



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
Planning and Building



Date: January 28, 2016
Board Meeting Date: February 9, 2016
Special Notice / Hearing: 10-day/900 feet
Vote Required: Majority

To: Honorable Board of Supervisors

From: Steve Monowitz, Community Development Director

Subject: Public hearing to consider an appeal of the Planning Commission's approval of a Major Subdivision, a Grading Permit, and certification of a Final Environmental Impact Report (FEIR), pursuant to the California Environmental Quality Act (CEQA), for the proposed Ascension Heights Subdivision located in the unincorporated San Mateo Highlands area of San Mateo County. The project includes the subdivision of the 13.32-acre subject site (Water Tank Hill) into 21 legal parcels for development of 19 single-family dwellings with the remaining two lots as conservation (Lot A) and common space (Lot C) areas, which includes a main private access road. The project site is accessed from Bel Aire Road north of Ascension Drive.

RECOMMENDATION:

Deny the appeal and uphold the Planning Commission's decision to approve the project, by:

1. Approving the vesting tentative map for a major subdivision, the grading permit, and the removal of nine significant trees by making the findings and adopting the conditions of approval as set forth in Attachment A; and
2. Adopting a resolution certifying the Final Environmental Impact Report for the Ascension Heights Subdivision project as complete, correct and adequate and prepared in accordance with the California Environmental Quality Act; and
3. Adopting a resolution adopting (1) the Mitigation Monitoring Report and the reporting program for the Ascension Heights Subdivision project, and (2) the Statement of Findings and Facts in Support of Findings regarding the Ascension Heights Subdivision project.

BACKGROUND:

The current project is a revised version of a project that was denied by the Planning Commission on December 9, 2009. The previous version proposed 25 parcels for development with a roadway access in a loop configuration around the existing water tank. Per fire regulations, the proposed subdivision required a secondary access due to the total length of the roadway proposed for the subdivision. An Emergency Vehicle Access Road, for use only by emergency vehicles, was proposed along the southern slope adjacent and intersecting with Ascension Drive south of the intersection of Bel Aire Road. In total, the proposed previous project required approximately 96,000 cubic yards of grading (61,100 cubic yards of earth to be taken off-site, and 34,900 cubic yards to remain and be used elsewhere on the site as fill).

During the December 9, 2009 Planning Commission public hearing, opposition to the project was stated by numerous members of the community, expressing various concerns ranging from construction impacts, health concerns, visual impacts, development on steep slopes, and inadequacy of the Environmental Impact Report. The Planning Commission considered the testimony presented as part of its deliberation of the project and the Commission determined that it was unable to make the necessary findings to approve the subdivision and certify the environmental document, and therefore denied the project. The Commissioners expressed concerns that included non-conformance to specific General Plan policies (specifically 15.20.b, *Review Criteria for Locating Development in Geotechnical Hazard Areas* - stating, wherever possible, avoid construction in steeply sloping areas generally above 30 percent), geotechnical and drainage/erosion impacts, and visual impacts. The Planning Commission also directed the applicant to meet with the community to seek a design that avoids building on the steep south-facing slope of the site and directed staff to assist as appropriate. The Planning Commission further provided guidance to the applicant to aid any efforts to modify the proposal by encouraging more moderate sized housing, addressing the concerns about avoiding building on the steep south-facing slope, and developing a new design that could minimize impacts.

On December 23, 2009, the applicant filed an appeal of the Planning Commission's actions and submitted a revised alternative for consideration which attempted to address issues raised at the December 9, 2009 Planning Commission hearing. Staff facilitated two meetings between the applicant and members of the community in the spring of 2010 to discuss preliminary plans and provide direction to the applicant. On June 29, 2010, the Board of Supervisors remanded the project to the Planning Commission to consider the alternative design to the project, subject to all formal County processing and review requirements and environmental analysis.

An update was provided to the Planning Commission on July 17, 2010, regarding the remanded project, which would be presented to them at a future hearing for reconsideration. At that hearing, members of the public expressed preference for smaller, roundtable style meetings with the applicant as the means for community outreach. As a result, the San Mateo County Planning staff facilitated small, working group meetings between the applicant and members of the community from November

2010 through September 2011, with the intent of providing an informal opportunity for the community and applicant to discuss individual areas of concern in greater detail, as well as help explain the various review processes and requirements during the County's review. A total of ten meetings were held, covering a range of topics from zoning, traffic, geotechnical/soil stability, drainage/hydrology, housing designs, bonding, and air quality.

Throughout the series of meetings, a common concern that was raised was the total number of proposed lots. The community advocated for fewer lots, and raised issues regarding their placement due to visual concerns.

On November 18, 2011, the applicant officially submitted a revised plan reducing the number of lots from 25 to 19. This initiated the County's review and environmental analysis of the revised project, which took the form of a revised and recirculated Environmental Impact Report.

In April 2014, staff circulated the Draft EIR for public comment and in May 2014, the Planning Commission conducted a hearing to take public testimony on the Draft EIR. The Final EIR was released in November 2014, and the Planning Commission held its first public hearing on the matter on January 28, 2015. The Planning Commission continued the hearing in order to receive additional public testimony, and to have additional time to deliberate on the matter. On February 24, 2015, the Planning Commission held its second hearing on the revised project and expressed concerns regarding a number of issues. The hearing was continued to allow staff to draft findings for denial, and to allow the applicant to submit additional information that responded to the Planning Commission's concerns.

On October 14, 2015, the Planning Commission held its third and final hearing on the project, where it reviewed and considered the additional materials provided by the applicant and staff's evaluation of those materials. The Planning Commission approved the project as modified and certified the EIR. The project was appealed on October 28, 2015.

Report Prepared By: James A. Castañeda, AICP, Project Planner, Telephone 650/363-1853

Owner: John O'Rourke

Applicant: San Mateo Real Estate and Construction

Appellants: Baywood Park Homeowners Association

Location: Six contiguous parcels of property (APNs 041-111-130, 041-111-160, 041-111-270, 041-111-280, 041-111-320, and 041-111-360), consisting of a total of approximately 13.32 acres (gross), located in the unincorporated area of San Mateo County known as the San Mateo Highlands. The subject site is bordered to the west by

Bel Aire Road, Ascension Drive to the south, and an existing single-family development to the north and west.

APN: 057-031-210

Parcel Sizes: 041-111-130: 16,117 sq. ft.
041-111-160: 10,890 sq. ft.
041-111-270: 70,567 sq. ft.
041-111-280: 61,855 sq. ft.
041-111-320: 194,278 sq. ft.
041-111-360: 229,997 sq. ft.

Existing Zoning: R-1/S-8 (Single-Family Residential/7,500 sq. ft. minimum lot size)

General Plan Designation: Medium Low Density Residential (2.4 to 6.0 dwelling units/acre)

Sphere-of-Influence: City of San Mateo

Existing Land Use: Undeveloped, except for an access road leading to a separate parcel owned by Cal Water (see "Settings" below).

Water Supply: California Water Service Company (Cal Water). The existing on-site water lines to the existing water tank will be relocated and a utility easement will be imposed on the proposed parcels where the rerouted lines traverse through. Upon approval of the project, the applicant would be responsible for the installation of the required infrastructure providing water service to each parcel, as well as securing permits with Cal Water to perform the installation.

Sewage Disposal: Sanitary sewer service will be provided to the subject site by the Crystal Springs County Sanitation District (CSCSD), with sewage flowing through lines owned by the Town of Hillsborough and the City of San Mateo before being treated at the Wastewater Treatment Plant owned and operated by the City of San Mateo. The proposed on-site sewer system would consist of the development of underground sanitary sewer pipelines, gravity lines, risers, clean-outs and manholes. All sewer lines leaving the site would be gravity fed, while the on-site lines would consist of a pressure system. There are two off-site sewer line extensions proposed and both would connect into the existing CSCSD system.

Flood Zone: Zone X (Areas determined to be outside of the 0.2 percent annual change of floodplain); Community Panel No. 06081C0165E, effective date October 16, 2012.

Environmental Evaluation: Draft Environmental Impact Report (DEIR) published April 25, 2014; the public review period ended on June 9, 2014. The Final Environmental Impact Report (FEIR) was published on December 12, 2014. The FEIR was

revised in August 2015 and in January 2016 to incorporate minor edits. These revisions do not require recirculation of the FEIR.

Setting: The subject site is located at the northeast corner of the intersection of Bel Aire Road and Ascension Drive. It is situated on a hillside with average slopes of 40 percent. The subject site is surrounded by single-family dwellings, including the Baywood Park neighborhood to the northeast, the Enchanted Hills neighborhood to the southeast and southwest, and the Starlite Heights neighborhood to the northwest. The College of San Mateo campus is located less than 1/4 mile northeast of the subject site via Parrott Drive. At the center of the subject site is an existing potable water tank, owned and operated by the California Water Service Company with several cellular communications facilities established on the site, located on a separate 22,500 sq. ft. parcel, which is not part of the proposed project. The site was graded over 40 years ago, which consisted of excavating the sides of the hill for the construction of Ascension Drive and Bel Aire Road during the grading for the Enchanted Hills subdivision. Eight-foot wide benches at 30-foot intervals were created along Ascension Drive as a result. Surface runoff from these benches has eroded the slope over the years, most significantly in the southwest corner adjacent to the intersection of Ascension Drive and Bel Aire Road. The site is predominately characterized by grassland, small brush, and trees such as oak, pine and eucalyptus.

Chronology:

<u>Date</u>	<u>Action</u>
February 2002	- Pre-application workshop.
August 28, 2002	- Application submitted.
December 4, 2003	- Public Environmental Impact Report (EIR) Scoping Session held.
March 14, 2005	- County Fire required the applicant to propose a secondary fire access road.
July 16, 2007	- Revised site plans and updated materials provided, reflecting a proposed Emergency Vehicle Access (EVA) route.
June 22, 2009	- Draft Environmental Impact Report (DEIR) published. CEQA-mandated public comment period ended August 5, 2009.
September 9, 2009	- Public hearing held to discuss DEIR and to take public comments.
November 20, 2009	- Final Environmental Impact Review (FEIR) published and released.

- December 9, 2009 - Planning Commission denied the proposed project and did not certify the FEIR.
- December 22, 2009 - Applicant filed an appeal of the Planning Commission's decision to the Board of Supervisors.
- June 29, 2010 - The Board of Supervisors considered the appeal of the project which requested consideration of a revised project. The Board of Supervisors remanded the project to the Planning Commission for its consideration pending environmental and staff review of the revised project.
- November 2010 to September 2011 - Staff facilitated ten small, working group meetings between the applicant and members of the community to discuss community concerns for design consideration, and to discuss in more detail specific review topics and County procedures.
- May 7, 2013 - The Board of Supervisors approved a contract with Analytical Environmental Services to conduct the environmental review for the project and to produce an Environmental Impact Report.
- October 9, 2013 - Public EIR Scoping Session held for revised project.
- April 25, 2014 - DEIR for revised project released, with a 45-day commenting period ending on June 9, 2014.
- May 14, 2014 - Planning Commission hearing to take public comments on the DEIR.
- December 12, 2014 - FEIR for revised project released.
- January 28, 2015 - Planning Commission's consideration of the revised subdivision project and certification of FEIR, and continued the hearing to hear additional public testimony.
- February 25, 2015 - Planning Commission hearing for additional public comment and deliberation. Meeting continued to allow staff to provide draft findings for denial as an option to consider, but also to allow the applicant to present additional information.
- October 14, 2015 - Planning Commission considered the additional information, and approved the project 3-2.
- October 28, 2015 - Applications of appeal received.

DISCUSSION:

A. PLANNING COMMISSION ACTION

On January 28, 2015, the San Mateo County Planning Commission (Planning Commission) reviewed the project and took public comment during a public hearing held at Hillsdale High School. The Planning Commission continued the hearing to February 25, 2015, in order to take additional public testimony on the project. Following deliberation by the Commission, the Planning Commission directed that the hearing be continued in order for staff to draft Findings of Denial if the Planning Commission chose to deny the project. The applicant requested permission to present additional information for the Planning Commission's consideration.

On October 14, 2015, the Planning Commission continued its deliberation of the project and received additional public comments and testimony from the applicant. During its discussion, the Planning Commissioners discussed areas of concerns such as drainage, water availability, landscaping, biological impacts, and density where they engaged with staff and the applicant for explanation and clarification. The Planning Commission considered project revisions proposed by the applicant to address areas of concern, and concluded by approving the project and certifying the Final EIR in a 3-2 vote, noting modifications to some of the conditions of approval (see Attachment I, Planning Commission decision letter, dated October 14, 2015).

B. ISSUES OF THE APPEAL/POINTS OF CONTENTION

On October 28, 2015, an appeal was received from the Baywood Homeowners Association. In the appeal application, it references the prior concerns and issues raised in prior submittals from the Shute, Mihaly & Weinberger law firm on behalf of the Baywood Homeowners Association (see Attachment J). Staff has provided topical responses to the summarized points made in those letters, as well as other issues of concern.

1. Aesthetics - Various concerns have been raised regarding the project's visual impacts. Specifically, the appellants express concern that the preliminary landscape plan/tree replacement plan and the Design Review Handbook, which establishes standards for the design and construction of the residences, do not adequately mitigate the project's visual impacts on the surrounding neighborhood and more particularly on the homes along Parrott Drive.

Both staff and the Final EIR have investigated and analyzed the existing site conditions and the potential for visual impacts as a result of the proposed development. Given the site's location, being situated completely on a hill and currently undeveloped, it is acknowledged that this (or any develop-

ment) will present a significant visual change during and after construction from viewpoints throughout the community. The Final EIR's analysis takes into consideration line of sight, duration of visibility, proximity of the views, and number of viewers impacted, and in accordance with CEQA, identified two significant impacts (Impacts 4.1-1, *substantial adverse effect on scenic vistas and scenic resources* and 4.1-2, *new source of substantial light or glare*) and proposed mitigations that have been modified by both staff and the Planning Commission.

The goals of the mitigation measures are to ensure that the completed project results in a compatible appearance vis-à-vis the existing surrounding neighborhood. While the subject site is valued as natural open space, the site is zoned for residential development and surrounded by residential homes developed at greater density than what is being proposed and allowed per the County's General Plan and R-1/S-8 zoning district regulations. The proposed mitigation measures and conditions of approval strike a balance between maintaining the character of the area as medium-low density single-family housing while implementing screening and preserving natural elements where possible.

The applicant produced and submitted to the Planning Commission a Design Handbook in order to minimize the visual impacts of the proposed subdivision. The Design Handbook provides detailed discussion on massing, imposes height requirements, restricts the types of colors and materials, as well as examples of house styles that will be considered and selected from at the time the lots are developed. A preliminary landscaping plan was also included as part of the handbook to supplement the proposed mitigation measures (see Condition No. 18.a.) requiring landscaping. Staff determined that the additional information was adequate to address concerns regarding landscape and dwelling height, and that with these supplemental mitigations result in a less-than-significant visual impact.

At the October 14, 2015 public hearing, the Planning Commission considered the additional information and, as part of its conditions of approval, included language requiring that landscaping must minimize fire hazards and use water-efficient irrigation systems. The Planning Commission also required a 30-day public review and comment period on the submitted landscaping plan, as well as a maintenance bond to ensure survival or replacement of approved landscaping (Condition No. 8.a.). The landscape plan must also comply with the County's Water Efficient Landscape Ordinance.

With regard to the project's visual impacts on the lots fronting on Parrott Drive, it is acknowledged that residents will no longer enjoy open space beyond their rear yard fences. However, staff and the Planning Commission have determined that the applicant has adequately mitigated potential

impacts to these residents' views, privacy, and trees. The following is a list of changes or additions to the project proposed by the applicant and incorporated into the conditions of approval that specifically address these neighbors' concerns:

20-foot no-build area where accessory buildings would otherwise be allowed (Condition No. 18.a.d.).

Landscaping/trees to be planted and maintained along rear property lines (Condition No. 18.b.).

Additional height limitations for homes that will result in lower profiles for homes on the sloped lots (Condition No. 18.a.b.).

Redesigned street intersection at the entrance to the project off of Bel Aire Road, which shifted proposed retaining walls farther from trees in the adjacent neighbor's rear yard (see Tentative Map, Attachment C-1).

The EIR adequately identifies the potential impacts and proposes feasible and implementable mitigation measures. The supplemental materials provided within the Design Handbook, and the conditions of approval recommended by the Planning Commission, further ensure that the project will not have a significant adverse impact on visual resources.

2. Biological Resources - Concerns have been raised that there is insufficient information to assess the impacts and the efficacy of the mitigation measures related to tree removal and special-status species.

Of the 78 trees on the subject site, a total of 43 trees have been identified for removal as part of the project. Of those, none have been identified as heritage status and only nine are classified as significant per the County tree removal ordinances. The removal is necessary for the installation of roadways and building pad preparation – in other words, tree removal has been kept at a minimum. As clarified at the October 14, 2015 Planning Commission hearing, the replanting ratio for the removed trees is three to one, and will be subject to review and approval through the requirement of a landscaping plan (Condition No. 8.a.) that shall utilize trees (and other vegetation) that minimize fire hazards and use water-efficient irrigation systems.

As a result of ongoing concerns that earlier biological surveys for the project site were insufficient since they were conducted outside of the blooming seasons of potential special-status species (including the host plant for the Mission Blue Butterfly), the applicant submitted an additional biological report that included two surveys conducted on March 3, 2015 and March 27,

2015. Combined with the surveys conducted in 2013, the Environmental Impact Report (FEIR) is able to conclude that no special-status species of plants were identified on the project site.

As a result of these surveys, the EIR has concluded that the Mission Blue Butterfly does not have the potential to occur on the project site, given that the project site is outside of the documented geographic distribution and known elevation range for the species, and that there have been zero sightings of the butterfly over the course of 25 biological surveys conducted in 2005, 2008, 2012, 2013 and 2015. While it is acknowledged that members of the community have witnessed butterflies that may have been assumed to be the Mission Blue species in question, without expert documentation of what was observed, the specific species of butterfly neighbors observed is unknown. The EIR's conclusion that the Mission Blue Butterfly is not present on the site is based on the information provided in the multiple biological surveys conducted by expert biologists.

3. Air Quality - Concerns were raised regarding the lack of requirements to utilize stricter emission controlled construction equipment, and feasibility and enforceability of the proposed mitigations, and the lack of "green building" requirements.

Impacts on air quality are of particular concern during the grading phase of the project. The EIR provides a detailed analysis of the change in air quality impacts due to construction of the proposed subdivision, and determines the level of significance in accordance with CEQA Guidelines and relevant thresholds established by the Bay Area Air Quality Management District (BAAQMD). As discussed in the EIR's Air Quality and Greenhouse Gas Emissions Section (Section 4.2), comparisons are drawn between unmitigated construction conditions and mitigated construction conditions. Under mitigated conditions, all measured pollutants of concern are below the established BAAQMD thresholds, and therefore considered less than significant.

The recommended conditions of project approval such as Condition No. 8.s. ensure that no construction and/or grading activities will occur without the required mitigations. Specifically, grading may not occur without implementation of erosion control measures (such as silt fences, staked straw bales, and temporary revegetation), and on-site detention basins, controlled runoff, and soil conservation practices. Further, as is standard practice with all construction projects permitted through San Mateo County, BAAQMD Basic Construction Mitigations are required to ensure construction will be conducted in a mitigated manner. Among other things, these mitigations measures prohibit loose materials from being exposed, and require that exposed stockpiles of soil be covered, exposed on-site

roadways and construction areas be sprayed, and that grading activities be suspended during windy conditions (see Condition No. 8.c.).

At the October 14, 2015 hearing, the Planning Commission strengthened Condition No. 8.c. by removing the allowance of hauling trucks to maintain 2 feet of freeboard in lieu of covering the loads. All outgoing loads of earth materials must now be covered regardless of freeboard. The mitigation measures must be maintained throughout all construction phases on the site, which will be confirmed through periodic inspections. Finally, Condition No. 8.d. required that the applicant enter into a contract with the County specifying construction contractors must use only Tier 2 or better construction equipment.

Regarding the concern that green building measures are not required for future homes, the latest adopted edition of the California Green Building Standards Code, Title 24 (Part 11), has been adopted and incorporated within the San Mateo County Building Regulations. All dwellings to be constructed as part of this project will be subject to those standards, which apply everywhere in the County. Condition No. 40 has been included to add clarity regarding this requirement.

4. Hydrology - Issues have been raised regarding (1) the omission of the hydrology study produced by Lea & Braze engineering firm within the EIR's appendices, (2) uncertainty regarding the effectiveness of the drainage system proposed for the individual lots within the subdivision, and (3) clarification of the creek mentioned within EIR documents as it pertains to the drainage discussions.

The hydrology study in question is a detailed analysis of the proposed storm drain retention system that is planned for this project and its ability to contain and treat on-site post-development flows and releasing flows at pre-development rates. The study is required to demonstrate the ability of the system to fulfill San Mateo County's C.3 stormwater requirements for on-site retention and treatment.

In general, the proposed drainage retention system is designed to release stormwater flows into the County storm drain system at or below pre-development rates by utilizing Continuous Deflective Separator (CDS) stormwater hydrodynamic separators and grassy swales. This system is commonly used throughout various types of developments, including hillside residential developments. The hydrology study is part of the public file, and posted online at the County's project information website. The document has also been added to the appendices of the EIR.

The creek referenced within the hydrology study is Polhemus Creek, which is the discharge point of the storm drain system to which the project will

connect. Water is designed to enter into the aforementioned retention system, and then eventually flow into the existing storm drains that are below Ascension Drive and Bel Aire Road. The storm drains continue downhill below Ascension Drive to Polhemus Road to discharge into Polhemus Creek, which is the creek in question; there is no creek on the project site itself.

5. Noise - Concerns regarding the thresholds utilized within the EIR to determine the level of significance for construction noise have been raised. Within the EIR, there are two different thresholds assessed regarding noise. One is a 60 decibels threshold that relates to land use noise. The other relates to noise generated by temporary construction activities which are exempt activities from the 60 decibels land use limit contained in the County Noise Ordinance.

The noise analysis contained in the EIR concludes that construction noise could reach 85 decibels, and that this impact can be mitigated to a less-than-significant level by limiting construction time limits. In accordance with County noise regulations, no construction activities may take place between the hours of 6:00 p.m. and 7:00 a.m. weekdays, 5:00 p.m. and 9:00 a.m. on Saturdays or at any time on Sundays, Thanksgiving and Christmas.

6. Geological - The slopes of the proposed 19 parcels range from a minimum of 12 percent to a maximum of 48 percent, with the average being approximately 35 percent. The slope of the terrain is similar to that of other residential hillside areas of the County. Based on the submitted geotechnical reports, no potential hazards were identified with development of the site as proposed. While the development regulations contained in Policies 15.20.a through 15.20.d (*Review Criteria for Locating Development in Geotechnical Hazard Areas*) discourage (but do not forbid) development on steeply sloping areas (generally above 30 percent), they are not applicable to the project site, since it is located outside of the established Geotechnical Hazard Area. Geotechnical Hazard Areas are defined as the areas illustrated on the Natural Hazards Map, as Alquist-Priolo Special Studies Zones, Tsunami and Seiche Flooding Areas, Coastal Cliff Stability Areas, and Areas of High Landslide Susceptibility or any additional area delineated by other investigations, mapped in greater detail, and/or considered to be hazardous by the County Department of Public Works. No such areas exist on the subject site.

While the San Mateo County Grading Ordinance also does not specify a maximum slope limit for development, it does require the project to meet performance standards detailed in the Grading Permit Performance Standards Handbook to ensure responsible and sustainable hillside development. Within that document, it is indicated that cut and fill slopes should be no steeper than 2:1 (50 percent) slope.

In addition, the Planning Commission heard testimony from community members concerned about adverse impacts from construction on steep slopes, who pointed to landslide issues that have arisen recently in the general neighborhood, for example on Polhemus Road, suggesting that the soil conditions must be similar on the project site. The detailed geologic studies by Michelucci & Associates, Inc., found that the soil characteristics and conditions on the project site, which is a hilltop or knoll, are different and more stable than the surrounding area and able to support engineered development without being subject to or creating a geologic hazard.

C. PROJECT COMPLIANCE WITH COUNTY REGULATIONS

1. Conformance with the General Plan

Since at least 1986, the County General Plan has designated the project site as Medium Low Density Residential, which allows for development of 2.4 to 6.0 dwelling units per acre. The proposed land division has a density of 1.58 dwelling units per acre, which is below the intended density of the area.

The proposal is consistent with the relevant policies set forth by the General Plan, including, in particular, the following elements:

Chapter 1 - Vegetative, Water, Fish and Wildlife Resources. The project is consistent with the policies within this chapter, particularly Policies 1.20 (*Importance of Sensitive Habitats*), 1.22 (*Regulate Development to Protect Vegetative, Water, Fish, and Wildlife Resources*), 1.23 (*Regulate Location, Density and Design of Development to Protect Vegetative, Water, Fish and Wildlife Resources*), and 1.24 (*Protect Vegetative Resources*). The site has the potential to support 11 special-status plant species, three special-status birds, and one special-status insect (special-status species as defined within the California Natural Diversity Database (CNDDDB)). As part of the environmental review, a biological and botanical survey was conducted at the project site in the summer of 2013, which did not observe evidence of the existence of these special-status resources, was outside of the blooming/mating period, and/or concluded that, given the site location and specific characteristics, it was unlikely that supporting habitat would be found on the project site. Due to reported sightings by members of the community and the existence of a host plant (Lupine), special attention was given in the investigation of the existence of the Mission Blue Butterfly, listed in the CNDDDB as endangered by United States Fish and Wildlife Service. A formal on-site biological survey was conducted in the spring and summer months in 2005, 2008, and 2012 (in addition to the 2013 biological survey). While 12 adult butterflies were observed as part of those surveys, the results were inconclusive in determining the specific butterfly subspecies.

Further, the elevation of the subject site was determined to be lower than the typical elevation range of the butterfly habitat.

The proposed project would result in the removal of 43 trees, of which none have been identified as heritage status, and only nine are significant size, per the County tree removal ordinances.

Chapter 2 - Soil Resources. With regard to Policies 2.17 (*Regulate Development to Minimize Soil Erosion and Sedimentation*), 2.23 (*Regulate Excavation, Grading, Filling, and Land Clearing Activities Against Accelerated Soil Erosion*), 2.25 (*Regulate Topsoil Removal Operations Against Accelerated Soil Erosion*), and 2.29 (*Promote and Support Soil Erosion Stabilization and Repair Efforts*), the project is consistent with these policies as mitigated. The proposed project will incorporate design measures, such as controlled drainage flow devices, to improve soil erosion control over existing site conditions. Per County standards, no grading shall be allowed during the winter season to avoid potential soil erosion unless approved, in writing, by the Community Development Director. The project site currently has extensive soil erosion on portions of the site, specifically in the southwest corner adjacent to the intersection of Bel Aire Road and Ascension Drive. The applicant will be required to correct surface erosions on the project site that are not within the developed parcels, and will be required to conduct all necessary precautions as specified in the conditions of approval regarding impacts to sensitive species (Condition Nos. 8.e. through 8.j.). Overall, the proposed storm drainage infrastructure will improve site drainage conditions relative to current conditions, as proposed and reviewed by the County Department of Public Works.

Chapter 4 - Visual Quality. The project will result in a negligible aesthetic impact that would not be in conflict with the policies contained within this chapter. The final project, once fully built out with residential homes, would comply with all applicable General Plan Policies, Subdivision Regulations and Zoning Regulations. All utilities associated with the proposed project will be placed underground. While post-project conditions would be noticeable from County-designated scenic roadways (e.g., Polhemus Road), as well as other community viewpoints and streets, the currently undeveloped hillside would be replaced with single-family homes similar to the surrounding area, consistent with the County General Plan designation for the area. Conditions have been included in Attachment A to reduce, to the extent possible, noticeable effects over the long-term, including, but not limited to, Tree Mitigation and Monitoring Plan and Tree Replacement Program (Condition No. 8.b.).

Chapter 8 - Urban Land Use. The proposal is consistent with the surrounding residential land uses, per Policies 8.14 (*Land Use Compatibility*) and 8.35 (*Uses*), respectively. The proposed project also

complies with Policy 8.29 (*Infilling*), which encourages the infilling of urban areas where infrastructure and services are available.

Chapter 14 - Housing. The proposal is consistent with the County's Housing Element, a State-mandated document to address the housing needs of the entire unincorporated County. The Housing Element is updated regularly, with the last revision adopted by the Board of Supervisors in April 2015. Within the Housing Element, one of the required elements is the demonstration of how the County plans to meet the existing and projected housing needs of people at all income levels. The State-required process to identify what each jurisdiction is required to provide is called the Regional Housing Needs Allocation (RHNA) and covers an eight-year period. In July 2013, the Association of Bay Area Governments (ABAG) adopted the Final Regional Housing Need Plan for the San Francisco Bay Area: 2014-2022, which identified that unincorporated San Mateo County would need to provide 913 housing units over all income levels. The proposed project will help the County achieve its housing goals, including the provision of housing at all income levels to meet identified housing needs.

It should be noted that Housing Element Policy 15.1 (*Require Development Densities Consistent with General Plan*) requires that mitigation measures to reduce community concerns and environmental impacts other than lowering densities be determined to be infeasible, before any reduction in development density is recommended. In other words, the County should seek to mitigate the impacts of development by first applying mitigation measures that target the specific impacts of development, rather than recommending that developers reduce the number of units proposed for a project. Per the EIR prepared for the project, feasible mitigation measures have been identified that will reduce the project's impacts to a less-than-significant level. Consistent with this policy, staff's position is that the project density is consistent with the General Plan with no further reduction in density required.

Chapter 15 - Natural Hazards. The proposal is consistent with Geotechnical Hazards Policies, specifically with Policy 15.18 (*Determination of Existence of a Geotechnical Hazard*), as the site is not located on the San Mateo County Natural Hazards Map, within the Alquist-Priolo Hazard Zone. Therefore, Policy 15.19 (*Appropriate Land Uses and Densities in Geotechnical Hazard Areas*) is not applicable. The slopes of the proposed 19 parcels range from 12 percent to 48 percent, with the average being approximately 35 percent. The slope of the terrain is typical of other hillside developments within the County unincorporated areas. Based on the submitted geotechnical reports included within the EIR, no potential hazards were identified with developing the site as proposed. The development regulations contained in Policies 15.20.a through 15.20.d (*Review Criteria for Locating Development in Geotechnical Hazard Areas*), which discourage develop-

ment on steeply sloping areas (generally above 30 percent), are also not applicable due to the project site's location outside of the established Geotechnical Hazard Area (Alquist-Priolo Hazard Zone).

2. Conformance with the Zoning Regulations

Since 1958, the subject property has been and is currently zoned R-1/S-8 (Single-Family Residential), which allows for single-family residential development with a minimum lot size of 7,500 sq. ft. The R-1/S-8 Zoning District requirements are listed below:

Development Standard	Required
Minimum Lot Size (sq. ft.)	7,500
Minimum Lot Width (ft.)	50
Maximum Lot Coverage	40%
Height Limit	3 stories/36 ft.
Setbacks (ft.)	
Front	20
Sides	5
Rear	20

All development on the proposed parcels within the R-1/S-8 zoning district is required to adhere to the aforementioned regulations at the time of development. The vesting tentative map complies with the minimum parcel size and width indicated above and demonstrates that the proposed parcels are capable of development under the current zoning development standards.

The height limitation within this zoning district is 36 feet. The method utilized to measure the height is an average taken from the average finished grade (average distance between the lowest finished grade to the highest finished grade) to the average roofline (average distance between high horizontal plate to peak or topmost point of dwelling).

At the October 14, 2015 Planning Commission hearing, the applicant proposed design guidelines that would voluntarily limit development within the subdivision to a maximum of 28 feet as measured perpendicularly to the finished grade, allowing for certain architectural projections (such as chimneys, dormers or gables). The goal of this more restrictive height limitation is to promote development that is more sensitive to the topography and view sheds than the current zoning would require. In order to implement the proposed height limitation that differs from the height requirements codified in the R-1/S-8, the Planning Commission approved a

condition that requires the applicant to record a deed restriction (Covenants, Conditions, and Restrictions) that requires development of the 19 lots be enforced per the proposed design guidelines (Condition No. 18).

3. Conformance with the Subdivision Regulations

The proposed subdivision would result in the creation of 21 parcels. Of those, 19 parcels are designed and proposed for development with single-family dwellings. The remaining two parcels, noted as “Lot A” and “Lot C,” will be utilized for non-residential uses. Lot A will become a common area and conservation easement, and Lot C will be considered a common area as well.

a. Compliance with Regional Housing Needs

Section 7004 of the County Subdivision Regulations discusses the consideration of housing needs of the region and balances these needs against the public service needs of residences. As previously mentioned in the General Plan discussion pertaining to housing, the proposed project will help the County achieve its housing goals to meet the need for housing in unincorporated San Mateo County for all income levels. As reviewed and conditioned by referred County agencies, the project is capable of providing housing while balancing service needs. As mitigated, the project allows housing to be created while maintaining public services to existing dwellings and efficiently extending them to new development while minimizing potential environmental impacts.

b. Compliance with General Subdivision Design and Parcel Design Requirements

Section 7020 of the County Subdivision Regulations establishes subdivision design parameters and parcel design requirements. Based on the information provided by the applicant, the EIR, and comments from other County agencies, staff has determined that the proposed subdivision complies with all of these requirements. The proposed single-family residential lots will be a minimum of 7,500 sq. ft. in size, 50 feet in width and 100 feet in depth.

c. Compliance with Design Requirements for Special Areas

Section 7021 of the Subdivision Regulations contains design requirements for special areas, including areas with open or forested ridgelines and skylines. The proposed project would result in an impact to the existing open ridgeline, particularly during grading and construction of the private streets, which will involve substantial

grading and removal of trees and vegetation. Conditions have been proposed to mitigate the visual impacts through seeding and tree replanting. Given the topography and amount of earth-work required to develop the site, no other alternatives exist to locate the parcels on the subject site that would lessen the visual impacts on the open ridgeline in the same manner (per Section 7021.1.a). Staff, therefore, concludes that, as conditioned, the proposed project would adhere to the design requirements for special areas to the extent reasonably possible.

d. Compliance with Street Design and Improvement Requirements

Sections 7022 and 7023 of the Subdivision Regulations set forth standard requirements for subdivision street design and improvements. The proposed project includes approximately 66,696 sq. ft. of on-site private roadways. On-site circulation along this private street would consist of a "U" shaped configuration, with two hammerhead fire truck turnarounds at the end of each. Through the eastern hammerhead will be the private street access to Lots 7 and 12, and through the southern hammerhead will be the private street access to the water tank. The private street system would consist of a 50-foot wide right-of-way throughout. The majority of associated street segments would have the following characteristics: a 36-foot wide paved street surface with curbs and gutters where appropriate; 5.5-foot sidewalks along each side of the street; and curbside parking available. No street parking would be allowed in the hammerhead fire truck turnaround areas. The street grades within the system would range from 5.6 to 20 percent with cross slopes of approximately 2 percent. The proposed street design is appropriate for the proposed development and consistent with street standards. The proposed street system is compliant with the requirements listed in Sections 7022 and 7023 of the County Subdivision Regulations.

e. Compliance with Park Dedication Requirements

Section 7055 of the County Subdivision Regulations requires the dedication of parkland or the payment of an in-lieu fee, as a condition of subdivision approval. When the proposed subdivision contains 50 parcels or less, an in-lieu fee only may be required of the subdivider. Based on the current assessed value of the property, the in-lieu fee owed prior to recordation of the final map is \$8,626.10. In addition, the applicant has included public access trails/viewpoints as part of the project.

f. Findings for Subdivision Approval

Section 7013.3.b of the County Subdivision Regulations specifies the findings for subdivision map approval. All of these findings can be made as described further below:

(1) That the proposed map, along with the provisions for its design and improvements, is consistent with the San Mateo County General Plan.

The Department of Public Works and the Current Planning Section staff have reviewed the tentative map and found that it complies, as conditioned in Attachment A of this report, with State and County land division regulations. The project is consistent with the County General Plan as discussed in Section C-1 of this report.

The applicant shall provide for the extension and necessary upgrades of existing sewer, water, gas, electric, and cable television lines to service the new parcels. All utilities will be run underground to each of the lots. Water will be provided to the parcels by the California Water Service Company, sewer services by the Crystal Springs County Sanitation District (CSCSD), storm drainage services by the County of San Mateo, fire protection services by Cal-Fire, telephone services by AT&T, and gas and electric services by Pacific Gas and Electric. All agencies have reviewed the project to confirm their ability to serve the proposed development.

(2) That the site is physically suitable for residential development.

As conditioned, the proposed parcels indicated for development are physically suited for single-family residential development for the following reasons: (1) the proposed parcels conform to the minimum building site and lot width requirements of the R-1/S-8 Zoning District; (2) existing water, sanitary services, and all other utilities will be available to serve the newly created parcels; and (3) each parcel can be accessed with the proposed subdivision configuration. The slopes of the proposed 19 parcels range from 12 percent to 48 percent, with the average being approximately 35 percent. The slope of the terrain is typical of other hillside developments within the County unincorporated areas. Based on the submitted geotechnical reports included within the EIR, no potential hazards were identified with developing the site as proposed.

(3) That the site is physically suitable for the proposed density of development.

The parcels will range in their slopes from a minimum of 12 percent to a maximum of 48 percent. The site is not located within a geotechnical hazard area, and meeting all necessary County building code and grading requirements at the time the individual parcels are developed, development on slopes within this range is feasible. The proposed parcels are capable of being served by water, sewer and other necessary utilities. The subdivision would allow for a maximum density of 1.58 dwelling units per acre, which is lower than the intended density for the area, which is 2.0 to 6.0 dwelling units per acre maximum, as stipulated by the Medium Low Density Residential General Plan land use designation.

(4) That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife or their habitat.

Based on investigation, review, and analysis conducted by staff, reviewing County agencies, and the environmental consultant who prepared the EIR, it is concluded that the project will not result in substantial environmental damage as conditioned. Section C-1 of this report responded to the General Plan Vegetative, Water, Fish and Wildlife Resources Chapter and concluded that the design of the subdivision and the proposed improvements will not substantially impact wildlife, as conditioned. The EIR identified potential impacts to biological resources (Section 4.3 of the DEIR), and concluded that, as mitigated, impacts would be considered less than significant. Mitigation measures proposed include requiring an additional biological survey to be conducted prior to grading, as well as direction if special-status species, previously unidentified, are discovered (see Condition Nos. 8.e., 8.f. and 8.g.). Staff has also required that the project minimize the transport and discharge of pollutants from the project site into local storm drain systems and water bodies by adhering to the San Mateo Countywide Stormwater Pollution Prevention Program and General Construction and Site Supervision Guidelines (Condition Nos. 9 through 12).

(5) That the design of the subdivision or type of improvements will not cause serious public health problems.

The project will present negligible impacts to public health, as conditioned. The EIR thoroughly examines potential impacts (specifically within Section 4.2, *Air Quality and Greenhouse Gas Emissions*) and proposes mitigation measures to reduce any possible impact as a result of the grading and construction activities to a less-than-significant level. These mitigation measures are consistent with the Basic Construction Measures recommended by the Bay Area Air Quality District, which specify the type of heavy-duty equipment, off-haul practices, and other best practices to be required during grading activities (see Condition Nos. 8.c. and 8.d.). Regarding noise impacts, mitigation measures are included (Condition Nos. 8.a.c. and 20) to mitigate impacts from construction noise.

(6) That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

There are no existing easements on the subject properties other than a private access road to the existing water tank. This road provides access for both the water tank as well as to the existing wireless facilities located at the tank site. The proposed subdivision configuration will continue to provide authorized access via the lower/southern fork of the private streets with ingress located at the end of the fire hammerhead turnaround. The existing water tank lines will be relocated, and identified on the preliminary utility composite plan.

While there are no other formal easements on the site, neighbors in the surrounding community are known to use the existing road to the water tank as a dog-walking/hiking trail. In recognition of this, the applicant has committed to allowing public access via the proposed roads of the subdivision to the top of the hill where a trail/overlook area will be developed as part of the project (see Condition Nos. 8.a. and 18.b.).

(7) That the discharge of waste from the proposed subdivision into an existing community sewer system would not result in violation of existing requirements prescribed by a State Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the State Water Code.

The project was reviewed by the Crystal Springs County Sanitation District (CSCSD) and has incorporated mitigation measures that will present a zero-net increase in order to avoid contributing to any potential occurrence of a violation that the existing sewer system may experience.

(8) That the land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (the Williamson Act).

The subject property is not under a Williamson Act contract.

4. Conformance with the Grading Regulations

Grading activities include cut and fill of earth, creation of engineered slopes, and installation of retaining walls. Approximately 66,450 cubic yards of material would be graded for the proposed project on slopes averaging 35 percent. Specifically, the grading phase of the proposed project would require approximately 46,480 cubic yards of cut material and 19,970 cubic yards of that cut material will remain on-site as compacted engineered fill material. The remaining 26,510 cubic yards of earth is to be exported from the site to an off-site location.

The site preparation and grading activities will occur in a single phase in two parts. The first, which will cause the most noticeable impacts of the entire project, is the grading of 66,450 cubic yards of earth, requiring 26,510 cubic yards of earth to be taken off-site. The second part will involve construction of the new private street and utility stub-outs, which would occur after the grading activities are completed. This phase is anticipated to occur over a nine-month period.

As discussed within the DEIR, it is estimated that approximately 4,680 total off-haul trucks trips will be required to export 26,510 cubic yards (approximately 40,000 bulk cubic yards) of earth. Assuming 30 working days for off-haul utilizing 17 bulk cubic yards per truck, an estimated 156 truck trips would occur per day. The route most likely to be used would be Bel Aire Road to Ascension Drive, then east to Polhemus Road. According to the traffic reports conducted for the project, the additional vehicle trips (while noticeable) do not result in an increase of greater than 0.1 on the TIRE Index, and are considered to be a less-than-significant impact. Truck operations will be required to adhere to the San Mateo County Ordinance Code listed in Condition No. 20.

The second phase is the construction of the individual residential dwellings, which will require less equipment than the first part, and is therefore

anticipated to be less appreciable than the first phase. It is anticipated that construction of the individual dwellings will occur over an 18-month period. If construction were to commence immediately after the first phase, the total construction time for the proposed project would be 27 months; however, construction may not be continuous. Approval of the proposed project under consideration by the Board of Supervisors is limited to only the subdivision of the site, as construction of the individual dwellings will require separate building permits that are not proposed at this time and subject to approval by the Planning and Building Department.

By comparison to the previous proposal denied in 2009, the overall amount of grading activity has been reduced by half. The previous project required 131,480 cubic yards of grading activity, mostly associated with the necessary emergency vehicle access route.

Staff has reviewed the proposal against the required findings for a grading permit and concluded that, as conditioned, the project conforms to the criteria for review contained in the Grading Ordinance (Section 8605). Specifically, the project must comply with the standards for erosion and sediment controls (Section 8605.1), and the submittal of a geotechnical report (Section 8605.3). Geotechnical reports and supporting documents have been provided as part of the County and environmental review (located within the DEIR appendices). As listed in the conditions of approval, the applicant will be required to implement an erosion and sediment control plan that has been reviewed and approved by both the Current Planning Section and the Department of Public Works, in accordance with County standards. In order to approve this project, the Board of Supervisors must make the required findings contained in the grading regulations. The findings and supporting evidence are outlined below:

a. That the project will not have a significant adverse effect on the environment.

The project will have a less-than-significant impact on the environment with the implementation of the mitigation measures proposed by the FEIR on elements identified as having a potential significant impact.

b. That the project conforms to the criteria of the San Mateo County Grading Ordinance and is consistent with the General Plan.

The project, as conditioned, conforms to the criteria for review contained in the Grading Ordinance, which include implementation of an erosion and sediment control plan, submitted geotechnical reports, dust control plans, grading time restrictions, and fire safety. Conditions relevant to the required criteria listed are included as

Condition Nos. 9 through 17. As outlined and discussed in Section C-1 of this report, the project conforms to the relevant General Plan elements.

D. ENVIRONMENTAL REVIEW

An environmental review of the project is required in accordance with the California Environmental Quality Act (CEQA). Based on the nature of the project and the results of the Initial Study (identifying potential significant impacts), the proposed project necessitates an Environmental Impact Report to analyze the potential impacts of the project. A Draft Environmental Impact Report (DEIR), specifically written for the revised project, was circulated for public comment from April 25, 2014 through June 9, 2014. Following the close of the public review period, Analytical Environmental Services, in consultation with Planning staff, reviewed and prepared responses to comments received during the public commenting period, as well as those presented at the May 14, 2014 Planning Commission meeting. Those comments and responses are included in the Final Environmental Impact Report (FEIR) document, which was published December 12, 2014.

DRAFT EIR OVERVIEW

The DEIR discusses a number of topics and potential impacts generated by the proposed project for the purposes of informing the decision maker during consideration. Topics include aesthetics, air quality and greenhouse gas emissions, biological resources, geology and soils, overall land uses, hydrology and water quality, hazards and hazardous materials, noise and vibration, local and regional population and housing impacts, public services, utilities, recreation, and transportation and circulation.

As part of the DEIR, mitigation measures have been recommended to address the potentially significant environmental impacts in order to reduce them to a less-than-significant level. These impacts and potential issues were identified during the public scoping session held October 9, 2013, and during a public outreach effort online the weeks leading up to the scoping session. Various agencies have reviewed the project to determine the project's feasibility. Recommendations and conditions were provided by these agencies to contribute to the proposed mitigation measures included in the environmental document.

The DEIR is prepared with a sufficient degree of analysis in these topics to be considered as part of the decision making process; the analysis does not always need to be exhaustive per CEQA Guidelines. Further, CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or requested from those who comment on the document.

As previously mentioned, the Draft EIR (DEIR) discusses a number of potential impacts generated by the proposed project. A total of 30 individual significant impacts have been identified in the following areas: aesthetics, air quality and greenhouse gas emissions, biology, resources, geology and soils, hydrology and water quality, hazards and hazardous materials, noise and vibration, public services, utilities and recreation, and transportation and circulation. A summary of those impacts, along with corresponding proposed mitigation measures, is listed within the Executive Summary (Chapter 2) of the DEIR, and discussed in detail within the main discussion in Chapter 4.

The DEIR, per CEQA Guidelines, identifies and provides a brief evaluation of alternatives which are designed to reduce impacts while attempting to reasonably meet the applicant's general project objectives in providing housing. Three alternatives were evaluated within the DEIR, which examine changes to numbers and/or size of the proposed parcels, impervious surface area, and quantity of cut and fill for grading.

The first alternative is "No Project/No Build" (Alternative "A"), which would yield no impacts leaving the subject site as existing. The second alternative (Alternative "B") examined creating 21 lots but only allowing ten to be developed, with the rest being retained as open space. Lots would range from 7,549 sq. ft. to 9,054 sq. ft., which would be consistent with the R-1/S-8 Zoning District. Conceptually, this alternative would lessen the construction impacts in areas of traffic, noise, and air quality. Aesthetics impacts would remain the same as the proposed project, due to the exposed nature of the project site. Hydrological impacts would have the potential to be greater than the proposed project due to the remaining undeveloped lots lacking drainage improvements. The third alternative (Alternative "C") would favor larger lots/lower density, which would result in six lots ranging from approximately 14,000 sq. ft. to 21,000 sq. ft. Homes would avoid the top of the hill and southern slopes which would reduce the aesthetics impacts over the proposed project and second alternative. As much of the housing has been eliminated and avoids the steeper slopes, the grading under this alternative is significantly reduced and proportionally reduces associated impacts. However, the project site's existing drainage and erosion issues would not be improved under this alternative. In accordance with CEQA Guidelines, this would be considered the most environmentally superior alternative in that it reduces environmental impacts associated with the construction of the homes while achieving the project objectives of providing parcels to develop.

FINAL EIR OVERVIEW

During the public commenting period between April 25, 2014 and June 9, 2014, staff received a total of 24 comment letters. Responses to the comments were made as thorough as possible, but in instances where a commenter made the same or similar comment that was raised by another commenter, the response was a reference to an earlier response on the same item. The responses are

written in accordance with CEQA Guidelines, which are limited to the environmental scope of the document. In cases where comments were raised that were considered unrelated to environmental concerns per CEQA, non-substantive or statements of opinion, the Final Environmental Impact Report (FEIR) indicated that the comment was noted for the administrative record. Minor corrections and additions to the DEIR are identified within the FEIR, and shall be included as part of the FEIR for the decision maker to consider for certification.

The Final EIR (FEIR) was released on December 12, 2014. The FEIR responds to 24 comments made during the DEIR's public commenting period. Written comments contained concerns and opinions relevant to the adequacy of the environmental review and thoroughness of the specific review topics. Some comments and questions were raised regarding specific review details and assurances of construction and grading practices that were out of the environmental scope. Other comments and opinions were made regarding the project's merits and discouraged development such as the proposed project.

Those comments received that were relevant to a general or specific environmental impact covered within the DEIR were provided a response with an answer that either clarified the issue in question, pointed to specific discussions contained within the DEIR, and/or pointed to a response already made to an earlier, relevant comment. This is common with an FEIR when repeated concerns are made by multiple commenters. As a result of the comments received, no new significant impacts were identified, and only minor corrections were made to the DEIR. In August 2015, a Revised Final Environmental Impact Report (FEIR) was made available for public review. The Revised FEIR includes (1) edits made to the Draft Environmental Report released in December 2014 that were provided to the Planning Commission for consideration at the January 28, 2015 hearing; (2) inclusion of the additional materials provided by the applicant and discussion where necessary; and (3) edited/expanded discussion within the Air Quality and Greenhouse Gas Emission, Biological Resources, Public Services, Traffic, and Alternatives sections.

As part of the FEIR, a Mitigation Monitoring and Reporting Plan is included, and was considered and adopted by the Planning Commission on October 14, 2015 (see Attachment I-1, Resolution Exhibit A - Mitigation Monitoring and Reporting Plan). Suggested edits were submitted from both the applicant and the appellant's legal counsel to be considered for the EIR. Those selected are reflected in the current version of the Final EIR. These revisions do not require recirculation of the FEIR.

E. ALTERNATIVES

If the Board of Supervisors (Board) finds that modifications to the proposal are needed, the Board may specify that these changes be included in the tentative map and evaluated by staff before recordation of the map, or may request a continuance to allow the changes to be incorporated into the tentative map being presented before the Board at a subsequent hearing.

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

F. REVIEWING AGENCIES

Bay Area Air Quality Management District
Bay Area Open Space Council
Baywood Park Homeowners Association
California Department of Conservation
California Department of Fish and Game
California Department of Forestry and Fire Protection
California Regional Water Quality Control Board
California Water Service Company
City of San Mateo
Committee for Green Foothills
Crystal Springs County Sanitation District
Highlands Recreation District
Hillsborough Planning Division
Local Agency Formation Commission (LAFCo)
Pacific Gas and Electric Company
SamTrans
San Mateo County Building Inspection Section
San Mateo County Department of Parks
San Mateo County Department of Public Works
San Mateo County Environmental Health Division
San Mateo County Department of Housing
San Mateo County Fire/Cal-Fire
San Mateo County Sheriff's Office
San Mateo Public Library
San Mateo-Foster City School District
San Mateo Union High School District
Town of Hillsborough

County Counsel has reviewed and approved the report as to form.

Approval of the Major Subdivision and a Grading Permit, and certification of a Final Environmental Impact Report (FEIR) contributes to the 2025 Shared Vision outcome of a Livable Community, as the project would allow for the establishment of housing which

is consistent with the County's land use regulations, including the General Plan, Zoning Regulations, and Subdivision Regulations.

FISCAL IMPACT:

Approval by the Board of Supervisors would result in a marginal property tax revenue increase with the tax being assessed on future residential construction.

ATTACHMENTS:

- A. Recommended Findings and Conditions of Approval
- B. Vicinity Map for Ascension Heights Subdivision
- C-1. Proposed Vesting Tentative Map
- C-2. Preliminary Grading Plan
- C-3. Preliminary Utility Composite Plan
- C-4. Preliminary Utility Composite Plan, Western Site Detail
- C-5. Preliminary Utility Composite Plan, Eastern Site Detail
- C-6. Retention/Dissipator and Metered Release Outlet Details
- C-7. Preliminary Landscape Plan
- C-8. Site Renderings
- C-9. Ascension Heights Design Handbook
- D. Aerial Photograph of the Subject Site
- E. In-Lieu Park Fee Worksheet
- F-1. Resolution Exhibit A (Mitigation Monitoring and Reporting Plan)
- F-2. Resolution Exhibit B (Statement of Findings and Facts)
- G. Planning Commission Decision of Denial, December 9, 2009
- H. Planning Commission Decision of Approval, October 14, 2015
- I. Appeal Application, dated October 28, 2015, including correspondence from Shute, Mihaly, & Weinberger, dated October 13, 2015 (with attachments that include correspondences from February 24, 2015 and March 24, 2015)
- J. Correspondence from Applicant, Rutan & Tucker, LLP
- K. Correspondence from Applicant, Lea & Braze Engineering, Inc.

The Draft and Final EIR are available for review at the San Mateo County Planning and Building Department, or online at: <https://planning.smcgov.org/ascension-heights-subdivision-project>