader, in addition, an arborist report from Nelda Matheny of HortScience, Inc., commissioned by appellant Peter Ingram, concurs that Tree #7 and Tree #9 have poor structural conditions and are recommended for removal.

With these modifications, the project continues to comply with the standard regarding minimization of tree removal.

2. Natural Topography is Severely Altered

The appellants' letter states that nearly the entire surface area of the parcel is being graded. There is also a discussion of existing problems, and potential future, with runoff and the adequacy of the preliminary grading plans.

Staff's Response

At the meeting, the DRO required that grading in the rear yard, which was primarily fill, be removed from the scope of the project. As stated at the hearing, the required level of detail on plans, which are submitted for review for planning permit approval are different from those of the construction plans required for a building permit. Geotechnical studies and drainage plans, in particular, are preliminary, and reviewed for adherence to regulations and guidelines, but are typically refined during the building permit process. The applicant's geotechnical and civil engineer responded to the concerns raised in the appellants' letter. Their responses were subsequently reviewed by the Department of Public Works and the Geotechnical Section, which both continued to support preliminary approval of the project with conditions.

Applicant's Response

After having consultants reply to the concerns and approval of the project plans for the planning permit, no additional comment was provided by the applicant or his geotechnical or civil consultants.

3. Privacy of Neighboring Houses and Outdoor Living Areas

The appellants' letter states that there is lack of sensitivity to adjacent living spaces and their uses with this proposal.

Staff's Response

The DRO mentioned at the meeting that the minimum level of "guaranteed" privacy is established by the zoning regulations for setbacks from property lines. For this property, the setback on the left side (Thompson house) of the subject property is 7.5 feet and the setback on the right side (Ingram house) is 12.5 feet. Satellite imagery shows that the Thompson house has a 7.5-ft. setback from the shared property line, and the Ingram house has approximately a 50-ft. setback.

First floor windows will be screened by the proposed fence. Second floor windows are screened by existing and replacement trees. All outdoor entertainment areas are in the front and rear of the residence.

Attachment B, Exhibit 1, is an illustration provided by the appellants showing, at the approved height, the person on the deck is eye level with the top of a 10-foot privacy wall at 2029 Cordilleras Road.

The exhibit accurately illustrates, as stated during the April 1, 2015 meeting, that the 10-ft. wall will provide additional privacy between residences since activity will be occurring approximately 3-4 ft. below that height at about 6 or 7 ft. In addition, the front terrace of the proposed house has a 17-ft. setback

from the east side property line and is oriented toward Cordilleras Road. The space between the privacy wall and terrace is at least 25 ft., nearly double the zoning "guaranteed" privacy.

Applicant's Response

The applicant has stated that to address the Thompson's concerns of privacy, Trees #4 and #5 will be preserved by removing a retaining wall. The trees will provide a natural privacy screen between the residences. To address the Ingram's concerns about privacy, the applicant will plant a red bud tree in front of the kitchen window. In addition, the finished floor elevation of the proposed home will be lowered by one foot.

With this modification, the project continues to comply with the standard regarding privacy.

4. Blockage of Sunlight

The letter states that the project's building and non-indigenous trees will likely block what filtered sunlight will be left and cast shadows into adjacent spaces.

Staff's Response

The design review standard requires evaluation of the blockage of sunlight on neighboring buildings. The Ingram residence is approximately 50 feet away from the proposed residence and the Thompson residence is approximately 15 feet away. The highest point of the proposed house is approximately 15 feet higher than the adjacent natural grade and approximately in the center of the parcel. Shadows will be cast onto the Thompson property in the morning and from the Thompson property onto the subject parcel in the evening. The Ingram residence will not be impacted by shadows and blockage of daylight.

Applicant's Response

No additional response was provided.

5. Streams and Natural Drainage Channels

The letter states that the project fails to minimize alteration of streams and natural drainage channels due to the significant amount (668 cy) of proposed grading would impact the ecology of Cordilleras Creek.

Staff's Response

When development is within 100-feet from a mapped creek bank in bayside communities, the County requires additional review for potential impacts.

The subject parcel is more than 150 feet from Cordilleras Creek and on the north side (opposite side) of Cordilleras Road.

Grading, erosion control and drainage plans have been reviewed by County Department of Public Works and Geotechnical Section. Both agencies have added conditions of approval which will be added to building plans.

Applicants' Response

No additional response was provided.

C. PROJECT COMPLIANCE WITH COUNTY REGULATIONS

1. Conformance with the General Plan and the Emerald Lake Hills Area Plan

General Plan Visual Quality Policy 4.4 requires the appearance of rural and urban development to "promote aesthetically pleasing development." The General Plan then calls for the establishment of guidelines for communities to achieve these goals. The establishment of the Design Review Chapter in the San Mateo County Zoning Regulations is the mechanism which fulfills this directive. A project that complies with the Emerald Lake Hills Design Standards (Section 6565.15) of the San Mateo County Zoning Regulations) also conforms with General Plan Policies 4.14 (*Appearance of New Development*) and 4.35 (*Urban Area Design Concept*). These policies require structures to promote and enhance good design, and improve the appearance and visual character of development in the area by managing the location and appearance of the structure. The application has been reviewed by the Emerald Lake Hills the Design Review Officer and has been found to meet the Design Review Standards for Emerald Lake Hills, Section 6565.15. A detailed discussion of project compliance with the design review standards is provided in Sections A and B of this report.

Policy 2.2 requires minimization of soil erosion - the process by which soil is detached and transported by running water, wind and gravity. Policy 2.17 requires the regulation of development to minimize soil erosion and sedimentation to ensure stabilization of disturbed areas and to protect and enhance natural plant communities. The project minimizes soil erosion, both during construction and post-construction, through the proposed Erosion and Sediment Control Plan and Drainage Plan. The project plans have been reviewed and approved by the Geotechnical Section and the Department of Public Works. Comments and recommendations of these reviewing agencies have been addressed by the applicant or included as conditions of approval to ensure that the project will comply with the policies and will prevent soil erosion. Additionally, with adherence to the standard "Best Practices" and site-specific recommendations and conditions from the aforementioned agencies, the proposed grading will minimize soil erosion.

2. Conformance with the Zoning Regulations

The project is located in the Residential Hillside/Design Review (RH/DR) Zoning District. The project's degree of compliance with the district's development standards, as required by Sections 6803 through 6810, is detailed in the table below:

Development Standards	Zoning Requirements	Proposal
Building Site Area	45,000 sq. ft. (based on 35% average slope	7,623 sq. ft.
Minimum Site Width	50 ft.	46 ft.
Building Site Frontage	50 ft.	50 ft.
Minimum Setbacks		
Front	20 ft.	26 ft.
Rear	20 ft.	71.5 ft.
Left Side		7.5 ft.
Right Side		12.5 ft.
Combined Side Yard	Combination of 20 ft.	20 ft.
Lot Coverage	25%	21.3% or 1,625 sq. ft.
Maximum Building Floor Area	Greater of 30% or 2,400 sq. ft.	31.4% or 2,394 sq. ft.
Maximum Building Height	28 ft.	28 ft.
Minimum Parking	2 covered & 2 guest spaces	2 covered & 2 guest spaces
Grading Quantities	Cannot exceed 1,000 cy	668 cy

3. Conformance with the Design Review Regulations

The project complies with Design Review Standards as discussed in Sections A and B of this staff report.

4. Conformance with the Grading Regulations

The following findings must be made in order to issue a grading permit for this project. Staff's review of the project is discussed below:

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

The project site has undergone a geotechnical study from Michelucci and Associates, Inc., and has been reviewed and preliminarily approved by the County's Geotechnical Section for soil stability. The grading plan has been prepared by a licensed civil engineer and has been reviewed and preliminarily approved by the Department of Public Works.

The report from Michelucci & Associates, Inc. provides detailed recommendations about the proposed development. These specific recommendations and recommendations from other reviewing agencies have been integrated into the application and have been made conditions of approval for the grading permit, and will prevent a significant adverse impact on the environment.

b. *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 8605*.

The grading meets the standards referenced in Section 8605: (1) Erosion and Sediment Control, (2) Grading, (3) Geotechnical Reports, (4) Dust Control Plans, (5) Fire Safety, and (6) Time Restrictions. Erosion and sediment control measures have been required to remain in place during- and post-construction, and they will be monitored throughout construction. Performance standards for grading have been added as conditions of approval and will be implemented and monitored. A dust control plan must be submitted for approval and implemented on the site. The proposed grading plan was prepared by a licensed civil engineer and reviewed for adequacy by the San Mateo County Department of Public Works. A geotechnical report was also prepared for the site and reviewed by the County's Geotechnical Section. Grading is only allowed during the period between April 30 and October 1.

The design of the project and conditions associated with an approval will assure that the development is accomplished in a manner that minimizes the potential for erosion. In addition, the proposed grading will be subject to standard conditions of approval that include pre-construction, during-construction, and post-construction measures to ensure that the project is in compliance with the San Mateo County Grading Regulations.

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

The General Plan designation for this site is Low Density Residential. Due to its steep slopes, Emerald Lake Hills is a region of the County where grading permits are often obtained for construction of new residences. The proposed construction grading for a residence is consistent with the land use allowed by this General Plan designation. In addition, as discussed in the General Plan Compliance, Section C.1, of this report, the project, as conditioned, complies with all applicable General Plan goals and policies.

D. ENVIRONMENTAL REVIEW

The project is categorically exempt from CEQA pursuant to Section 15303, Class 3(a), construction of a single-family residence, in a residential zone, within a residential area.

E. ALTERNATIVES

If the Commission finds that modifications to the proposal are needed to bring the project into compliance, the Commission may specify that these changes be included in the building plans and evaluated by staff before building permit issuance, or may request a continuance to allow the changes to be incorporated into the plans being presented before the Commission at a subsequent hearing.

Alternatively, the Commission may uphold the appeal, and deny approval of the proposal as presented.

F. REVIEWING AGENCIES

Department of Public Works
Building Inspection Section
Cal-Fire
Geotechnical Section

ATTACHMENTS

A. Recommended Findings and Conditions of Approval
B. Appeal Statement
C. Vicinity Map
D. Project Site Plans, Floor Plans, Elevations, and Civil Plans
E. Letter of Approval, dated April 20, 2015
F. Kielty Tree Survey, dated February 3, 2015, and updated March 31, 2015
G. Kielty Tree Survey, dated August 11, 2015
H. Applicant' Statement (regarding minor modifications with supporting elevations), dated August 6, 2015
I. Additional Correspondence

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NOTE: Excludes attachments included with Staff Report to Board of Supervisors

Attachment A

County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2014-00409 Hearing Date: August 26, 2015

Prepared By: Erica D. Adams
Emerald Lake Hills,
Design Review Officer

For Adoption By: Planning Commission

RECOMMENDED FINDINGS

Regarding the Environmental Review, Find:

1. That the project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), Section 15303, Class 3, relating to the construction of a single-family residence, in a residential zone, within an urbanized area.

Regarding the Design Review, Find:

2. This project, as proposed 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 by the Emerald Lake Hills Design Review Officer (DRO) on April 7, 2015.

3. After consideration of public testimony, the DRO found that the project, as proposed and conditioned, is in compliance with the Design Review Standards because the project: (a) has a site design which minimizes tree removal and respects privacy, (b) is architecturally compatible with the neighborhood, (c) has a well-articulated facade and other elevations, and (d) uses colors and materials that comply with the Design Review Standards.

Regarding the Grading Permit, Find:

4. That the granting of the permit will not have a significant adverse effect on the environment due to the fact that the proposed grading will be subject to conditions of approval that include pre-construction, during-construction, and post-construction measures to ensure that the project is in compliance with the San Mateo County Grading Ordinance.

5. That the project conforms to the criteria of the Grading Ordinance, Chapter 8, including the standards referenced in Section 8605.

   These standards are addressed through the erosion and sediment control measures that have been required, must remain in place, and will be monitored throughout construction. A dust control plan must be submitted for approval and implemented on the site. The proposed grading was prepared by a licensed civil engineer and reviewed by the San Mateo County Department of Public Works, and grading is only allowed from April 15 to October 15. In addition, the project is required to obtain a National Pollutant Discharge Elimination System (NPDES) Permit.

6. That the project is consistent with the General Plan with respect to grading.

7. That the granting of the permit will not have a significant adverse effect on the environment due to the fact that the proposed grading will be subject to conditions of approval that include pre-construction, during, and post-construction measures to ensure that the project is in compliance with the San Mateo County Grading Ordinance.

8. That the project is consistent with the General Plan with respect to grading allowed on land designated as "Low Density Residential" and located within a Design Review District.

   The granting of the permit will not have a significant adverse effect on the environment. The proposed grading is required to construct a new single-family residence. This project has been reviewed by the Department of Public Works and the Building Inspection Section's Geotechnical Engineer.

9. The project conforms to the criteria of Chapter 8, Division VII, San Mateo County Ordinance Code, including the standards referenced in Section 8605. The project, as proposed and conditioned, conforms to the standards in the Grading Regulations, specifically in the areas of erosion and sediment control, dust control, and the timing of grading activity.

10. The project is consistent with the General Plan. As proposed and conditioned, the project complies with General Plan Policies 2.23 (*Regulate Excavation, Grading, Filling, and Land Clearing Activities Against Accelerated Soil Erosion*) and 2.17 (*Erosion and Sedimentation*) because the project includes measures to maintain the existing slope and minimizes the removal of significant trees.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

1. The project shall be constructed in compliance with the approved plans and conditions of approval. Any changes or revisions to the approved plans shall be submitted for review by the Community Development Director to determine if

they are compatible with Design Review Standards and in substantial compliance with the approved plans prior to being incorporated into the building plans. Adjustments to the project may be approved by the Design Review Officer if they are consistent with the intent of and are in substantial conformance with this approval. Adjustments to the design during the building plan 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 $1,500 fee.

2. The design review and grading permit final approval shall be valid for five (5) years from the date of 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 and grading approval may be extended one time by one (1) year with submittal of an application for permit extension and payment of applicable extension fees sixty (60) days prior to the expiration date.

3. Four significant trees are approved for removal. Trees designated to remain shall be protected from damage during construction according to measures outlined in the arborist report. Any additional tree removal or trimming of tree branches greater than 6 inches in diameter is subject to the San Mateo County Tree Ordinance and will require a separate permit for removal or trimming.

4. The tree protection measures contained in the Tree Protection Plan developed by Kielty Arborist Services, LLC, dated August 11, 2015., shall be detailed on construction plans submitted for a building permit and implemented during construction.

5. Implementation of the tree protection measures, including any cutting of large tree roots greater than 2 inches in diameter, shall be supervised by a certified arborist. If field inspections by County officials indicate that the tree protection plan is not being properly implemented, work on the site will cease until the necessary measures are taken to ensure that the tree protection adheres to the approved protection plan.

6. A tree replanting plan, showing six (6) replacement trees, of which three (3) trees shall be planted within the side yard setback. All indigenous trees shall be replaced with indigenous trees.

7. Six, 15-gallon, drought-tolerant trees shall be planted prior to Planning final approval of the building permit for the residence. Photographs of the planted trees shall be provided to the Current Planning Section as proof of compliance with this condition.

8. The grading plan shall be revised to remove grading in the rear portion of the parcel behind the proposed residence, except to create a swale to assist with on-site water retention, near the rear retaining wall.

9. The stacked stone proposed for the garage shall be modified to a rock veneer. The rock veneer shall also be applied to the retaining wall elevations which face Cordilleras Road. The selected rock shall be approved by the Design Review Officer prior to the installation.

10. Prior to Planning approval of the building permit application, the applicant shall 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).

11. 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.

    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.

12. The approved exterior colors and materials shall be verified prior to final approval on the building permit. The applicant shall provide photographs to the Design Review Officer to verify adherence to this condition prior to a final sign off by the Current Planning Section.

13. The applicant shall include an erosion and sediment control plan that complies with County guidance on the plans submitted for the building permit. This plan shall identify the type and location of erosion control devices to be installed upon the commencement of construction in order to maintain the stability of the site and to prevent erosion and sedimentation off-site.

14. The applicant shall apply for a building permit and shall adhere to all requirements from the Building Inspection Section, the Department of Public Works, and Cal-Fire.

15. No site disturbance shall occur, including any grading or tree removal, until a building permit has been issued.

16. 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 Cordilleras Road. All construction vehicles shall be parked on-site outside the public right-of-way or in locations which do not impede safe access on Cordilleras Road. There shall be no storage of construction vehicles in the public right-of-way.

17. 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 Ordinance Code, Section 4.88.360).

18. All utilities shall be installed underground.

Grading Conditions

19. No grading shall be allowed during the winter season (October 1 to April 30) to avoid potential soil erosion. An applicant-completed and County-issued grading permit "hard card" is required prior to the start of any land disturbance/grading operations. The "hard card" shall only be issued at the same time or after the issuance of the building permit for the new residence.

20. Prior to the issuance of the grading permit "hard card," the applicant shall submit a dust control plan for review and approval by the Current Planning Section. The plan, at a minimum, shall include the following measures:

a. Water all construction and grading areas at least twice daily.

b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard.

c. Pave, apply water two times daily, or (non-toxic) soil on all unpaved access roads, parking areas and staging areas at the project site.

d. Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.

e. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).

21. Projects subject to Provision C.3.i (individual single-family home projects that create and/or replace 2,500 sq. ft. or more of impervious surface, and other projects that create and/or replace at least 2,500 sq. ft. of impervious surface but are not C.3 Regulated Projects) shall implement at least one of the six site design measures listed below:

    a. Direct roof runoff into cisterns or rain barrels and use rainwater for irrigation or other non-potable use.

    b. Direct roof runoff onto vegetated areas.

    c. Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas.

    d. Direct runoff from driveways, and/or uncovered parking lots onto vegetated areas.

    e. Construct sidewalks, walkways, and/or patios with permeable surfaces.

    f. Construct bike lanes, driveways, and/or uncovered parking lots with permeable surfaces.

22. 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. Along with the "hard card" application, the applicant shall submit a letter to the Current Planning Section, at least two (2) weeks prior to commencement of grading, stating the date when grading operations will begin, the anticipated end date of grading operations, including dates of revegetation, and the estimated date of establishment of newly planted vegetation. 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.

23. 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.

24. 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.

25. For the final approval of the grading permit, the property owner shall ensure that the performance of the following activities shall be performed within thirty (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.

Cal-Fire

26. Fire Department access shall be to within 150 feet of all exterior portions of the facility and all portions of the exterior walls of the first story of the buildings as measured by an approved access route around the exterior of the building or facility. Access shall be 20 feet wide, all weather capability, and able to support a fire apparatus weighing 75,000 lbs. Where a fire hydrant is located in the access, a minimum of 26 feet is required for a minimum of 20 feet on each side of the hydrant. This access shall be provided from a publicly maintained road to the property. Grades over 15% shall be paved and no grade shall be over 20%. When gravel roads are used, it shall be Class 2 base or equivalent compacted to 95%. Gravel road access shall be certified by an engineer as to the material thickness, compaction, all weather capability, and the weight it will support.

27. 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 6" x 18" green reflective metal sign.

28. Contact the San Mateo County Fire Marshal to schedule a Final Inspection prior to occupancy and Final Inspection by a Building Inspector. Allow for a minimum of 72-hour notice to the Fire Department at 650/573-3846.

29. A fire flow of 1,000 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.

30. 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 fuelbreak/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.

31. The required fire flow shall be available from a County Standard 6" Wet Barrel Fire Hydrant. The configuration of the hydrant shall have a minimum of one each 4 1/2" outlet and one each 2 1/2" outlet located not more than 250 feet from the building measured by way of approved drivable access to the project site.

32. 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 the current California Building and Residential Codes.

33. 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.

34. A statement that the building will be equipped and protected by automatic fire sprinklers must appear on the title page of the building plans.

35. 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 Department for review and approval by the San Mateo County Fire Department.

36. 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

37. Prior to the issuance of the building permit or planning permit, 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 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 for review and approval.

38. Prior to the issuance of the building permit or planning permit (if applicable), 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.

39. 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.

40. 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.

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April 6, 2015

Erica Adams
Design Review Officer
San Mateo County
eadams@smcgov.org

Re: PLN2014-00409 (APN 057-031-210) 2029 Cordilleras Rd.

Dear Ms. Adams:

This law firm represents Peter Ingram and Ann Yvette Pirie, owners and residents of that certain property commonly known as 2039 Cordilleras Road, Emerald Hills California which is sandwiched in between the above referenced vacant, wooded parcel and APN 057-031-180[1]. Owners of both parcels have submitted pending design review permit applications for single family homes. We understand that you will act on both of these applications in your capacity as Design Review Officer on April 7, 2015 and that both projects are subject to mandatory design standards set forth in Section 6565.15 of the San Mateo County Zoning Regulations.

Section 6565.10A requires that the applicant bear the burden of demonstrating that the design of the project complies with the applicable mandatory Design Review Standards set forth in Section 6565.15 of the San Mateo County Zoning Regulations. Based on our review of the file for PLN2014-00409, and as discussed in detail below, the application applicant has failed to meet this burden. Therefore, pursuant to Section 6565.10B you cannot make the required findings of approval and must either deny the requested permit or impose conditions, such as those suggested below, to ensure that these standards are met. Please note that my clients do not oppose building on this lot as a matter of principle, however they do oppose building on the lot in violation of the Design Review Standards which were enacted to protect the visual character and natural resources of their neighborhood as well as the physical stability and economic value of their residence.

[1] We have submitted a separate letter of the same date regarding this parcel's pending application PLN2015-00035

Attachment I

Emerald Lake Hills Design Review Standards

The parcel is located in Emerald Lake Hills and is zoned "RH/DR." Therefore, the project is subject to mandatory Design Review and must comply with the Design Review Standards set forth in Section 6565.15 of the San Mateo County Zoning Regulations. Among the purposes of Design Review are to "avoid and prevent community deterioration and to encourage the preservation and enhancement of property values and the visual character of communities and natural resources" and to promote, preserve and enhance building design, proper site development, and other environmental characteristics in communities and areas where previous planning and zoning controls have been found inadequate for these purposes and the economic and physical stability is threatened by new development".

Section 6565.15 of the San Mateo County Zoning Regulations sets forth the applicable Design Review Standards for this project and governs site planning, architectural styles, building shapes and bulk, unenclosed spaces, facades, roofs, materials and colors, utilities, signs and paved areas. Based on our review of the record, and as discussed in detail below, the project does not comply with the design standards for site planning. Namely, there is no evidence in the record that the project: (1) minimizes tree removal; (2) minimizes alteration of the natural topography; (3) respects the privacy of neighboring houses and outdoor living areas; (4) minimizes the blockage of sunlight on neighboring buildings; and (5) minimizes alteration of streams and natural drainage channels as required by Section 6565.15 of the San Mateo County Zoning Regulations. Furthermore, PLN2015-00035 does not comply with the design standard requiring architectural compatibility with the existing residences in the neighborhood or with the design standard requiring that buildings respect and conform to natural topography of the site.

PLN2014-00409 Fails to Meet Mandatory Design Review Standards

1. **Tree Removal is Excessive**.

The property owners have failed to meet their burden of demonstrating that the proposed new buildings are sited in locations that will minimize tree removal as much as possible in accordance with Section 6565.15A(1). Of the eight existing significant indigenous trees on site, the project proposes to remove three at the outset and significantly damage the remaining five by excavating within just inches of the tree trunks so that removal of these trees ultimately will also be necessary. Moreover, the

project will disrupt the native Oak and Bay canopy thereby exposing the Buckeye understory and other remaining trees to wind and sunlight that the continuous canopy now protects against. Because the topographic survey does not include adjacent properties (as is commonly required elsewhere and should be required as part of the application), it is difficult to ascertain whether the project will also negatively impact significant indigenous trees on neighboring properties. While the arborist report analyzes the health of the existing trees, it does not address how the proposed project will impact the health of the trees that are purported by be preserved.

Eight significant indigenous trees currently exist on the property. The project calls for removal of three of them and proposes inadequate mitigation of this loss at a replacement ratio of *less* than 1:1 and with *non*-indigenous trees. The remaining five 50-80 year Coast Live Oaks along the western property line which borders my clients' property, that the project purports to "save" however, will have little to no chance of survival given the high likelihood that their major structural roots will be severed during grading and excavation which is proposed within just inches of each and every root zone of these trees.

As shown on Exhibits 2 and 3 prepared by my client and attached hereto, the excavation and drainage plans propose retaining walls and drainage pipes running parallel to the retaining walls, within just 12-30 inches of each trunk of the remaining five significant indigenous trees (which trees are not even shown on the drainage plans!). This is contrary to best practices recommended by the International Society of Arboriculture and required by many nearby cities including the City of San Mateo, Portola Valley, Palo Alto, and Woodside to name a few, which prohibit surface and grading disturbance within the drip line of a tree canopy.

As is documented in a preponderance of recognized expert arboricultural literature, it is physically impossible to excavate a minimum of ten feet below existing grades within 12 to 30 inches of the edge of tree trunks / root crowns and not sever major structural roots of these 50 to 80 year old trees. The "rule of thumb" design standard for tree preservation recognized by the International Society of Arboriculture (ISA) is to avoid any grading or surface disturbance within the drip line of a tree canopy. This rule of thumb has been adopted by many cities including the cities of San Mateo, Portola Valley, Palo Alto, and Woodside to name a few. Some cities, such as the City of Santa Monica and the City of Rocklin go even further to protect the root zones of trees which extend beyond the drip line. Here is a link to Santa Monica's design requirements for protection of root zones, which include depicting the root zones on all plans: http://www.smgov.net/uploadedFiles/Portals/UrbanForest/Maintenance/TreeProtectionG

uidelines.pdf. Please also see the enclosed documentation included in Exhibit 4 explaining the importance of protecting the drip lines, root zones and natural grade of California Oaks during construction.

The proposed project does not comply with this widely accepted "rule of thumb." As a result, 100% of the existing eight significant indigenous trees will ultimately be lost. The property owner has not demonstrated that this tree loss could not be avoided by altering his site plan. Therefore, because the finding set forth in Section 6565.15A(1) cannot be met, the project must be denied or conditioned so that this finding can be met.

2. **Natural Topography is Severely Altered**.

The property owners have failed to meet their burden of demonstrating that the proposed new buildings are sited in locations that will minimize alteration of the natural topography as much as possible in accordance with Section 6565.15A(2). Nearly100% of the entire surface area of the parcel is proposed to be graded. And nearly 65% of the surface will be radically excavated (nearly 650 cubic yards to be cut and removed) for the construction of the proposed structure and its retaining walls.

A historic drainage channel runs from the hillside immediately above and adjacent to the subject parcel and crosses a portion of the parcel that lies just upstream from its discharge into Cordilleras Creek. Historically, during sustained episodes of rain, the hillside above and adjacent to the lot becomes saturated, which results in rapid and significant run-off into and through the parcel. Because of existing gradients within the properties on either side of the lot, all three parcels have conveyed run-off to Cordilleras Road and its existing drainage facilities under "normal" or moderate storm events. However, when ground saturation occurs – as it did twice during the winter of 2014-15, drainage through the lot has flowed onto the adjacent properties for prolonged periods of time.

According to Jeff Lea, of Lea & Braze Engineering, Inc., who has reviewed the plans for this project and will be submitting an independent review of the plans, the proposed grading contradicts standard County requirements and the geotechnical report itself. Some of the proposed contours exceed a 2:1 slope which is the steepest recommended by the geotechnical report. The geotechnical report references a concrete gutter near the rear retaining wall and a 3' debris catchment wall above that area, neither of which are shown on the plan. Contours above the rear retaining wall are noticeably steeper than the slope allowed by the geotechnical engineer. Finally, grading is shown going to

the west property line and somewhat beyond it. Typically the County staff requires five feet be kept clear and ungraded near the adjacent to the propriety line to insure against damage to the adjoining property.

Indeed, the County's Public Works Department – in granting conditional approval on 3/20/2015 for the proposed project to proceed to design review – confirms that much is unknown about drainage and structural design: *"3/20/15 dys: OK to go to design review. But still need the following before going to building: address drainage issues - large stormwater box - needs to detain water, needs structural details to support fire truck, geotech needs to review for foundations. See conditions for all other items. Needs final drainage calc. and revised C3/C6 form to match proposed see docs for additional comments."*

The unnecessary grading could lead to severe negative impacts on the property and adjacent properties. The proposed retaining walls will essentially act as dams for both surface and sub-surface run-off, resulting with increased and intensified diversion of flows onto both adjacent properties. Additionally, the proposed grading above the upper-most retaining wall is not only unnecessary, but it actually will create more surface run-off that will then be diverted outward from the lot once it reaches the barrier created by the proposed upper retaining wall. The rear yard is proposed to be re-graded to remove surface contouring which will result in damage to tree roots above the house. The geotechnical report does not require such re-grading.

There would be much less environmental impact – and less alteration to the natural topography -- if the upper portion of the lot were required to be left as-is, and drainage was properly designed within the up-hill footings of the retaining walls. Therefore, the property owner has failed to demonstrate that alteration of the natural topography could not be further minimized. As such, the finding set forth in Section 6565.15A(2) cannot be met and the project must be denied or conditioned so that this finding can be met.

3. **Privacy of Neighboring Houses and Outdoor Living Areas is Violated**.

The property owners have failed to meet their burden of demonstrating that the proposed new buildings are sited in locations that will respect the privacy of neighboring houses and outdoor living areas as much as possible in accordance with Section 6565.15A(3). Due to the design approach that the project has taken within the context of a very restricted building site, the most active living areas of the proposed home will directly and severely violate the privacy of both neighboring homes and their outdoor living areas.

In earlier submittals of site plans, the applicant appeared to be focused on keeping the main floor elevation "tucked" into the site, thereby mitigating the impacts of direct sight lines and sound lines into my clients' properties. However, as shown on Exhibit 1 prepared by my client, the current plans indicate that the entire building has gotten taller, to the point that direct sight lines over the top of an existing 10-foot tall privacy screen at 2039 Cordilleras will penetrate into both indoor and outdoor living spaces. On the eastern side, the sheer physical closeness to the home at 2027 – and its entry stairs – will create an unacceptable tunnel of privacy violation, and no mitigating measures or features are proposed.

In sum, there is a total lack of sensitivity to adjacent living spaces and their uses, and no recognition in application of the context of their site planning. The earlier plan submittal that was more respectful of my client's privacy constitutes substantial evidence in the record demonstrating that the property owners have failed to meet their burden of showing that the current proposed design respects neighbors' privacy as much as possible in accordance with Section 6565.15A(3). As such, the project must be denied or conditioned so that this finding can be met. At a minimum we suggest that the Finish Floor Elevation ("FFE") of the top level be reduced back down to elev. 201.0, as shown on prior plans submitted to the County. This would at least mitigate direct sight lines from FFE of the proposed main floor and the existing FFE of 2039 Cordilleras.

4. **Blockage of Sunlight is Excessive**.

The property owners have failed to meet their burden of demonstrating that the proposed new buildings are sited in locations that will minimize the blockage of sunlight on neighboring buildings in accordance with Section 6565.15A(4). The applicant's lot and its neighboring properties are on the north-facing slope of a steep creek canyon, and therefore have a much higher ratio of shadow to direct sunlight than most of Emerald Hills. Simultaneously, Cordilleras Road benefits from the relatively dense and contiguous indigenous tree canopy – both from an aesthetic perspective and from a natural habitat systems point of view. The indigenous species of mature, significant trees naturally reach for sunlight along Cordilleras Road, resulting in a "leggy", more open growth habit than would be found in more open, exposed terrain. The existing mature canopy of the trees provides a unique and attractive mix of filtered sunlight and dappled shade throughout the year. The proposed project's buildings and non-indigenous, dense trees will likely block what filtered sunlight will be left, and cast shadows into adjacent spaces. As such, the finding set forth in Section 6565.15A(4) cannot be met and the project must be denied or conditioned so that this finding can be met.

5. **Streams and Natural Drainage Channels are Severely Altered**.

As discussed in No. 2 above, the property owners have failed to meet their burden of demonstrating that the proposed new buildings are sited in locations that will minimize the alternation of streams and natural drainage channels in accordance with Section 6565.15A(5). It is important to also note that this is the closest privately owned parcel to Cordilleras Creek that is part of a sub-tributary seasonal drainageway. As such, the parcel's undeveloped land – both surface and sub-surface, and its existing contiguous oak tree canopy are part of the Creek's riparian system, and the ecology of the Cordilleras Creek and Road corridor. Removing 650 cubic yards of soil and all of the indigenous trees will severely and irreparably alter the uphill drainage channels and threaten the ecology of Cordilleras Creek. The property owners have not demonstrated that the project's alteration of the historic drainage channel could not be further minimized. As such, the finding set forth in Section 6565.15A(5) cannot be met and the project must be denied or conditioned so that this finding can be met.

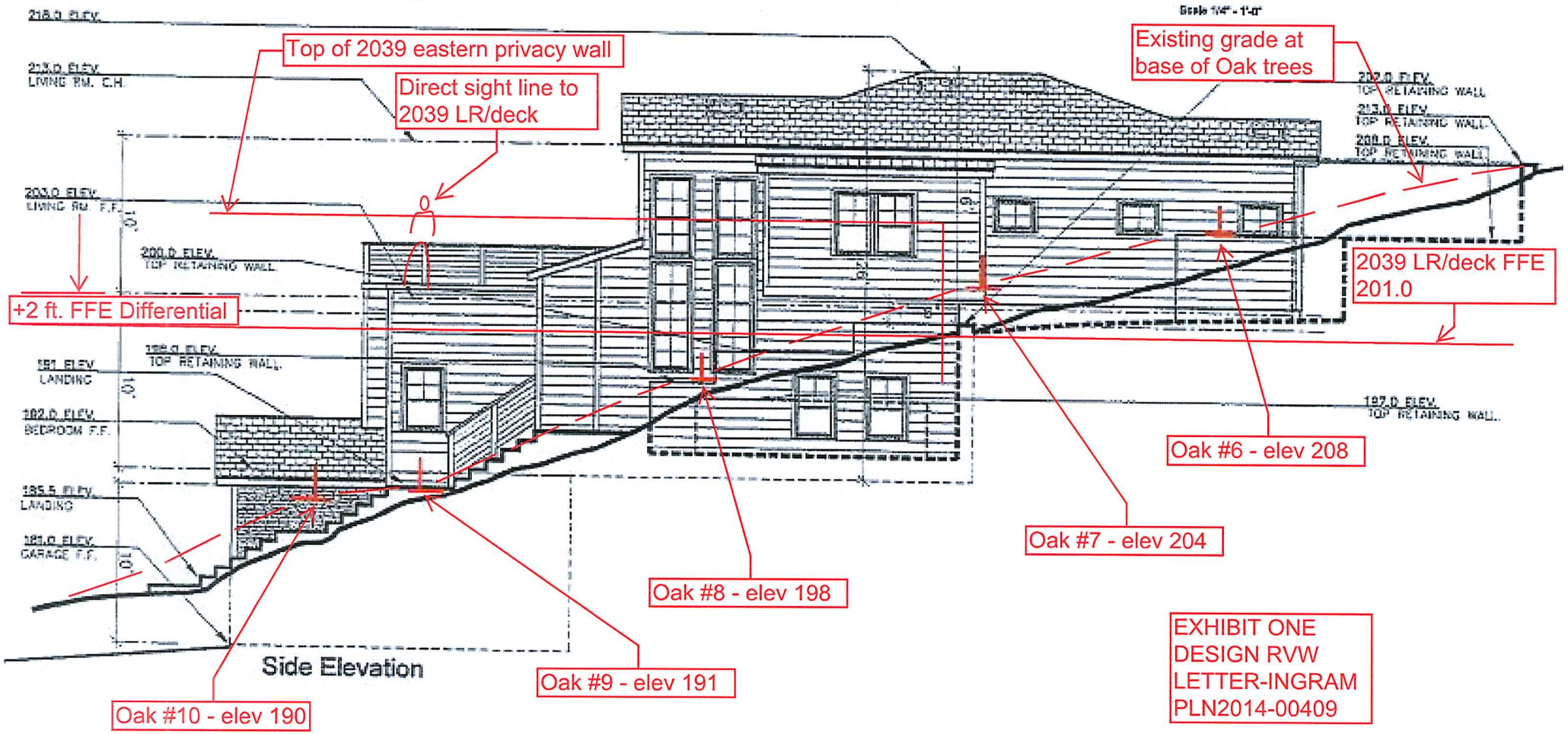
Because the property owner has not met its burden of demonstrating that the proposed project complies with the applicable mandatory Design Review Standards set forth in Section 6565.15 of the San Mateo County Zoning Regulations, we respectfully request that you either deny the requested permit or impose conditions to ensure that these standards and the purposes they serve are met.

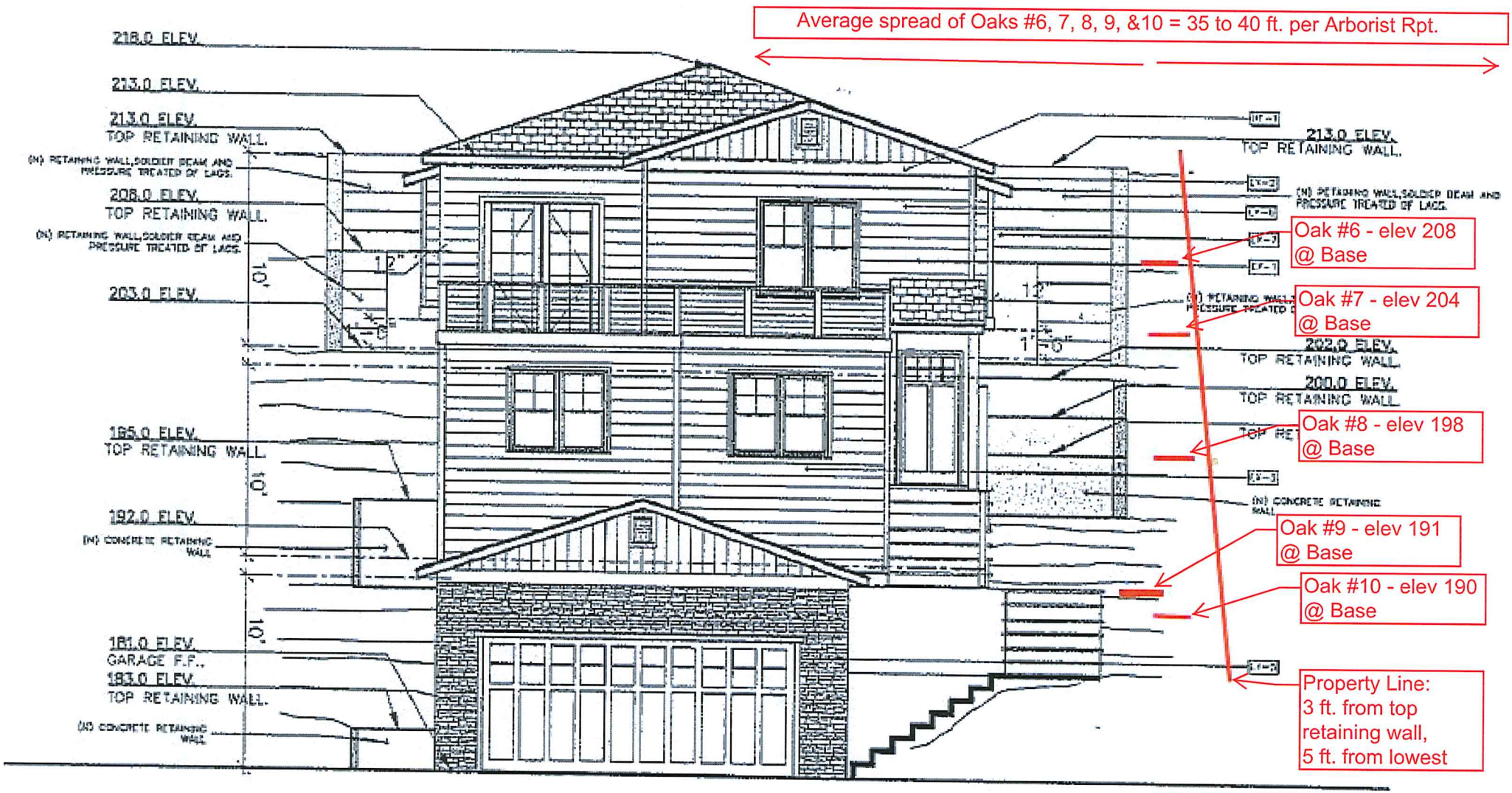
Very truly yours,

Camas J. Steinmetz

Cc: Steve Monowitz, Planning Director

Exhibits 1-3


Top of 2039 eastern privacy wall
Direct sight line to 2039 LR/deck
Existing grade at base of Oak trees
2039 LR/deck FFE 201.0
+2 ft. FFE Differential
Oak #6 - elev 208
Oak #7 - elev 204
Oak #8 - elev 198
Oak #9 - elev 191
Oak #10 - elev 190
EXHIBIT ONE
DESIGN RVW
LETTER-INGRAM
PLN2014-00409
Side Elevation



Front Elevation

EXHIBIT TWO
DESIGN RVW
LETTER-INGRAM
PLN2014-00409

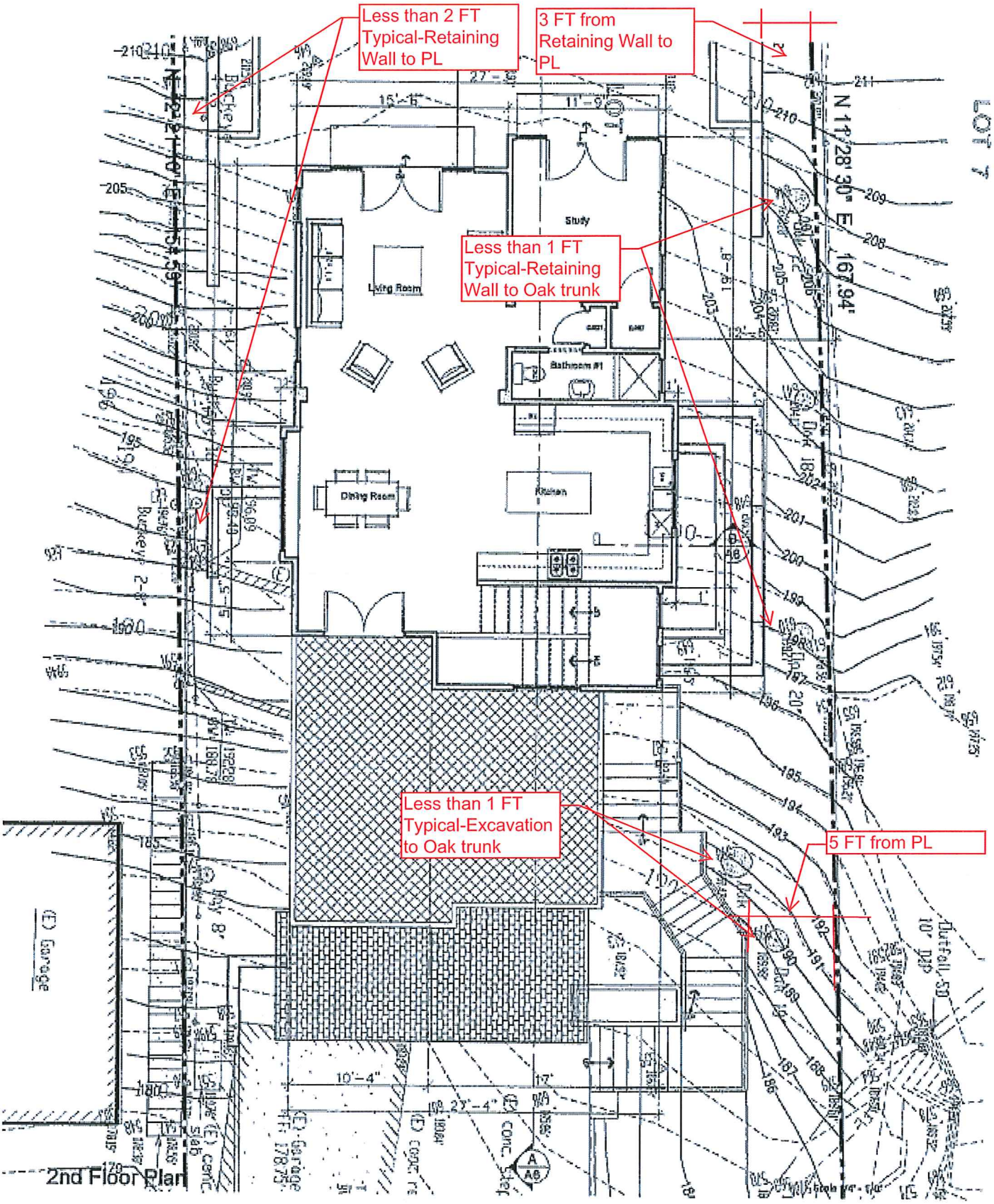


EXHIBIT THREE
DESIGN RVW
LETTER-INGRAM
PLN2014-00409

Exhibit 4

TREE NOTES

CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

Pete Wilson
Governor
State of California

Harold R. Walt
Director

Douglas Wheeler
Secretary for Resources
The Resources Agency

NUMBER: 7 JUNE 1990

Keeping Native California Oaks Healthy

Bruce W. Hagen

Forest Pest Specialist, Forest Pest Management Program, P. O. Box 820, Santa Rosa, CA 95402-0820

Oak trees in the residential landscape are often seriously damaged or killed during the construction and/or landscaping phase of development. Decline and early death may also stem from inappropriate landscaping and irrigation practices. Damage often takes years to become evident, and by the time the tree shows signs of decline it is usually too late to help.

Oaks and Summer Water

Once established, native oaks require little or no supplemental irrigation. In fact, they do best in non-irrigated soils. This is because oak roots, particularly those originating at the base of the trunk (root crown), are susceptible to root-disease fungi when exposed to prolonged moisture during the summer (Figure 1). These fungi are normally inactive in dry soil, but proliferate under the warm, moist conditions created when frequent summer water is applied. (Other species of trees are less susceptible to these fungi because they have evolved where summer soil moisture is high.) Oaks weakened by the loss of roots or root function are particularly susceptible to root pathogens and other pests. Frequent summer irrigation, particularly near the root crown, is likely to cause root decay which, over time, may destroy the roots, killing the tree or causing a hazardous situation. Therefore, irrigation for lawns, ground covers or other ornamental vegetation should be avoided or, at the very least, kept well away from the trunk. The common notion that younger oaks can adapt to frequent irrigation is incorrect. Young or newly planted oaks in irrigated situations often show signs of decline after 15 to 20 years.

Oak Roots

The roots of mature oaks grow predominantly within the upper three feet of soil. Most of the roots responsible for the uptake of water and minerals are concentrated within 18 inches of the surface. Few roots grow deeper than three feet. Although the roots typically radiate well beyond the periphery of foliage (drip line), much of the active root system is within the drip line (Figure 1). Roots are sensitive to environmental change (soil compaction, grade change, increased moisture, paving). Oak roots like those of most trees, are associated with beneficial fungi that resist pathogens in the soil and aid in the absorption of water and minerals. These fungi are easily killed by changes in soil conditions.

Common Problems That Occur During Construction and Landscaping

Life-supporting roots are frequently severed during construction or damaged by other construction practices that change the existing soil environment. The frequent irrigation of lawns and ornamental vegetation commonly planted under oaks after construction, leads to decay and progressive root loss. The net effect is reduced water and mineral uptake. This typically causes die-back and decline over one to many years. Few people associate this decline with construction or landscaping because the symptoms often develop gradually. Most of these trees will die or fall prematurely unless prompt remedial action is taken.

Activities That Damage Roots and Disturb the Soil Environment

Grade change. This involves either the addition or removal of soil within the drip line. Excavation can sever roots, while the addition of fill soil may suffocate them. Fill soils can also impede water infiltration and soil drainage, leading to drought conditions or waterlogging.

Trenching. Trenches dug for utility or irrigation lines within or across the drip line cut essential roots. This impairs the tree's ability to obtain water and essential elements, which may cause death, die-back, or gradual decline. It can also impede drainage and root development.

Pavement. Impermeable soil coverings such as asphalt or concrete restrict the amount of air, water, and minerals available to the roots. This impairs root growth and function, and can ultimately lead to their death.

Soil compaction. Frequent traffic, both human and livestock, and the operation and parking of heavy vehicles within the drip line, squeeze soil particles together, thus eliminating much of the natural air space. This reduces the infiltration and storage of water and air, inhibiting root growth and the uptake of water and minerals.

Drainage changes. Grade changes that cause water to collect around a tree, especially near the trunk, are harmful. Likewise, a grade change that diverts a source of water that the tree depends on may cause drought stress.

Soil contamination. Avoid storing and discarding harmful chemicals or materials such as, herbicides, petroleum products, building materials, or waste water near oaks.

Herbicides. It is best to avoid using systemic or soil active herbicides under landscape trees. If herbicides are to be used within the root zone follow label recommendations.

Root Loss. The degree to which oaks tolerate root loss depends on species, age, health, climate, soil depth, soil structure, and soil moisture. In general, the damage caused by a 15 to 30 percent loss of roots is negligible to moderate, respectively. A root loss in excess of 50% is considered to be harmful. A single three foot deep trench at the drip line along one side of a tree will remove approximately 15 percent of the roots. A similar trench made midway between the drip-line and the trunk will sever approximately 30 percent of the roots. Trenches made within 10' of large oaks are usually very damaging.

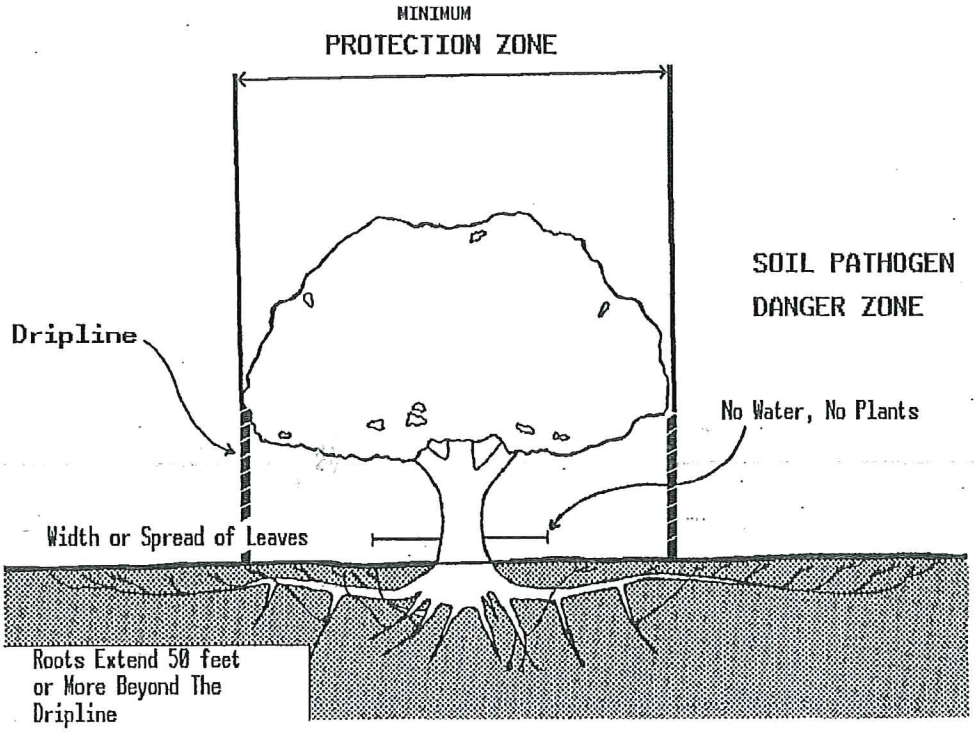


FIGURE 1.

Preventing Problems

Avoid injuring the roots or altering the soil where they grow, particularly within the drip line. Keep this area undisturbed and free of water-demanding ornamental vegetation such as lawns, ground covers, and shrubs like rhododendrons, azaleas, and camellias. Do not remove the leaf mulch unless there is a fire hazard. This organic material conserves water, provides nutrients as it decays, improves soil structure, decreases soil pH, and reduces soil temperature extremes. If turf is present beneath oaks, discontinue watering within the drip zone. If this is impractical, plug, alter or redirect sprinklers to prevent water from hitting the trunk or wetting the soil within 10 feet of the tree's trunk. Although not necessary, you may wish to remove the dying turf. In either case, cover the exposed soil surface or turf with 2 to 4 inches of organic mulch.

Appropriate Landscaping. If ornamental vegetation must be planted under old, established oaks, minimize its use. Keep the area within the drip zone relatively open. Use plants as accents rather than as ground covers. Extensive landscaping will disturb much of the root system and compete for available water and minerals. Select plants that tolerate shade and drought, and plant no closer than 10 feet to the trunk (Figure 1). Avoid all planting under declining oaks. Trees that have sustained construction damage will require several years to recover before landscaping.

Watering. As a general rule, native oaks should not be irrigated. One exception, however, is during drought years. If the winter is unusually dry, supplemental watering in the spring can complement natural rainfall. Water the soil from halfway between the trunk and the drip line to 10-15 feet beyond, allowing water to penetrate the soil to a depth of 18 to 24 inches. It may be necessary to water for 4 to 6 hours to get water to this depth. Keep water at least 10' away from the trunk. The length of time will vary based on the rate of water flow, method of irrigation (soaker hose, sprinkler, etc.), area covered, rate of water penetration, and topography. You

may have to experiment a little to get good water penetration. To check the depth of penetration, dig a small hole in the irrigated area several hours after watering. If the soil is moist at the desired level, the watering time is adequate. Insufficient watering is marked by dry soil, while excessive watering is indicated by standing water. Additional watering can be applied 1-2 times during especially dry summers. Another exception for the occasional watering of oaks is where extensive use of pavement causes natural precipitation to run off rather than penetrate the soil around the trees, causing drought stress. One further reason to irrigate native oaks, is to reduce water stress following moderate to severe root loss.

Plant drought tolerant landscape plants in the fall and winter to ensure their survival. If rain is lacking, water these plants twice a week for several weeks. Use a drip system or slow running hose to wet the root ball and 4-6 inches of surrounding soil. Thereafter, water twice a month until the rain starts. The following season, water 2-3 times during the summer. Wetting the soil to a depth and radius of 12 incles around the plant. By the third season, most of the plants should be well established, requiring no further watering. If turf is to be maintained under an oak, apply the least amount of water which will keep it reasonably green.

Mulching. Keep the soil surface beneath oaks mulched with 2-4 inches of natural leaf litter, wood chips, or gravel. Be careful not to place the mulch directly against the trunk. Organic mulch will improve soil structure and provide minerals upon decay. Avoid the use of impervious plastic tarping which reduces the availability of air and water to the roots.

Fertilizing. Healthy, mature oaks growing under natural conditions do not normally require added fertilizer. However, oaks in landscaped areas where the leaf litter is regularly removed, will benefit from nitrogen fertilization. Young oaks can be fertilized to encourage rapid growth. The ideal time to fertilize is in the spring. Fertilizer is best applied by broadcasting over the tree's root zone. If rain is lacking, lightly water the minerals into the soil, avoiding the area within 10' of the trunk. Use fertilizers high in nitrogen (N) such as calcium nitrate, ammonia sulfate, ammonia nitrate or urea. Complete fertilizers containing nitrogen (N), phosphorous (P) and potassium (K) are more expensive and generally unwarranted.

Pruning. NEVER TOP OAKS. DO NOT LEAVE STUBS. DO NOT MAKE FLUSH CUTS. PROTECT THE BRANCH COLLAR. Try to retain natural shape. Avoid excessive pruning, remove no more than 10-20% of the foliage in any one year. Except for the removal of weak, hazardous, diseased, damaged or dead branches, mature oaks normally require little pruning. Some trees can benefit from light thinning to open the foliage canopy to more sunlight or to lighten heavy branches. Avoid pruning in the spring and early fall. Pruning large trees is dangerous and difficult; it is best left to professionals. Consult an arborist, preferably someone certified by the Western Chapter of the International Society of Arboriculture.

Correcting Soil Problems

Fills - The flared bases (root crowns) and trunks of trees buried during construction should be exposed by careful excavation down to the original soil grade and out to several feet. Moist soil in contact with the bark of the trunk usually leads to decay. Slope the soil away from the tree so that water does not collect near the trunk and try to provide some drainage. A retaining wall may be needed to keep soil away from the root crown and trunk. You can tell that the soil level around your oak has been raised if the trunk does not flare out as it enters the soil.

Compaction - Soil compaction displaces much of the natural air space in the soil, reducing the amount of air (oxygen) available to the roots. Oxygen is critical for the uptake of the water and minerals necessary for tree growth and survival. Oaks growing in compacted soil may benefit from increasing the availability of oxygen to the roots. The best way to do this is to eliminate or curtail activities around the tree which cause compaction, followed by the addition of several inches of organic mulch to the drip zone. This will gradually improve soil structure and aeration, while helping to prevent further compaction. Avoid placing mulch directly against the trunk.

Several methods may be used to temporarily improve soil aeration. One method involves drilling holes 1-3 inches wide, 12 inches deep, and 1-3 feet apart around the tree out to the drip line. Holes may be filled with coarse sand or pea gravel or left open. It may be necessary to repeat every two to three years. Another method involves the injection of air under pressure into holes to fracture and lift the hardened soil, allowing air penetration. Holes can also be made by injecting water under high pressure via a hollow tube into the soil. The water jet loosens and expels soil particles as it is inserted into the ground.

Pavement - Where practical, remove asphalt and concrete pavement within the drip line and replace with permeable materials like organic mulch, gravel, brick, or stone set in sand.

Inspecting Your Tree for Health and Hazard Potential

Signs of Advanced Decline or Decay

- **Thin, sparse foliage**
- **Poor growth**
- **Yellow, undersized leaves**
- **Dead branches and limbs in the upper canopy**
- **Wilted, brown leaves during spring and summer**
- **Many short shoots growing on trunk and branches**
- **Mushrooms at tree base or on the roots in the fall or early winter**
- **Conks - shelf-like mushrooms on trunk**
- **Cavities in trunk**

- **White, fan shaped mats of fungus under the bark at the soil line.**
- **Soft, punky wood**
- **Wet, oozing areas on the bark**

Proper health and hazard inspection is difficult to do. It requires training, experience, and sometimes elaborate procedures to be reliable. A thorough tree inspection may involve exposing the large, supporting roots originating at the base of the trunk (root crown). This requires the careful removal of soil from a distance of 2 - 3 feet around the root crown to a depth of 12-18 inches or to the original grade if fill soil has been placed around the tree. Soil excavation and root-crown inspection are best done by a consulting arborist.

Oaks with extensively decayed roots should be removed for safety; those in the early stages of decay can be treated. Carefully expose infected roots and remove diseased portions. Cut the bark back until healthy wood is found. Dispose of all diseased roots and bark. Allow the exposed roots to dry for several months. You may wish to construct a retaining wall around the perimeter of the excavation to keep the soil away from the exposed roots. Try to provide drainage to keep rainwater from collecting in the well. The soil can be replaced before winter. Otherwise, the roots can be left exposed. Although this is not a cure, it will slow the progress of the disease-producing organisms, prolonging the life of the tree. For this treatment to be helpful, all further watering near the trunk must be stopped.

Successful Development Around Oaks

Successful development around oaks depends on careful planning and construction. For this to happen, everyone involved in the development process must recognize that tree health suffers when roots are destroyed or soil conditions are altered.

When oaks die, property values drop and removal costs are incurred. Prudent development can ensure a more attractive and more valuable setting.

Further Reading

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.....*Care of Native Oaks.* 1989. California Oak Foundation. 909 12th Street, Suite 125, Sacramento, California, 95814.

Other Resources:

Western Chapter International Society America, Certification Committee, P. O. Box 424, St. Helena, CA 94574. (707) 963-7578, for lists of Certified Arborists.

University of California Cooperative Extension, Natural Resources Program, 163 Mulford Hall, Berkeley, California, 94720. (415) 642-2360.

Sherby Sanborn, Editor, Layout and Design
CDF Forest Pest Management (707) 576-2360
Revised, 3/4/91

University of California Agriculture and Natural Resources

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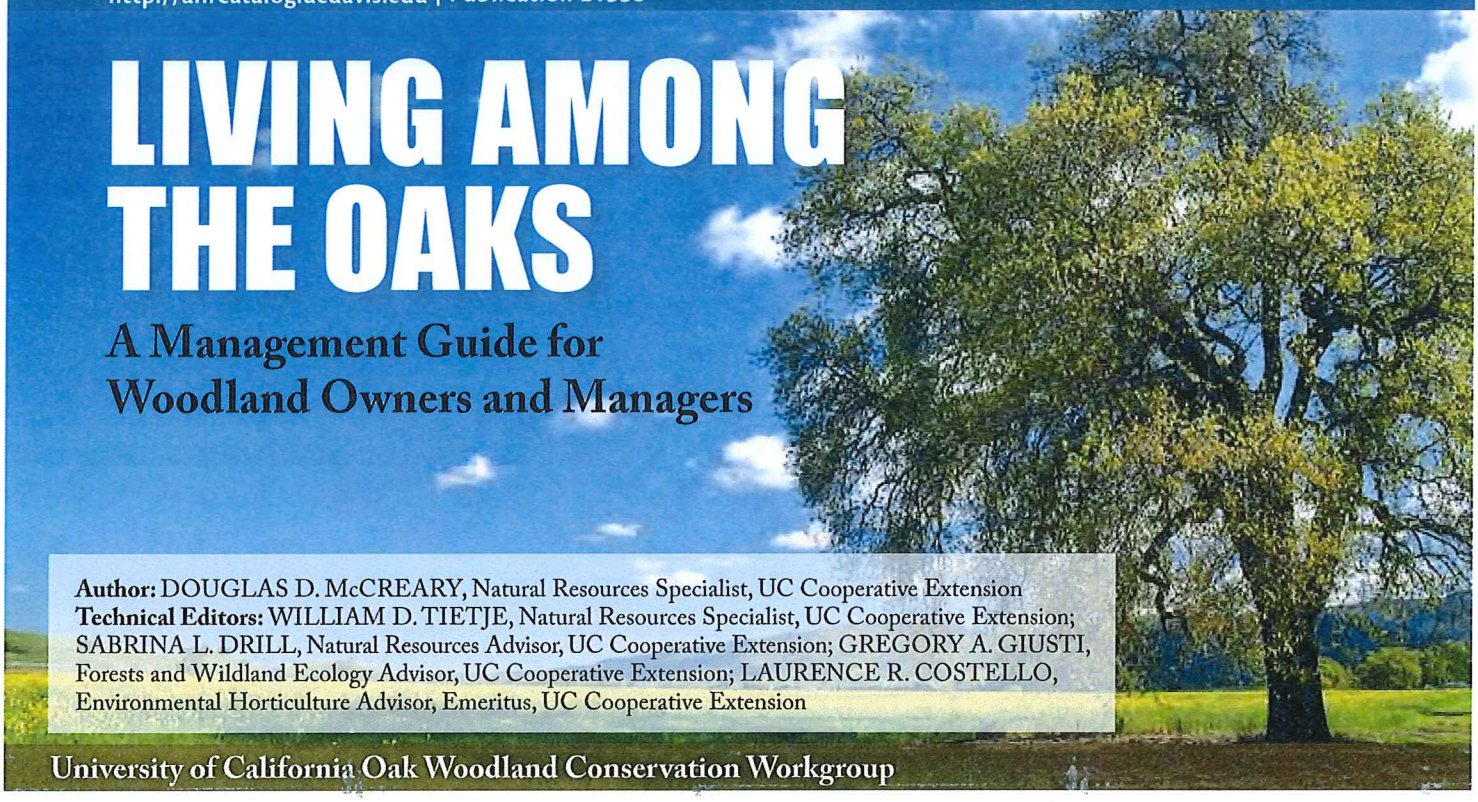
LIVING AMONG THE OAKS

A Management Guide for Woodland Owners and Managers



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University of California Oak Woodland Conservation Workgroup

What is more characteristic of the California landscape than the oak? Round-crowned oaks dapple the rolling hills, solitary monarchs shade our rural roads, and valley giants stretch skyward in banners of leaves and lichen. Both past and present-day travelers have stopped in awe of our native oaks, and countless photographs and memories are framed by their spreading, weather-worn branches. The oak is particularly emblematic of the inland regions of California, where scattered oaks, rolling pastures, and distant cattle are common elements of an infinitely variable and ever-changing landscape.

In this region—often called the hardwood range or oak woodlands by land managers—the vistas of oaks, pasture, and livestock bestow a tranquility that sometimes belies the fourth element: people. Like the earliest Californians, people today come to the oak woodlands for food, shelter, and beauty. Many consider oak woodlands a landscape of California that symbolizes values we hold dear—strength, beauty, adaptability, and longevity.

But intensifying land use in oak woodlands has brought problems along with it: soil erosion, reduced forage production, poor regeneration for some oak species, and degraded wildlife habitats. Oak woodlands today are clearly showing the effects of the last 200 years of human habitation.

Oaks provide

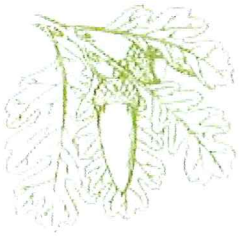
- shade and shelter
- wildlife and fisheries habitat
- soil protection (erosion control)
- increased property values
- beautiful landscapes
- food and fuel
- recreational opportunities

All Californians can assist in the protection and enhancement of native oak resources, but nobody is in a better position to do so than the owners and managers of oak woodlands. Those who own homes or property in the oak landscape can help shape the future by their decisions, which collectively direct the management and land use of more than 7 million acres (2.8 million hectares) of the state. This publication is designed primarily for the owners of home lots or small acreages, but owners and managers of larger properties can also apply much of the information, especially to areas where native oaks grow around the ranch home. It brings together helpful information about living—and making a living—among the oaks. The University of California Oak Woodland Conservation Workgroup hopes that you will find this information useful as you manage your land and make decisions that shape the future of California's oaks and oak woodlands.

Oaks of the Hardwood Range

California has 21 native species of oak in the genus Quercus, 10 of which grow to tree size. Of these, 8 are conspicuous members of the oak woodland plant community. All are relatively slow growing and long lived.

Valley oak *(Q. lobata)*



Alice B. Addicott

This tall, spreading, winter-deciduous oak was once an important member of the Central Valley's riparian forests, but agricultural conversions and development have greatly reduced the acreage it occupies. From Shasta County to Los Angeles County, it is still a conspicuous oak in the landscape, especially in valley bottoms and on deep alluvial soil. It is the largest oak in California.

Blue oak *(Q. douglasii)*

This deciduous oak is the dominant oak in the woodlands from Shasta County to Kern County, growing in the foothills of the Sierra Nevada, Coast, and Transverse mountain ranges. It often grows in association with interior live oak (Q. wislizeni) and foothill pine (Pinus sabiniana) and tolerates relatively harsh sites.

Hart Gordon Bailey

In addition to dropping its leaves in winter, it exhibits drought deciduousness—that is, the capacity to shed foliage earlier than normal in response to drought.

Coast live oak *(Q. agrifolia)*

Hart Gordon Bailey

This evergreen oak occurs from southern Mendocino County southward into northern Baja California, primarily in the Coast Range. On favorable sites it often attains a rounded, spreading appearance. It is a member of the black oak subgenera and is one of four California oak species that is susceptible to Sudden Oak Death.

Interior live oak *(Q. wislizeni)*

This evergreen oak is widely This evergreen oak is widely distributed in California from Siskiyou County south to Baja California. It is abundant in the Sierra Nevada foothills, and in the Coast Range it occupies higher, drier, and more inland sites than does coast live oak. It is generally found in more heavily wooded sites than blue oak, and in chaparral habitats or other dry locations it often develops a shrubby form.

Geri Hulse Stephens

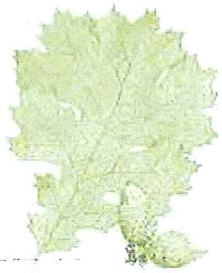
Engelmann oak *(Q. engelmannii)*

Hart Gordon Bailey

This semideciduous oak has a narrow distribution, primarily in western San Diego County, where it replaces blue oak as the dominant species. It has been severely impacted by agricultural conversions and, along with blue oak and valley oak, is not regenerating well.

California black oak *(Q. kelloggii)*

This species is a member of the black oak subgenera and loses its leaves in winter. It most commonly grows in mountainous areas, and in the Sierra Nevada it is an important component of the mixed-conifer forests. It typically receives more than 25 inches (64 cm) of annual precipitation and produces a strong reddish-brown wood that is compared to northern red oak (Q. rubra). Its acorns were considered the best tasting by many tribes of Native Americans throughout the state.

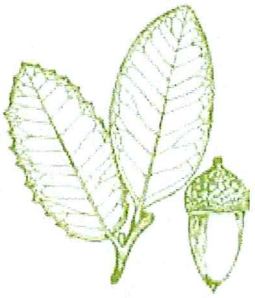


Oregon white oak *(Q. garryana)*

This deciduous white oak is common in northern California and extends far north, all the way to Vancouver Island in British Columbia. It prefers a moderate climate with warm summers and freezing winters and between 20 and 50 inches (51 and 128 cm) of precipitation. In California it grows in a variety of habitats and is often associated with bay laurel (Umbellularia californica), Douglas fir (Pseudotsuga menziesii), black oak, Pacific madrone (Arbutus menziesii), and tanoak (Lithocarpus densiflorus).

Canyon live oak *(Q. chrysolepis)*

This evergreen species has a broad distribution, extending from Oregon to Baja California, and it can grow from sea level to high in the mountains. The wood is very strong and close grained and was originally used for tools and implement handles; hence one of its common names is maul oak. Another common name is gold cup oak, because it has fine yellow powder covering the acorn cup, or cap.



Source: McMinn, Maino, and Shepherd 1935.

Needs and Conflicts

In designing and building homes, gardens, orchards, and places for animals, your decisions are shaped by your overall objectives for your land. Whether your land is a residential site, used for grazing, or maintained as natural open space, you will need to consider various management options. As you choose management approaches for your land, also take into account your oak trees and evaluate whether or not your planned activities are compatible with oak conservation and the basic needs of the trees. Remember that well-managed oak woodlands can also help enhance other natural resources, such as soil and water. Careful planning and design can often provide benefits for both people and oaks.

Past development among the oaks has revealed specific areas of conflict. Often impacts to oaks have not been adequately addressed in planning documents and mitigation requirements. But a 2004 California state law (Public Resources Code § 21083.4) requires mitigation if projects in oak woodlands have significant impacts on the environment. It has also become apparent that, in addition to the removal of trees, certain construction practices can seriously injure or kill oaks. Construction activities can increase (or decrease) fire hazards, creating liability and management problems. Gardening practices such as amending the soil, planting lawns, or irrigating under established oaks can damage them. Domestic animals, as well as insect and disease pests, also can take a toll. In combination, these elements can present formidable obstacles to the health and survival of oak trees. However, harmful effects can be minimized by thoughtful management practices. And how we manage oak woodlands will likely become even more critical under the stresses associated with climate change.

Building around Oaks: Protecting the Root Zone

The most vulnerable part of a mature oak tree is the root system and, in particular, the root crown at the base of the trunk. Although most oaks do have a deep taproot, many oak roots are relatively shallow and extend outward from the root crown, reaching some distance beyond the tree's drip line (the outermost edge of a tree's foliage). For management purposes, think of a tree's root zone as extending out at least one-third farther than the distance to the drip line. Ideally there should be no disturbance within this zone. This means no grading, digging, trenching, using of fill soils, covering the ground with asphalt or concrete, or landscaping with plants that require more than two or three summer waterings. Also, excessive foot traffic, operating heavy equipment, and parking vehicles (particularly heavy ones) should be avoided in this zone to avoid compaction. It is preferable to retain natural litter (fallen leaves, twigs, and bark) or add mulch to cover the soil surface. If modifications are unavoidable, strive to keep this area in as natural a condition as possible, and keep ground disturbance as far away from a tree's trunk as possible.

Threats to the Root Zone

The following human activities are the ones that most commonly alter a tree's root environment, potentially damaging or killing it.

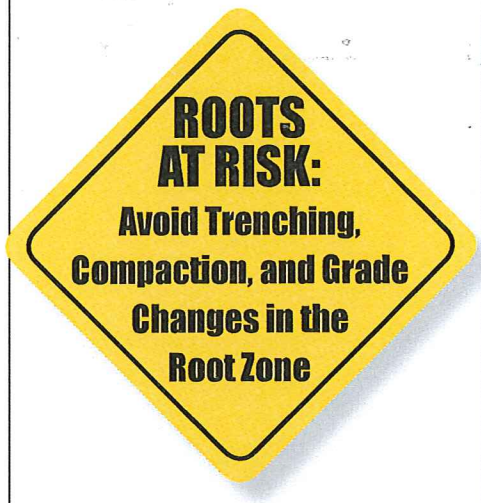
Changes in grade. This includes any changes in the ground level under the tree, either by mounding up soil or removing it. Excavating soil can directly cut and destroy roots and expose them to damage from surface activities. Mounding up soil can reduce oxygen to the roots. Depending on climate and soil moisture, additions of soil can also encourage root rots. Use retaining walls outside of the drip line to protect the natural grade under the tree. If there is no alternative to adding soil within the drip line, consult a qualified arborist specializing in oaks for strategies to minimize injury. Also, review the publications listed in the "References" section.

Changes in drainage. Irrigation and changes in the drainage around an oak can result in water in the root zone during the summer when soil temperatures are high and soils are normally dry. This can promote the

proliferation of harmful soil microorganisms that injure roots. Saturated soils can also inhibit oxygen movement into the root zone. These factors can ultimately result in tree death.

Soil compaction. Heavy foot traffic or the operation of heavy equipment can cause soil compaction, especially when the soil is wet. Compaction causes the spaces between soil particles to become compressed, reducing gas exchange. Since gas exchange is needed for root function, compaction can cause significant injury to oaks. When the ground is covered with nonporous materials such as asphalt or concrete, the free passage of moisture, air, and other gases within the root zone is impeded. In addition, soil compaction can occur in preparation for and during paving. As an alternative to common paving materials (asphalt and concrete), there are porous materials that are more compatible with the oak environment and make excellent ground coverings. Regardless of the permeability of the ground covering, nothing should be placed within a 6-foot (1.8 m) radius of a tree's trunk. This is the minimum area that should always be left undisturbed and preferably covered with mulch.

Trenching. Trenching is a leading cause of tree mortality. When utility trenches are dug into the root zone, major portions of a tree's root system may be cut or damaged. When several large roots are damaged, tree death may follow. Trenching in the root zone should be avoided whenever possible. If trenching cannot be avoided, identify the location of lateral roots using a pneumatic trenching tool. Probably the best alternative to trenching is to place utilities in a conduit that is bored through the soil. If utility conduits are unavailable, try to have all utilities placed in a single trench, as multiple trenching causes greater damage.



Disturbance beyond the root zone. Beyond the root zone mature oaks are usually less affected by landform and drainage changes, soil compaction, paving, and trenching activities. But indirect effects must still be considered. Avoid fill materials that could alter flow patterns, resulting in water collecting around trees. Consider the effects of nearby ponds or swimming pools on local soil moisture, and watch for bank or hillside cuts that could alter drainage patterns.

Fire in California's Oak Woodlands

Californians are keenly aware that fires regularly occur in our state and can have devastating consequences. Recently there have been some catastrophic fires in oak woodlands. The severity of these fires was partially due to fire suppression activities during the last 100 years that have increased fuel loads and made it more difficult to suppress or contain woodland fires that do start, especially during extreme fire weather. Also, more people are now living within these fire-prone ecosystems, which complicates fire-fighting activities. One consequence of the recent spate of fires was the revision of the California state law that requires fuel reductions around homes and the removal of vegetation that could help fires spread (Public Resources Code § 4291). Increasing clearances and removing "ladder fuels" can greatly reduce the risk that homes in the paths of fires will be lost.

Once the fires have passed and the embers have cooled, property owners want to know if their oaks have been killed. Often they haven't been. Even if all of the leaves on an oak tree have been scorched and the tree looks dead, new leaves will often emerge and start to grow the following spring—or even sooner—and the tree may suffer little long-term damage. It is therefore important to wait until the following year to determine if trees have been killed from fire. And even if the aboveground trunk has

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Online Resources

California Oak Mortality Task Force Web site, http://nature.berkeley.edu/comtf/.

California Oak Foundation Web site, www.californiaoaks.org/.

California Native Plant Society Web site, www.cnps.org/.

UC Oak Woodland Web site, http://ucanr.org/sites/oak_range/.

Wildlife Conservation Board Web site, www.wcb.ca.gov/.

For Further Information

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ISBN-13: 978-1-60107-665-6

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This publication is a revision of *Living among the Oaks: A Management Guide for Landowners* (1995).

UC PEER REVIEWED This publication has been anonymously peer reviewed for technical accuracy by University of California scientists and other qualified professionals. This review process was managed by the ANR Associate Editor for Agronomy and Range Sciences.

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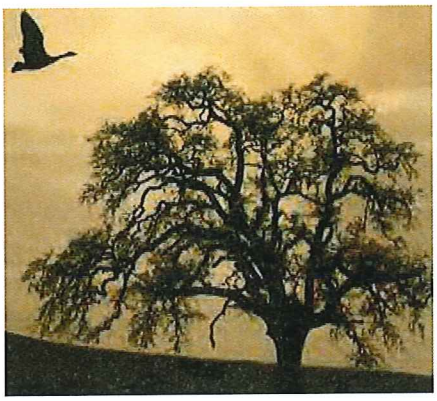
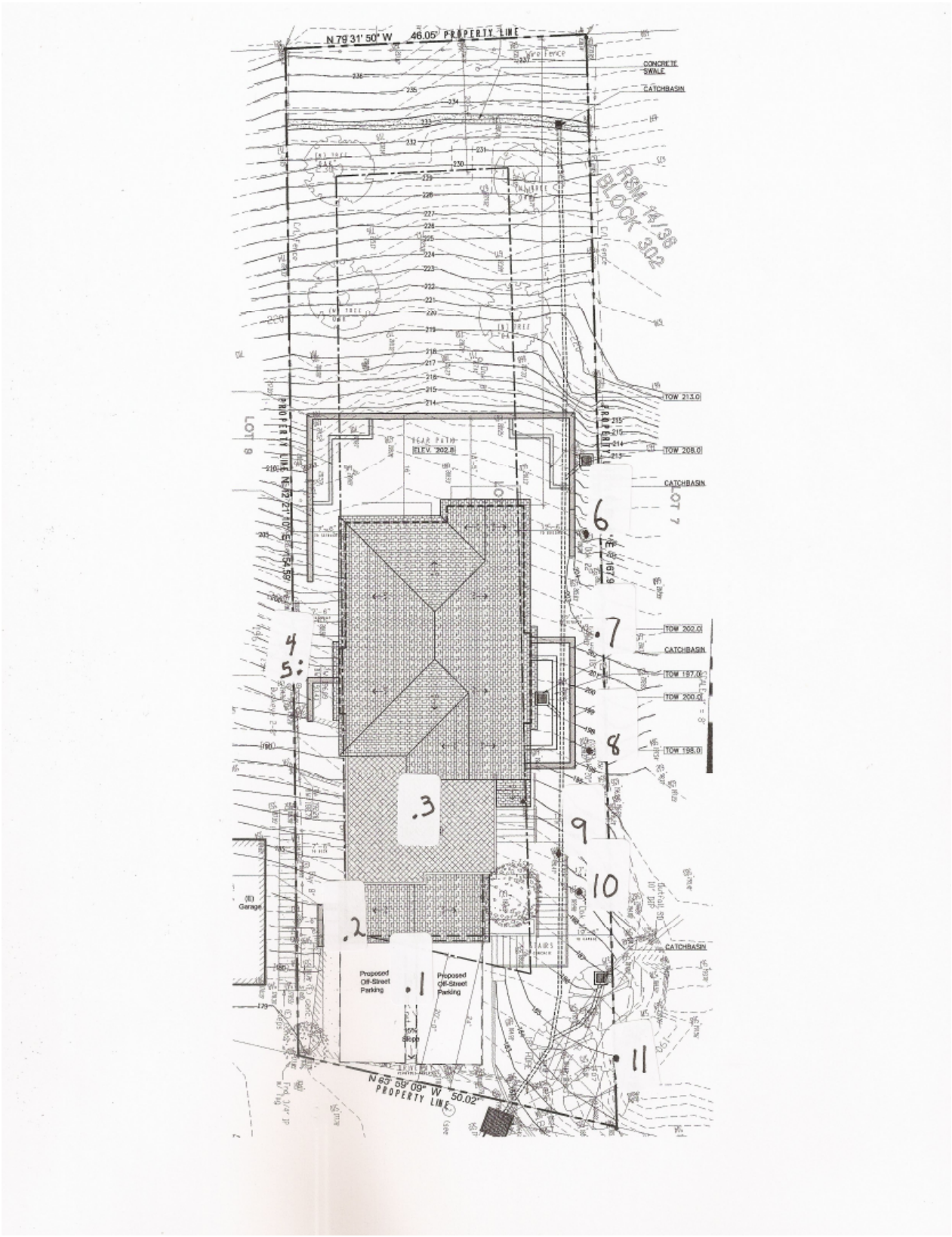


Tree Locations:



Erica Adams - plan 2014-0409

From: Seth Thompson <thompson.seth8@gmail.com>
To: eadams@smcgov.org
Date: 4/6/2015 8:43 PM
Subject: plan 2014-0409
Attachments: 2029 cordilleras road hearing #2.rtf

Ms. Adams,
Attached is a letter with my comments about the plans for 2029 Cordilleras Road.

Thank you
Seth Thompson
2027 Cordilleras Road
Emerald Hills CA, 94062

Erica Adams
Design Review Officer
San Mateo County
eadams@smcgov.org

Reasons that plan 2014-0409 does not follow Emerald Lake Hills design standards

Dear Ms. Adams

1.This plan does not minimize tree removal. This plan proposes 4 trees to be removed for the building to start. This plan violates the drip line of the remaining oak trees on the west side of the lot. This plan proposes removal of a tree on the east side property line . This is the only natural shielding for privacy for the east side neighbor's lower entrance.

2.This plan does not minimize alteration of natural topography. This plan includes grading over 99% of the lot. Grading of the top of the lot will cause water to run off to adjacent properties causing damage and erosion.

3.This plan does not respect the privacy of neighboring houses and outdoor living spaces. This plan puts main entrance windows in line with west side neighbors privacy area, master bathroom window being in line with east side neighbors lower entrance and living room window in line with east side neighbors bedroom bay window.This plan does not use the standard 10 foot side setbacks from the

property line and includes a cantilevered portion on the second floor making the house too close to the east side property line.

Some of these issues could be mitigated by lowering the total height of the house and using the standard 10 foot setbacks.

4. This plan does not minimize blockage of sunlight. This plan includes the maximum height allowed by the standards. This will cut out the sun to the trees on the east and west side of the building site.

Lowering the roof line would help this issue.

5. Minimize the alteration of streams and natural drainage.This plan includes grading of 99% of the lot and retaining walls that stretch the full width of the lot, blocking and diverting all of the natural water flow over and thru the lot.

I feel this plan is not in any way the best effort to stay within the design standards for Emerald Lake Hills. This area holds its natural look, and respect for the environment, in very high regards. Building this design would alter the neighborhood and not fit in with the surrounding homes.

Seth Thompson
2027 Cordilleras Road
Emerald Hills CA, 94062

Erica Adams - Fwd: Letter no. 2 -- PLN2015-00035 (APN 057-031-180) 2041 Cordilleras Rd.

From: Camas Steinmetz <csteinmetz@adcl.com>
To: eadams@smcgov.org
Date: 5/1/2015 4:46 PM
Subject: Fwd: Letter no. 2 -- PLN2015-00035 (APN 057-031-180) 2041 Cordilleras Rd.
CC: peter_ingram@earthlink.net; SMonowitz@smcgov.org
Attachments: Ingram - Letter to E. Adams rePLN2015-00035 (4.6.15) (00131728xD1701).pdf; ATT00001.htm

Dear Erica,

I am sending the attached letter on the above referenced application again for your consideration prior to the 5/5/15 hearing because It was not apparent that you considered it prior to making your determination on this project following the last hearing on 4/7/15. While we appreciate your direction to the client to revise the application, the revised plans do not substantially address the project's inability to meet the Emerald Lake Hills design review findings and therefore our request that you either deny the project or direct the applicant to revise the project to meet these findings still stands. Please confirm your receipt.

Thanks,
Camas

Begin forwarded message:

> **From:** "Camas Steinmetz" <csteinmetz@adcl.com>
> **To:** "Erica Adams" <eadams@smcgov.org>
> **Cc:** "Steve Monowitz" <SMonowitz@smcgov.org>, "Peter Ingram" <peter_ingram@earthlink.net>
> **Subject: Letter no. 2 -- PLN2015-00035 (APN 057-031-180) 2041 Cordilleras Rd.**
>
> Dear Erica,
>
> Following up on my earlier submittal re PLN2014-00409, and also on behalf of my clients Peter Ingram and Ann Yvette Pirie, adjacent neighbors of the above referenced property, please review and consider my attached letter prior to making a determination on the above referenced design review permit application which is scheduled for public hearing tomorrow. In sum, and as detailed in the attached letter, like the applicant for PLN2014-00409, the applicant for PLN2015-00035 also has not satisfied its burden pursuant to Section 6565.10A of demonstrating that the project complies with the applicable mandatory Design Review Standards set forth in Section 6565.15 of the Zoning Code. Therefore we respectfully request that you deny the project or impose conditions to ensure that these standards and the purposes they serve are met.
>
> Sincerely,
>
> Camas J. Steinmetz, Esq.

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August 19, 2015

Planning Commission
San Mateo County
planning-commission@smcgov.org

Re: Appeal of Design Review Permit and Grading Permit approval -- PLN2014-00409 (APN 057-031-210) 2029 Cordilleras Rd.
Agenda No. 2 of Planning Commission Meeting No. 1602, August 26, 2015

Dear Chair and Members of the Planning Commission:

This law firm represents Peter Ingram, who, along with his neighbor Seth Thompson, filed an appeal of the above referenced approvals for construction of a home on a steeply sloped, vacant, wooded lot located at 2029 Cordilleras Road. The subject property is situated immediately between Mr. Ingram's and Mr. Thompson's respective residences located at 2039 Cordilleras Road and 2027 Cordilleras Road. As detailed in my April 6, 2015 letter to the Design Review Officer (included in the 08-26-15 staff report), which apparently was disregarded by the Design Review Officer in making her determination, and as discussed further below, the project as approved does not comply with the mandatory Design Review Standards for the Emerald Lake Hills area set forth in Section 6565.15 of the San Mateo County Zoning Regulations ("Emerald Lake Hills Design Standards"). Therefore, we respectfully request that the Planning Commission grant the appeal and either (1) reverse approval of the Design Review Permit and Grading Permit; or (2) impose the conditions set forth below in order to bring the project into compliance with the Emerald Lake Hills Design Standards.

Section 6565.10A requires the applicant bear the burden of demonstrating that the design of their project complies with the applicable Design Review Standards. As detailed in my April 7, 2015 letter, the applicant has failed to meet this burden. Namely, there is no evidence in the record that the project: (1) minimizes tree removal as much as possible; (2) respects privacy of neighboring houses and outdoor living areas as much as possible; and (3) minimizes alteration of natural topography. Therefore, pursuant to Section 6565.10B, the Design Review Officer did not have the basis to make the required findings of approval and should have either denied the requested permit or imposed the conditions suggested below to ensure that these standards were met.

Please note that my clients do not oppose building on this parcel as a matter of principle,

however they do oppose building on the lot in violation of the Design Review Standards which were enacted to protect the visual character and natural resources of their neighborhood as well as the physical stability and economic value of their residences. After attempting to negotiate with the applicant to resolve this incompliance to no avail, Mr. Ingram and Mr. Thompson had no choice but to file and pursue this appeal to enforce the Emerald Lake Hills Design Standards and prevent the project's resulting negative impacts on both of their families and their properties. Conversely, the Design Review Officer's treatment of – and our experience with – the applicant for 2041 Cordilleras Rd. (on the opposite side of Mr. Ingram's residence) resulted in substantially more and better design information and a willingness by the architect and the owner to engage in discussions with neighbors to address key issues and arrive at reasonable compromises acceptable to all parties. No appeal was filed for that project, as unfortunately was the case here.

A. Conditions Must be Imposed to Comply with Tree Removal Design Review Standard

The applicant has failed to meet the burden of demonstrating that the proposed new building is sited such that it will minimize tree removal as much as possible in accordance with Section 6565.15A(1). Of the nine existing significant indigenous trees on the site, the applicant proposes to remove four at the outset, and -- as evidenced in the June 15, 2015 HortScience peer review letter that my client commissioned, attached as Exhibit 1 -- the project will significantly damage the remaining five by deep excavations within inches of the tree trunks so that ultimate death and removal of these trees is a near certainty. Three 50 to 80-year Coast Live Oaks along the west side that the applicant purports to "save" will have little to no chance of survival given the high likelihood that major structural roots will be severed during grading and excavation which is proposed within just inches of each and every root zone of these trees. Likewise for two large Buckeye trees on the western edge of the lot.

As a result, 100% of the existing significant indigenous trees will ultimately be lost. The applicant has not demonstrated that this tree loss could not be avoided by altering his site plan. Condition of Approval No. 3 (Design Review Officer letter to the applicant dated April 20, 2015) offers no further assurances. It simply provides the County and the applicant a convenient escape route from standing accountable at a later date for the demise of any or all of the "saved" trees by essentially stating: *'If subsequent removal is required, just apply for a tree removal permit'*.

To minimize tree removal as much as possible in compliance with Section 6565.15A(1), and to ensure the survival of the remaining trees the following design modifications should be required as conditions of approval:

1. Eliminate east, middle retaining wall outside of the building footprint to ensure preservation of existing trees #4 and 5, as shown on Exhibit 1.

2. Narrow the house footprint and reduce or realign all retaining walls to ensure that no excavation at any time occurs within 10 ft. from center of trunks of Oak trees #6, 8 and 10 on west side.

3. Replace all significant indigenous trees to be removed at a 3:1 ratio with minimum 15-gallon size indigenous trees in compliance with the County's Tree Preservation Ordinance. This translates into 12 new min. 15-gallon trees to replace the four significant indigenous trees apparently proposed for removal (#2, 3, 7 and 9 as shown on Exhibit 1). Mr. Ingram and Mr. Thompson would be willing to work with the applicant to facilitate off-site tree plantings as needed to satisfy the required 3:1 ratio.

4. All remaining trees to be preserved, protected and pruned by a certified arborist, per recommendations in the HortScience peer review letter attached as Exhibit 1.

B. Conditions Must be Imposed to Comply with Privacy Design Review Standard.

The applicant has failed to meet the burden of demonstrating that the proposed new building is sited such that it will respect the privacy of neighboring houses and outdoor living areas as much as possible in accordance with Section 6565.15A(3). Due to the design approach that the applicant has taken on a very restricted building site, the most active living areas of the proposed home will directly and severely violate the privacy of both neighboring homes and their outdoor living areas.

In an earlier submittal of site plans dated 12-23-14, the applicant kept the main floor elevation "tucked" into the site, thereby mitigating the impacts of direct sight lines and sound lines into adjacent properties. However, the current plan indicates that the first floor elevation has risen by 1 foot and the second floor elevation has risen by 2 feet. This increase in floor elevation results in direct sight lines over the top of Mr. Ingram's existing 10-foot tall privacy screen that will penetrate into both indoor and outdoor living spaces at Mr. Ingram's residence. On the eastern side, the sheer physical proximity to the home at 2027 – and its entry stairs – will create an unacceptable tunnel of privacy violation, and no mitigating measures or features are proposed. In sum, there is a total lack of sensitivity to adjacent living spaces and their long-standing uses, and there is no recognition in the application of the context of the site plan.

To minimize the violation of privacy as much as possible in accordance with Section 6565.15A(3), and to ensure the compatible enjoyment of all three properties, the following design modifications should be required as conditions of approval:

1. Lower floor elevations and total height by at least two feet (per original 12-23-14 plans) to reduce direct sightlines from and into interior and outdoor living areas of adjacent homes.

2. Center the house on the lot to allow equal setback space (10 ft.) on east and west sides to accommodate increased screen plantings and/or 3:1 tree planting replacement ratio (discussed above).

3. Install solid 6 ft. fencing at the property line, on both sides of the project.

4. Modify east and west facade windows to reduce direct sightlines from and into interior spaces.

C. Conditions Must be Imposed to Comply with Natural Topography Design Review Standard.

The applicant has failed to meet the burden of demonstrating that the proposed new building is sited such that it will minimize alteration of the natural topography as much as possible in accordance with Section 6565.15A(2). The applicant had proposed to grade nearly 100% of the entire surface area of the parcel. And nearly 65% of the surface will be radically excavated (nearly 650 cubic yards to be cut and removed) for the construction of the proposed structure and its retaining walls. Condition of Approval No. 8 in the Bayside Design Review Officer's letter to the applicant dated April 20, 2015 stipulates that "The grading plan shall be revised to remove grading in the rear portion of the parcel behind the proposed residence, except to create a swale to assist with on-site water retention, near the rear retaining wall." However, this condition does not limit the scope of site disturbance and grading in a clear way, and it introduces "on-site water retention" at the upper edge of significant grading. None of the applicants' plans or reports describe on-site retention and how such a feature will ensure adequate drainage of the project site and protection of adjacent properties from damage or degradation due to changes in the exiting drainage patterns of the hillside.

The proposed retaining walls will essentially act as dams for both surface and sub-surface run-off, increasing and intensifying diversion of flows onto both adjacent properties. There would be much less environmental impact – and less alteration to the natural topography – if the upper portion of the lot were required to be left as-is, and drainage was properly designed within the up-hill footings of the retaining walls. The County has failed to validate that the proposed drainage plan as conditioned for approval will protect all three properties from damage by storm water run-off and subsurface flows. It is an unacceptable risk to simply leave this issue unresolved at the point of approving a grading plan.

To minimize alteration to the natural topography as much as possible and to ensure the stability of the adjacent properties, these design solutions should be required as conditions of approval:

1. Narrow upper retaining wall width such that it is within the 10 ft. set back from east and west property lines.

2. Omit upper concrete swale and significantly increase drainage capacity behind [upper] major structural retaining wall to address drainage concerns – including at base of existing sinkhole.

3. Prohibit grading, planting or construction disturbance of any kind on existing grades and flora up-hill from the upper retaining wall.

4. Require that the applicant confirm the construction method for the structural retaining walls, including average dimensions of over-excavation required for this site, and provision of increased drainage capacity behind upper retaining wall.

In conclusion, we respectfully ask you to uphold the integrity of the Emerald Lake Hills Design Review Standards by granting the appeal and either (1) reversing approval of the Design Review Permit and Grading Permit; or (2) imposing the above listed conditions on these approvals to bring the project into compliance with the Emerald Lake Hills Design Standards.

Very truly yours,

Camas J. Steinmetz

Cc: Tim Fox, Deputy County Counsel
Steve Monowitz, Community Development Director
Erica Adams, Design Review Officer

Enclosure: June 15, 2015 HortScience peer review letter to Peter Ingram

Exhibit 1

June 15, 2015

Peter Ingram
2039 Cordilleras Rd.
Emerald Hills, CA

HORT SCIENCE

Subject: Peer Review of Arborist Report for Neighboring Lot

Dear Mr. Ingram:

The owner of the lot immediately east of your property is planning to construct a new home. There are several mature oaks on the property. Kevin Keilty, Keilty Arborist Services prepared a report that provided an inventory of the trees and recommendations for their protection during construction (report dated Feb. 3, 2015). You asked that I prepare a peer review of that report.

On May 8 you and I met at the site to discuss the proposed home layout and to view the potentially affected trees near your property line. At that time you gave me a copy of Mr. Keilty's report. I did not have access to the plans for the construction on the lot, although the tree location map included in Mr. Keilty's report showed the proposed footprint (scanned copy attached). In addition I reviewed the annotated building elevations and site plan included in the Camas Steinmetz's (Aaronson, Dickerson, Cohn & Lanzone) letter of April 6, 2015.

The arborist report described 11 trees, and included measurements, rating for condition, and comments for each. Mr. Keilty recommended removing two trees because of poor condition. He provided a Tree Protection Plan (text) that established tree protection zones as close to the dripline as possible, specified hand digging around roots during excavation, described how to cut roots, and required observation of root cutting and preparation of mitigation measures to compensate for root removal. He also briefly discussed tree pruning, as well as irrigation needs during construction.

San Mateo County Tree Preservation Requirements
The Significant Tree Ordinance of San Mateo County Section 12,012.1 (http://www.co.sanmateo.ca.us/vgn/images/portal/cit_609/43/13/390508716significant%20tree%20ordinance.pdf) defines significant trees as, "...all trees in excess of 19" in circumference [6" diameter]." By this definition, all of the trees except #1 are *Significant Trees* and require a permit to be removed.

The arborist report does not state which trees will be removed for construction so it is not clear which trees require a tree removal permit. From the plotting of the trees on the tree location map in the report, it appears that trees #2 (23.9" diameter coast live oak), #3 (7.2-9.1" diameter buckeye) and #9 (24.5" diameter coast live oak) are within the building envelop and therefore will be removed. He does recommend removing oak #9 because of the decay present at the base of the tree. He also recommends removing oak #7 (12.8" diameter oak) because it is leaning into and being supported by oak #6 (17.8" diameter oak). I agree with his recommendation to remove #7 and #9.

Trees #4, 5, 6, 7, 8, and 10 are very close to the structure and deep excavation for retaining walls. The arborist report does not describe the effects this construction will have on the trees, nor does he discuss if the trees are likely to survive.

Mr. Keilty stated, "Tree protection zones should be established and maintained throughout the entire length of the project...The location for the protection fencing should be as close to the dripline as possible still allowing room for construction to safely continue."

Although tree driplines were not plotted on the tree location map, my observations at the site were that the planned construction is far within the dripline, and therefore is inconsistent with Mr. Keilty's recommendations for the tree protection zone to be near the dripline. I do not think oaks #4-10 are likely to survive the impacts of the planned construction.

The Significant Tree Ordinance of San Mateo County Section 12,020.2 states that, "A permit shall be required in the RH/DR district for the trimming of significant indigenous trees where the cut results in the removal of a branch or cutting of the trunk which is 19 inches or greater in circumference at the point of the cut."

The arborist report did not describe what pruning will be required to provide clearance for construction, although he did state that, "trimming of the trees to be retained will be minor with no significant impacts expected." Because construction is shown close to tree trunks and far within the tree driplines, I question whether that statement is accurate.

I think a more comprehensive assessment of pruning for clearance is needed. I think pruning to remove most of the canopy on the west side of trees #6-10 and the east side of trees #4-5 would occur to clear the structure. It is likely that branches larger than 19" in circumference would be removed. Therefore, application for permit would be required. In some cases required pruning may be so severe that removal of the tree may be necessary.

Recommendations

I agree with Mr. Keilty that removal of trees #7 and 9 is justified because of their poor structural condition. I think it will also be necessary to remove *Significant* trees #4, 5, 6, 8, and 10 because of severe impacts to roots and tree crowns when the soil adjacent to the trunks is excavated and the retaining walls and structures are built.

Preservation of *Significant* trees, especially those near your property line, is important to you, and is supported by the Significant Tree Ordinance of San Mateo County. With some plan modification, retention of trees #6, 8 and 10 should be possible. Following are the actions I recommend:

1. Adjust the project plans to maintain existing grade, without excavation, within a minimum of 10' of trees #6, 8, 10, and 11.

2. Stake the east edge of the excavation required to construct the house, retaining walls, and any other excavation such as trenching for utilities what will occur within tree driplines plus 10' beyond so that impacts to trees can be assessed and likelihood for survival estimated.

3. Install story poles to represent the finish height of structures so the requirements for pruning to provide vertical clearance can be accurately assessed.

4. Any tree pruning should be accomplished by a qualified Certified Arborist acceptable to you and should adhere to specifications you provide.

5. The Significant Tree Ordinance of San Mateo County Section 12,021, Permit Applications requires a description of tree planting or replacement program, including detailed plans for an irrigation program, if required. I suggest planting some of those trees along your common property line to partially compensate for loss of screening.

Nelda Matheny
Board Certified Master Arborist #WE-0195B

Scanned image of the tree location map included in Keilty Arborist Services report, Feb. 3, 2015.