



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
Planning and Building



Date: October 14, 2014
Board Meeting Date: November 18, 2014
Special Notice / Hearing: 10 days within 500 ft.
Vote Required: Majority

To: Honorable Board of Supervisors

From: Steve Monowitz, Acting Community Development Director

Subject: Public hearing to consider adoption of ordinances for Zoning Text and Map Amendments to rezone three parcels from "PUD-133" to "PUD-137," pursuant to Section 6550 of the County Zoning Regulations, for the construction of a 16-unit, two-story multi-family supportive housing development at 101/105 Fifth Avenue in the unincorporated Selby Park area of North Fair Oaks, and waiver of reading the ordinances in their entirety.

RECOMMENDATION:

1. Approve the proposed Zoning Text and Map Amendments, County File Number PLN 2014-00118, by adopting the required findings and conditions of approval as contained in Attachment A.
2. Adopt the ordinance to enact, applicable only to the subject parcels, the "PUD-137" (Planned Unit Development-137) Regulations.
3. Adopt the ordinance to change the subject parcel's Zoning Map designation from "PUD-133" to "PUD-137."

BACKGROUND:

The applicant, Mental Health Association of San Mateo County, is proposing to construct a two-story multi-family housing development. The building will include 15 studio apartments and a one-bedroom manager's unit, a community room, and on-site laundry rooms. Total proposed floor area of the building will be 13,376 sq. ft. The applicant is proposing 16 uncovered parking spaces for the development.

The proposed rezoning is necessary because the existing zoning of this site allowed a specific 10-unit townhome development with a specific layout and design. Because of the nature of the Planned Unit Development zoning regulations, only that specific design can be built on this property unless the zoning is changed to accommodate a different design and/or use. The current proposal calls for a different number of units

(16 versus 10), a different configuration (one building versus two blocks of townhomes), and reduced setbacks along the Waverly Avenue frontage (10 feet where 20 feet would typically be required).

Planning Commission Action: On October 8, 2014, the Planning Commission voted to recommend that the Board of Supervisors approve the proposed Zoning Text and Map Amendments.

Report Prepared By: Michael Schaller, Senior Planner, 650/363-1849

Applicant/Owner: Mental Health Association of San Mateo County

Location: 101/105 Fifth Avenue, North Fair Oaks

APNs: 060-265-050, -060, and -070

Parcel Size: 18,011 sq. ft.

Existing Zoning: PUD-133 (Planned Unit Development-133)

General Plan Designation: Commercial Mixed-Use, Urban

Sphere-of-Influence: Redwood City

Existing Land Use: Unoccupied storage building and smaller vacant buildings

Water Supply: California Water Service

Sewage Disposal: Fair Oaks Sewer District

Flood Zone: Flood Zone X (Areas of Minimal Flooding), FEMA Panel No. 06081C0302E, effective date October 16, 2012.

Environmental Evaluation: This project is Statutorily Exempt from the California Environmental Quality Act (CEQA) per Sections 15192 (*Threshold Requirements for Exemptions for Agricultural Housing, Affordable Housing, and Residential Infill Projects*) and 15194 (*Affordable Housing Exemption*) of the CEQA Guidelines. An analysis of project compliance with these exemption requirements is included in Attachment F.

Setting: The property is located in a neighborhood commercial district that runs along Fifth Avenue and is adjacent to a residential district. It is located at the intersection of Fifth Avenue and Waverly Avenue in the unincorporated North Fair Oaks area of San Mateo County. The project site is located within Redwood City's sphere of influence. The property is occupied by existing structures (currently vacant) and paving, with no significant vegetation on-site.

Chronology:

<u>Date</u>	<u>Action</u>
January 23, 2007	- PUD-133 (10-unit townhome development) is approved by the Board of Supervisors. However, this project is not built.
March 5, 2014	- Pre-application public workshop held.
April 14, 2014	- Application for rezoning received.
May 1, 2014	- Public meeting hosted by Mental Health Association of San Mateo County.
May 1, 2014	- North Fair Oaks Community Council study session.
September 25, 2014	- North Fair Oaks Council meeting. At this meeting, the Council continued the item and proposed an additional study session. A primary issue of concern raised by the Council is existing traffic problems within the neighborhood.
October 7, 2014	- North Fair Oaks Council special meeting. The Council recommends approval of the project.
October 8, 2014	- Planning Commission public hearing. The Commission recommends approval.
November 18, 2014	- Board of Supervisors public hearing.

DISCUSSION:

A. KEY ISSUES

1. Compliance with the North Fair Oaks Community Plan

On November 15, 2011, the Board of Supervisors adopted a Community Plan for the North Fair Oaks area (NFOCP). This plan is a subset of the County's General Plan and contains policies for various issues including land use, housing, and circulation, amongst others. It is the policies of the Community Plan that are applicable to this project.

Chapter 2.3 - Land Use Goals and Policies

Goal 2.2: Promote revitalization through redevelopment of underutilized and vacant land in North Fair Oaks to create jobs and housing and support community and economic development.

Policy 2C: Allow residential infill development on vacant and underutilized residential parcels and within areas identified as appropriate for additional mixed-use residential, commercial, and other development. Encourage multi-family residential and mixed-use residential development in these areas, and revise subdivision regulations to remove barriers to the development of multi-family attached for-sale housing in all appropriate areas in North Fair Oaks.

Staff's Analysis: The project site was formerly used for commercial activities (home construction supplies and materials), but has sat vacant and unused for the last several years. The proposed project would comply with both the goal and the policy by reutilizing scarce land resources for multi-family residential housing.

Chapter 2.4 - Land Use Designations

The Community Plan has designated the project site as “Commercial Mixed-Use.” Within that designation, the plan allows a medium to high density of land uses, including a mix of multi-family residential, local- and regionally-oriented commercial and institutional uses supported by community facilities. The table below summarizes the “Residential” development standards for the Commercial Mixed-Use against the proposal and, as a point of reference, the S-1 zoning standards (which are applicable to the adjacent C-1 zoned lands).

	Residential (NFOCP)	Proposal	S-1 (Surrounding)
FAR	-	68.7%	-
DU/AC (maximum)	80	38.69	87.0
Building Heights (maximum)	50 ft. (approximately 5 stories)	25.5 ft. (2 stories)	36 (3 stories)
Front Setbacks	0 ft. minimum 15 ft. maximum	10 ft. (front - Waverly)	20 ft.
Side Setbacks	-	10 ft. (Fifth Avenue) 5 ft. (non-street)	5 ft.
Rear Setbacks	-	50 ft.	20 ft.
Step Back	at 30 ft. and above	n/a (building is under 30 ft. tall)	-
Parking	1 space/0-1 bedroom and 1 guest space/5 units	16 spaces	19 spaces required*
* 1 space/studio and 1 guest space/5 units.			

The proposed building is well below the maximum allowed density and building height under both the S-1 zoning and the NFOCP. The project is in compliance with the NFOCP's front setback requirement, and complies with the S-1 district's side and rear yard setback requirements.

Parking

The project is, however, not in compliance with the parking regulations outlined in the NFOCP's Land Use Chapter, nor with the existing parking regulations for all development within the County. While the proposal would provide the minimum number of spaces for residential units, the three required guest parking spaces would not be supplied. Additionally, the building will have 362 sq. ft. of office space, which, under the NFOCP, requires one parking space.

However, there are two policies within the NFOCP that provide flexibility when considering the amount of necessary parking for a project. Specifically, Policy 5E of the Circulation and Parking Chapter allows for modification of parking policies for affordable housing developments where reduced parking demand can be demonstrated. Also, Policy 1D.2 of the Housing Chapter encourages parking reductions appropriate for the actual parking needs of new affordable housing projects.

It is questionable how many of the future residents of this apartment complex will own cars. The applicant's past experience at other facilities they operate would indicate that most of the potential residents are economically disadvantaged and do not possess the resources to purchase or maintain a car. While the applicant has indicated that there will be a number of staff people involved with the day-to-day functions at the apartment complex, they will not all be there at the same time, nor on every day. The applicant operates a similar development within Redwood City. Based upon their experience at that apartment complex, they estimate that only 5-6 of the residents will own a car. In addition, there will be one full time property manager and 4-6 staff members on site during normal business hours. Based upon these numbers, parking demand should range from 11-13 spaces. Staff believes that the proposed 16 spaces will be adequate to meet the project's needs.

What seems more likely is that bicycles will be the primary mode of transportation for some of the residents. The proposed plans do not indicate an area designated for bicycle parking. Staff is recommending a condition of approval (Condition No. 7) which requires the applicant to modify their plans to include bicycle parking on-site. Potential areas where such parking could occur include a portion of the trash enclosure space within the community room, or converting one of the parking spaces.

Chapter 4.2 - Infrastructure Goals and Policies

Policy 5C: Continue to require new developments that might result in an increase in stormwater runoff to provide on-site detention facilities to address increased flows. The on-site detention facilities (tank, oversized pipes, or other facilities) shall be sized so that the new development does not cause an increase of flow into the storm drain system.

Staff's Analysis: The applicant has not submitted a detailed site drainage plan at this time. Typically, such plans are submitted at the building permit stage and a condition of approval (Condition No. 14) has been placed upon the project requiring such plan to be submitted at that time. The project site is large and relatively flat, and there is no reason to believe that the applicant's engineer cannot create a drainage plan (which includes on-site retention) that complies with the County's stormwater permit.

Chapter 6.3 - Housing Goals and Policies

Goal 6.1: Increase affordable housing options in North Fair Oaks.

Policy 1F: In the case of conflicting or unclear regulations or policies, and in the course of discretionary approvals, interpret zoning, land use, and other policies and regulations in a manner that prioritizes creation of new residential uses, particularly affordable and special needs housing, and that discourages reduction of affordable housing stock, including demolition or conversion of residential uses.

Goal 6.8: Provide housing and services for residents experiencing homelessness.

Policy 8A: Encourage the development of transitional and permanent supportive housing in North Fair Oaks.

Staff's Analysis: The project will provide affordable housing for a special needs population that currently has few housing options. The project is intended to provide housing for homeless, mentally ill people, a population group that is protected from discrimination by State law (Senate Bill 2 (Chapter 633, Statutes of 2007) revised housing element law to require that transitional and supportive housing be permitted as a residential use, subject only to restrictions that apply to other residential dwellings of the same type in the same zone). The project site is already zoned for residential use (by PUD-133), and the proposed project would continue the use of the site for residential purposes.

Chapter 7.2 - Design of the Private Realm

Section D2 - Layout and Orientation - Individual Buildings

Policy D2-1: Orient buildings such that the primary façades (or sides of the building) and key pedestrian entries of the buildings face the street, or face mid-block greenways and mews. Require building entrances on streets, pedestrian ways, and other public spaces rather than, or in addition to, on interior courtyards or parking lots.

Policy D2-2: Encourage corner buildings to actively address both streets with pedestrian-friendly entries.

Staff's Analysis: The proposed building's primary entrance (Lobby) is at the Waverly/Fifth Avenue corner of the parcel and is framed by a cupola tower which will have a slightly taller roof elevation than the rest of the building. This architectural treatment will emphasize that this is the public entrance into the building, and is consistent with these two design policies.

Policy D2-5: Encourage parking and access to parking in the side and rear of lots, to minimize street parking and related disruption to the pedestrian environment. If front parking is essential to a project, provide pedestrian-friendly landscaping, design treatments, and amenities such as paths or other improvements to mitigate impacts on the pedestrian environment and overall streetscape.

Staff's Analysis: The parking lot for the building will be in the rear portion of the site (Waverly Avenue would be considered the front of the parcel in line with long-standing County policies regarding lot orientation). Access to the parking area is off of Fifth Avenue, approximately 110 feet away from the intersection of Waverly/Fifth Avenue, approximately in the same location as the existing driveway on that side of the project site.

Section D3 - Massing and Scale

Policy D3-1: With the exception of areas identified as appropriate for significant increases in development intensity, as described in Chapter 2: Land Use Designations, respect the scale and character of existing residential developments in North Fair Oaks, by ensuring that the massing and scale of new residential development complements existing structures and development patterns.

Section D4 - Building Heights and Step Backs

Policy D4-1: Require a two-story minimum for all buildings within Neighborhood and Commercial Mixed-Use areas.

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Staff's Analysis: The project site is within one of the areas (Commercial Mixed-Use) described in Chapter 2 for increases in development intensity. The proposed building, at two stories tall, is consistent with adjacent buildings along Fifth Avenue, which are also for the most part, two stories in height.

Section D6 - Building Character and Façade Articulation

Policy D6-1: Prioritize articulation of façades along pedestrian-friendly corridors identified in the urban design framework in Chapter 2: Land Use Designations, such as Middlefield Road and key travel routes to nearby schools. Discourage blank walls along street-fronting façades on all streets.

Policy D6-2: Encourage varied building elements such as cornices, lintels, sills, balconies, awnings, porches, and stoops to enhance building façades.

Policy D6-3: Encourage vertical and horizontal architectural elements that mitigate long, unbroken building façades.

Policy D6-4: Encourage the use of building materials, forms and colors that provide visual interest to pedestrians and add variety to street edges.

Staff's Analysis: The building has been designed with articulation on all four sides, but with particular emphasis upon the two street facing sides, where the wall profiles have been broken up with two-story tall window bays, as well as the entry cupola/tower. The façade treatment also utilizes cornices, awnings, railings and external downspouts to break up the mass of each building wall. Horizontal elements, including lap siding along the upper third of each wall bordered by a belly band and horizontal trellises and railing, are utilized along all four sides, again in an attempt to break up the mass of each building wall. The applicant is proposing to utilize a variety of materials, including galvanized steel for the bay window railings, cement plaster and fiber cement lap siding, as well as a varied color pallet for the building.

2. Compliance with Zoning Regulations

As stated previously, in January 2007, the project site was rezoned to PUD-133 in order to accommodate a 10-unit townhome development. That project was never constructed and the associated subdivision map approval has expired. However, the unique PUD zoning remains. Complicating this situation is the fact that the General Plan land use designation for this site has also changed as a result of the adoption of the North Fair Oaks Community Plan (discussed above). Compatible zoning to reflect the changes enacted in the new Community Plan is still being developed. Until

such time that comprehensive new zoning regulations are adopted for the affected areas within the Community Plan, the only recourse to allow for new development to occur on the project site is to rezone it to a category that is compatible with that proposed use.

In order to understand the ramifications of this zoning change, staff has assembled the following table comparing the proposed development to the existing PUD-133 standards:

Development Standard	PUD-133	Proposal
	<i>Townhome Lots</i>	<i>Apartment Complex</i>
Building Site Width (minimum average)	Average 20 ft.	120 ft.
Building Site Area (minimum)	Average 2,263 sq. ft.	18,011 sq. ft.
Minimum Lot Area Per Dwelling Unit	Average 2,263 sq. ft.	1,125 sq. ft.
<u>Building Setback</u>		
Front (Waverly Avenue)	6 ft. (to elevated patio)	10 ft.
	20 ft. (to building wall)	
Side (interior)	5 ft.	9.33 ft. (corner adjacent to Waverly)
		7.5 ft. (corner adjacent to parking lot)
Side (adjacent to Fifth Avenue)	10 ft.	10 ft.
Rear	6 ft. (to elevated patio)	50 ft.
	20 ft. (to building wall)	
Building Footprint Ratio	48.1 % (for entire project site)	36.8%
Building Height	35.33 ft. (two and a half stories)	25.5 ft. (top of the entry cupola)
		24 ft. (remainder of building)
Total Floor Area	22,630 sq. ft. (125.6% of parcel size)	12,382 sq. ft. (68.7% of parcel size)

Parcel Size: The previous PUD zoning would have subdivided the project site into ten residential lots with an additional common lot for landscaping and access. This would have meant working with ten different property

owners and/or a property management company to address complaints (for example, littering or unmaintained landscaping). With the current proposal, the property will be held by one entity, The Mental Health Association of San Mateo County, which should make tackling complaints easier to address.

Building Setbacks: As illustrated above, the current proposal will differ from the existing PUD-133 regulations, in particular, along the side and rear property lines which abut existing residential development. The new proposal will provide greater setbacks, in particular, for residents of the apartment complex at 137 Fifth Avenue (located adjacent to the parking lot). The applicant is proposing to construct 6-foot tall solid fences along both property lines to help screen the building from these adjacent residential uses.

Building Footprint, Floor Area and Height: These three standards are commonly used to measure and regulate the overall bulk of urban development on a given parcel. As can be seen above, the proposed project will be significantly smaller in scale when compared to the previously approved townhome project. Of particular note is the difference in height, particularly for the single-family residences that abut the site on the northwest side. Under the previous PUD zoning, those residences would have been facing an approximately 25-foot tall building wall with numerous windows and balconies facing into their backyards, all at approximately 5 feet from their property line. In contrast, the current proposal is set back somewhat farther (2.5 - 5 feet) and has a building wall height of only 18 feet. Additionally, the number of second story windows is substantially less and is associated with only one apartment in the building.

3. Compliance with Planned Unit Development (PUD) Findings

Section 6191 of the Zoning Regulations states that no PUD District shall be enacted for any area unless and until the Board of Supervisors has first:

Reviewed a precise plan of the subject area and its environs, and found that the proposed zoning of the area would be in harmony with said plan, and would not be in conflict with the County Master Plan (i.e., 1986 General Plan), or with any current land use plan for a sub-area of the County previously adopted by the Commission.

Staff Response: Based on the previous discussion in the North Fair Oaks Community Plan (NFOCP) Compliance Section of this report (Section A.1), staff concludes that the proposed PUD Zoning District regulations are in harmony with the applicable NFOCP policies.

Additional required findings listed below (italicized), stipulate that the Board of Supervisors must find that the specific PUD District:

- .
- .
- .
- a. *Is a desirable guide for the future growth of the subject area of the County.*

Staff Response: As discussed under the Community Plan section above, the recently adopted Plan designates the project site as “Commercial Mixed-Use” which includes “stand-alone high density residential” as an allowed use. When the Plan was adopted, it was fully anticipated that some of the designated land would be developed as high density apartments. As discussed above, the form of the building also complies with the architectural standards proposed in the NFOCP.

- b. *Will not be detrimental to the character, social and economic stability of the subject area and its environs, and will assure the orderly and beneficial development of such areas.*

Staff Response: Construction on this site with a new building, constructed to today’s building codes, will enhance the value of these parcels and the surrounding area. A well thought out and constructed apartment complex is of more value to the area than the existing vacant buildings which are not only an eyesore but also an attractive nuisance for vandalism. State and Federal law prohibits the County from discriminating against the potential future occupants of the units.

- c. *Will be in harmony with the zoning in adjoining unincorporated areas.*

Staff Response: The zoning in the surrounding unincorporated area includes R-1/S-73 to the rear of the proposed project, and C-1 in the area adjacent to the proposed project along Fifth Avenue. The neighborhood is generally bounded by Fifth Avenue to the south, the Caltrain railroad to the east, El Camino Real to the west and Berkshire Avenue to the north. The neighborhood is composed of commercial and apartment buildings along Fifth Avenue and single-family residential homes to the rear of the proposed development. The proposed project is an appropriate transition from the commercial uses on Fifth Avenue to the residential neighborhood to the rear, and provides additional housing for a particular population group where it is in high demand.

- d. *Will obviate the menace to the public safety resulting from land uses proposed adjacent to highways in the County, and will not cause undue interference with existing or prospective traffic movements on said highways.*

Staff Response: The major street that serves the project site, Fifth Avenue, is sufficiently improved and wide enough to accommodate the traffic volume that would be generated by this project. There is no reason to believe that the proposed project would adversely or significantly impact local or regional traffic patterns or volumes. Additionally, the project will provide the required one parking space per unit.

- e. *Will provide adequate light, air, privacy and convenience of access to the subject property and further that said property shall not be made subject to unusual or undue risk from fire, inundation, or other dangers.*

Staff Response: The project's overall site design, including the proposed building's location and setbacks relative to adjacent residences, provides adequate light, air, and privacy to neighboring uses.

- f. *Will not result in overcrowding of the land or undue congestion of population.*

Staff Response: The PUD provides a method for constructing higher density projects of this type in a controlled environment that ensures appropriate design. The proposed project is designed as a higher density residential development located between a major roadway and a lower density residential neighborhood. Due to the small size of the proposed project, it will not create overcrowding or undue congestion.

B. REVIEW BY THE NORTH FAIR OAKS COMMUNITY COUNCIL

The North Fair Oaks Community Council recommended approval of the project at a special meeting on October 7, 2014.

C. MAJOR DEVELOPMENT PRE-APPLICATION WORKSHOP

Section 6415.4 of the Zoning Regulations requires a public workshop to be held for residential development involving ten (10) or more new dwelling units. The intent of the public workshop is to allow community members and public agency representatives the opportunity to provide the applicant with project input before the preparation of final development plans. The public workshop was held on March 5, 2014, at the Fair Oaks Community Center in North Fair Oaks. Comments received during this phase of the project are discussed in the Workshop's summary letter, which is included as Attachment G.

D. STATE AND FEDERAL HOUSING LAW

In addition to the County regulations discussed above, there are several State and Federal laws that regulate the provision of housing for disabled persons. They include:

Prohibition of Discrimination Against Affordable Housing (Gov. Code Sec. 65008).

This statute forbids discrimination against affordable housing developments, developers or potential residents by local agencies when carrying out their planning and zoning powers. Agencies are prohibited not only from exercising bias based on race, sex, age or religion, but from discriminating against developments because the development is subsidized or occupancy will include low- or moderate-income persons. Local governments may not impose different requirements on affordable developments than those imposed on non-assisted projects. It applies to any land use action that has a disproportionate impact on assisted developments or the potential minority or low-income occupants. SB 619 (Ducheny) (Chapter 793, Statutes of 2003) prohibited discrimination against multi-family housing.

The California Fair Employment and Housing Act (Gov. Code Sec. 12900 et seq.)

This statute expressly prohibits discrimination through public or private land use practices and decisions that make housing opportunities unavailable. Similarly, the Federal Fair Housing Act (42 U.S.C. Sec. 3601 et seq., or "Title VIII") has been held to prohibit public and private land use practices and decisions that have a disparate impact on the protected groups. The Federal Fair Housing Amendments Act of 1988 requires local governments considering housing projects for the disabled to make reasonable accommodations in rules, policies and practices if necessary to afford disabled persons equal opportunity for housing (42 U.S.C. Sec. 3604(f)(3)(B)).

E. ENVIRONMENTAL REVIEW

This project is Statutorily Exempt from the California Environmental Quality Act (CEQA) per Sections 15192 (*Threshold Requirements for Exemptions for Agricultural Housing, Affordable Housing, and Residential Infill Projects*) and 15194 (*Affordable Housing Exemption*) of the CEQA Guidelines. An analysis of project compliance with these exemption requirements is included in Attachment F.

F. REVIEWING AGENCIES

Building Inspection Section
Department of Public Works
Menlo Park Fire Protection District
North Fair Oaks Community Council

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

Approval of this project contributes to the Shared Vision 2025 of a Livable Community by providing housing and services for residents experiencing existing or potential homelessness in accordance with the North Fair Oaks Community Plan.

FISCAL IMPACT:

No fiscal impact.

ATTACHMENTS:

- A. Recommended Findings and Conditions of Approval
- B. Location Map
- C. Site Plan
- D. Floor Plan
- E. Elevations
- F. CEQA Statutory Exemption
- G. March 5, 2014 Pre-Application Workshop Summary

County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit File Number: PLN 2014-00118

Hearing Date: November 18, 2014

Prepared By: Michael Schaller
Senior Planner

For Adoption By: Board of Supervisors

RECOMMENDED FINDINGS

Regarding the Environmental Review, Find:

1. That this project is Statutorily Exempt from the California Environmental Quality Act (CEQA) per Sections 15192 (*Threshold Requirements for Exemptions for Agricultural Housing, Affordable Housing, and Residential Infill Projects*) and 15194 (*Affordable Housing Exemption*) of the CEQA Guidelines.

Regarding the Planned Unit Development (PUD) Zoning Amendment, Find:

2. That the proposed zoning of the area would be in harmony with said plan, and would not be in conflict with the County Master Plan (i.e., 1986 General Plan), or with any current land use plan for a sub-area of the County previously adopted by the Board, and that the specific PUD District under consideration, as discussed in Section A.3 of the staff report:
 - a. Is a desirable guide for the future growth of the subject area of the County.
 - b. Will not be detrimental to the character, social and economic stability of the subject area and its environs, and will assure the orderly and beneficial development of such areas.
 - c. Will be in harmony with the zoning in adjoining unincorporated areas.
 - d. Will obviate the menace to the public safety resulting from land uses proposed adjacent to highways in the County, and will not cause undue interference with existing or prospective traffic movements on said highways.

- e. Will provide adequate light, air, privacy and convenience of access to the subject property and further that said property shall not be made subject to unusual or undue risk from fire, inundation, or other dangers.
- f. Will not result in overcrowding of the land or undue congestion of population.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

1. This approval applies only to the proposal and plans, as conditioned in this report, and submitted to and approved by the Board of Supervisors. Minor adjustments to the project in the course of applying for building permits may be approved by the Community Development Director if they are consistent with the intent of and in substantial conformance with this approval.
2. Prior to pouring any concrete for foundations, written verification from a licensed surveyor will be required confirming that the setbacks, as shown on the approved plans, have been maintained.
3. Prior to building permit issuance, the applicant shall submit a lighting plan to the County Planning and Building Department, detailing the location and type of exterior lighting to be used in the project, and specifying the candle foot power of such lighting. The project will be required to maintain lighting levels such that the candle foot power of lighting generated on the project site shall not exceed one candle foot anywhere along the project perimeter. Lighting shall be confined to the project site only and shall not spillover onto adjoining properties.
4. Prior to the beginning of any construction activities, the applicant shall submit to the Planning Department for review and approval an erosion and drainage control plan which shows how the transport and discharge of soil and pollutants from and within the project site shall be minimized. The plan shall be designed to minimize potential sources of sediment, control the amount of runoff and its ability to carry sediment by diverting incoming flows and impeding internally generated flows, and retain sediment that is picked up on the project site through the use of sediment-capturing devices. The plan shall also limit application, generation, and migration of toxic substances, ensure the proper storage and disposal of toxic materials, apply nutrients at rates necessary to establish and maintain vegetation without causing significant nutrient runoff to surface waters. Said plan shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:
 - a. Sequence construction to install sediment-capturing devices first, followed by runoff control measures and runoff conveyances. No construction activities shall begin until after all proposed measures are in place.

- b. Minimize the area of bare soil exposed at one time (phased grading).
- c. Clear only areas essential for construction.
- d. Within five days of clearing or inactivity in construction, stabilize bare soils through either non-vegetative best management practices (BMPs), such as mulching or vegetative erosion control methods such as seeding. Vegetative erosion control shall be established within two weeks of seeding/planting.
- e. Construction entrances shall be stabilized immediately after grading and frequently maintained to prevent erosion and control dust.
- f. Control wind-born dust through the installation of wind barriers such as hay bales and/or sprinkling.
- g. Soil and/or other construction-related material stockpiled on-site shall be placed a minimum of 200 feet from all wetlands and drain courses. Stockpiled soils shall be covered with tarps at all times of the year.
- h. Intercept runoff above disturbed slopes and convey it to a permanent channel or storm drains by using earth dikes, perimeter dikes or swales, or diversions. Use check dams where appropriate.
- i. Provide protection for runoff conveyance outlets by reducing flow velocity and dissipating flow energy.
- j. Install storm drain inlet protection that traps sediment before it enters any adjacent storm sewer systems. This barrier shall consist of filter fabric, straw bales, gravel, or sand bags.
- k. Install sediment traps/basins at outlets of diversions, channels, slope drains, or other runoff conveyances that discharge sediment-laden water. Sediment traps/basins shall be cleaned out when 50% full (by volume).
- l. Use silt fence and/or vegetated filter strips to trap sediment contained in sheet flow. The maximum drainage area to the fence should be 0.5 acres or less per 100 feet of fence. Silt fences shall be inspected regularly and sediment removed when it reaches 1/3 the fence height. Vegetated filter strips should have relatively flat slopes and be vegetated with erosion-resistant species.
- m. Throughout the construction period, the applicant shall conduct regular inspections of the condition and operational status of all structural BMPs required by the approved erosion control plan.

5. The applicant shall submit a dust control plan to the Planning Department for review and approval prior to the issuance of a building permit for the project. The approved plan shall be implemented for the duration of any grading, demolition, and construction activities that generate dust and other airborne particles. The plan shall include the following control measures:
 - a. Water all active construction areas at least twice daily.
 - b. Water or cover stockpiles of debris, soil, sand, or other materials that can be blown by the wind.
 - c. Cover all trucks hauling soil, sand and other loose materials or require all trucks to maintain at least 2 feet of freeboard.
 - d. Apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking and staging areas at construction sites. Also, hydroseed or apply non-toxic soil stabilizers to inactive construction areas.
 - e. Sweep daily (preferably with water sweepers) all paved access roads, parking and staging areas at construction sites.
 - f. Sweep adjacent public streets daily (preferably with water sweepers) if visible soil material is carried onto them.
 - g. Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.).
 - h. Limit traffic speeds on unpaved roads within the project parcel to 15 mph.
 - i. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
 - j. Replant vegetation in disturbed areas as quickly as possible.
6. All grading and construction activities associated with the project shall be limited to 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 activities will be prohibited on Sunday and any nationally observed holiday. Noise levels produced by construction activities shall not exceed 80-dBA level at any one moment.
7. Prior to submittal of plans for a building permit, the applicant shall revise their plans to include covered and screened bike parking. Said parking shall not reduce proposed front or side yard setbacks as depicted on the plans considered by the Board of Supervisors on November 18, 2014.

8. Prior to the issuance of a building permit, the applicant shall submit for review and approval a landscape/streetscape plan that includes drought tolerant, native and non-invasive plant and tree species most suitable to the San Mateo County bayside area. Said landscape plan shall be implemented prior to the issuance of the Certificate of Occupancy for the proposed building.
9. All associated calendars, fliers, directives to delivery personnel, resident and employee community rules shall include the following language in Spanish and English: "Eastbound travelers on Fifth Avenue are advised to use the Glendale Avenue over crossing to access the complex's parking lot."
10. Prior to the issuance of a building permit, the construction contractor(s) shall develop a construction management plan for review and approval by the County's Planning and Public Works Departments. The plan shall include at least the following items and requirements to reduce, to the maximum extent feasible, any safety hazards and traffic congestion during construction:
 - a. A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, signs, and designated construction access routes and parking areas.
 - b. Identification of haul routes for movement of construction vehicles that would minimize impacts on motor vehicular traffic, and circulation and safety. Impacts to local roads shall be minimized to the greatest extent possible.
 - c. Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures, if any, will occur.
 - d. Provisions for monitoring surface streets used for haul routes so that any damage and debris attributable to the haul trucks can be identified and corrected by the project sponsor.

Building Inspection Section

11. The project shall comply with all 2013 California Building Codes.
12. No plastic drain waste valve or water pipes are allowed except for storm drainage.
13. This is a publicly funded building, so Americans with Disabilities Act (ADA) Sections 1109.A.4 and 1109A.8.691 shall apply. These sections require van parking and one other handicap parking space; backing at all W/C and tub grab-bars. All rooms shall be H/C accessible.

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Department of Public Works

14. Prior to the issuance of the building permit or planning permit (for Provision C.3 Regulated Projects), 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 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.
15. 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. Applicant shall contact a Department of Public Works Inspector 48 hours prior to commencing work in the right-of-way.
16. 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.
17. For projects exceeding 10,000 sq. ft. of new or reconstructed impervious surface: The applicant shall submit a permanent stormwater treatment plan in compliance with the County's National Pollution Discharge Elimination System (NPDES) permit for review and approval by the Department of Public Works. The applicant shall submit calculations and a narrative describing the method(s) used in the design of the proposed system and the manner in which proposed facilities achieve compliance with the NPDES permit for review and approval by the Department of Public Works. The applicant shall be required to execute and record an Operations and Maintenance Agreement for the approved facilities, and shall be responsible for ongoing maintenance and reporting. This requirement supplements all other conditions of approval related to storm drainage and stormwater pollution prevention.

Menlo Park Fire Protection District

18. Install a monitored NFPA 13 fire sprinkler, NFPA 24 underground fire service and a NFPA 27 fire alarm system under separate fire permit. Fire sprinkler system to comply with Menlo Park Fire Protection District Standards.
19. Install one new public fire hydrant near the site for this project.

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20. Install a smoke detector and carbon monoxide detector in each sleeping area. Smoke and carbon monoxide detectors shall be interconnected for alarm in each separate unit.
 21. If an elevator is installed, the car must be sized to accommodate a medical stretcher and two attending EMS personnel.
 22. The applicant shall provide at least 6-inch tall with 3/4-inch stroke illuminated address numbers. The address shall be visible from the street and contrasting to its background.
 23. Approved plans and approval letter must be on the site at the time of inspection.
 24. Final acceptance of this project is subject to field inspection. Upon completion of work and prior to closing ceiling, **contact Fire Inspector Bob Blach of the Menlo Park Fire Protection District at 650/688-8430 to schedule a final inspection.** A 48-HOUR NOTICE IS REQUIRED FOR ALL INSPECTIONS.