Attachment A

COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit File Number: PLN 2015-00512 Board Meeting Date: April 24, 2018

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Project Planner

For Adoption By: Board of Supervisors

RECOMMENDED FINDINGS:

Regarding the Environmental Review, Find:

1. That the Board of Supervisors does hereby find that this Mitigated Negative Declaration reflects the independent judgment of San Mateo County.

2. That the Mitigated Negative Declaration is complete, correct and adequate and prepared in accordance with the California Environmental Quality Act and applicable State and County Guidelines.

3. That, based on the Initial Study, comments received hereto, and testimony presented and considered at the public hearing, there is no substantial evidence that the project will have a significant effect on the environment.

4. That the mitigation measures in the Mitigated Negative Declaration and agreed to by the applicant and placed as conditions on the project have been incorporated into the Mitigation Monitoring and Reporting Plan in conformance with California Public Resources Code Section 21081.6.

Regarding the General Plan Map Amendment, Find:

5. That the General Plan Land Use Map Amendment is compatible with adjacent land uses and will not be in conflict with the policies of the General Plan as discussed in this staff report.

Regarding the Zoning Map Amendment, Find:

6. That the proposed rezoning of the subject parcel meets the public necessity, convenience, and the general welfare of the community because the rezone will create a consistent zoning across the parcel and provide future opportunities to develop the parcel with mixed used development along a transportation corridor.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

1. The approval applies only to the proposal as described in this report and materials submitted for review and final approval by the Board of Supervisors. The Community Development Director may approve minor revisions or modifications to the project if they are found to be consistent with the intent of and in substantial conformance with this approval.

Mitigation Measures

2. **Mitigation Measure 1:** The applicant shall implement the following dust control measures during grading and construction activities:

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

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

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

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

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

3. **Mitigation Measure 2:** Prior to commencement of the project, the applicant shall submit to the Planning Department for review and approval an erosion and drainage control plan that 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, and 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 County Wide 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 project activities.

d. Within five days of clearing or inactivity, stabilize bare soils through either non-vegetative BMPs (Best Management Practice), such as mulching, or vegetative erosion control methods such as seeding. Vegetative erosion control shall be established within two weeks of seeding/planting.

e. Project site 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-acre 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. Utilize coir fabric/netting on sloped graded areas to provide a reduction in `water velocity, erosive areas, habitat protection, and topsoil stabilization.

n. 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.

4. **Mitigation Measure 3:** The applicant shall implement the following basic construction measures at all times:

a. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxic Control Measure Title13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

b. All construction equipment shall be maintained and properly tuned, in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.

c. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person, or his/her designee, shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

5. **Mitigation Measure 4:** All grading and construction activities associated with the proposed 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 the 80-dBA level at any one moment.

Tree Protection

6. Tree protection zones should be established and maintained throughout the entire length of the project.

a. Fencing for the protection zones should be 4-foot orange plastic type fencing supported my metal stakes pounded into the ground. The support poles should be spaced no more than 10 feet apart on center.

b. The location for the protection fencing should be as close to the dripline as possible still allowing room for construction to safely continue.

c. Signs should be placed on fencing signifying “Tree Protection Zone – Keep Out”. No materials or equipment should be stored or cleaned inside the tree protection zones.

7. Trenching for irrigation, electrical, drainage or any other reason should be hand dug when beneath the driplines of protected trees. Hand digging and carefully laying pipes below or beside protected roots will dramatically reduce root loss of desired trees thus reducing trauma to the entire tree.

   a. Trenches should be backfilled as soon as possible with native material and compacted to near its original level.

   b. Trenches that must be left exposed for a period of time should also be covered with layers of burlap or straw wattle and kept moist. Plywood over the top of the trench will also help protect exposed roots below.

8. All tree protection must be in place prior to the start of any demolition. Demolition equipment will access the property from the existing driveway. If demolition equipment is to stray off the existing driveway, 6 inches of chips covered with steel plates or plywood will be installed beneath protected trees driplines.

9. Normal irrigation should be maintained throughout the entire length of the project. The native oaks should not require irrigation unless their root zones are traumatized. If root damage were to occur some irrigation may be required during the winter months depending on the seasonal rainfall. During the summer months the trees on this site should receive heavy flood type irrigation twice a month. During the fall and winter once a month should suffice. Mulching the root zone of protected trees will help the soil retain moisture, thus reducing water consumption.

<u>Stormwater C.3 Conditions</u>

10. The applicant shall prepare a Stormwater Management Plan (SWMP) that includes, at a minimum, exhibit(s) showing drainage areas and location of Low Impact Development (LID) treatment measures; project watershed; total project site area and total area of land disturbed; total new and/or replaced impervious area; treatment measures and hydraulic sizing calculations; a listing of source control and site design measures to be implemented at the site; hydromodification management measures and calculations, if applicable; Natural Resources Conservation Service (NRCS) soil type; saturated hydraulic conductivity rate(s) at relevant locations or hydrologic soil type (A, B, C or D) and source of information; elevation of high seasonal groundwater table; a brief summary of how the project is complying with Provision C.3 of the Municipal Regional Permit (MRP); and detailed Maintenance Plan(s) for each site design, source control and treatment measure requiring maintenance.

11. Low Impact Development treatment measures to be shown on final improvement or grading plans shall not differ materially from the LID treatment measures presented on the project, approved on (to be determined), without written approval from the Planning Department.

12. Project shall comply with all requirements of the Municipal Regional Stormwater NPDES Permit Provision C.3. Please refer to the San Mateo Countywide Water Pollution Prevention Program's (SMCWPPP) C.3 Stormwater Technical Guidance Manual for assistance in implementing LID measures at the site: www.flowstobay.org/newdevelopment.

13. Treatment controls shall be designed and sized to treat runoff from the entire redevelopment project (including all existing, new, and/or replaced impervious areas) using flow or volume based sizing criteria specified in Provision C.3.d of the Municipal Regional Stormwater Permit.

14. Treatment controls shall be designed and sized to treat runoff from new and/or replaced impervious areas only.

15. Biotreatment measures (including bioretention areas, flow-through planters and non-proprietary tree well filters) shall be sized to treat runoff from 100% of the applicable drainage area (all impervious areas and applicable landscaped areas) using flow or volume based sizing criteria as described in the Provision C.3.d of the MRP, or using the simplified sizing method (4% rule of thumb), described in the C.3 Technical Guidance and based on the flow-based sizing criteria in Provision C.3.d.i.(2)(c).

16. Plant species used within the biotreatment measure area shall be consistent with Appendix A of the C.3 Technical Guidance.

17. Biotreatment soil mix for biotreatment measures shall have a minimum percolation rate of 5 inches per hour and a maximum percolation rate of 10 inches per hour, and shall be in conformance with Attachment L of the MRP, which is included in Appendix K of the C.3 Technical Guidance.

18. Design of biotreatment measures shall be consistent with technical guidance for the applicable type of biotreatment measure provided in Chapter 6 of the C.3 Technical Guidance.

19. Prior to the final of the building permit for the project, the property owner shall coordinate with the Project Planner to enter into an Operation and Maintenance Agreement (O&M Agreement) with the County (executed by the Community Development Director) to ensure long-term maintenance and servicing by the property owner of stormwater site design and treatment control measures according the approved Maintenance Plan(s), for the life of the project. The O&M

Agreement shall provide County access to the property for inspection. The Maintenance Agreement(s) shall be recorded for the property.

20. Property owner shall be responsible for conducting all servicing and maintenance as described and required by the treatment measure(s) Maintenance Plan(s). Maintenance of all site design and treatment control measures shall be the owner's responsibility.

21. The property owner is responsible for submitting an Annual Report accompanied by a review fee to the County by December 31 of each year, as required by the O&M Agreement. The property owner is also responsible for the payment of an inspection fee for County inspections of the stormwater facility, conducted as required by the NPDES Municipal Regional Permit.

22. Approved Maintenance Plan(s) shall be kept on-site and made readily available to maintenance crews. Maintenance Plan(s) shall be strictly adhered to. Site access shall be granted to representatives of the County, the San Mateo County Mosquito and Vector Control District, and the Water Board, at any time, for the sole purpose of performing operation and maintenance inspections of the installed stormwater treatment systems. A statement to that effect shall be made a part of the Maintenance Agreement recorded for the property.

23. Property owner shall be required to pay for all County inspections of installed stormwater treatment systems as required by the Regional Water Quality Control Board or the County.

Department of Public Works

24. Prior to the issuance of the Building permit or Planning permit (for Provision C3 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 of the property shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the pattern of flow. The analysis shall detail the measures necessary to certify adequate drainage. Post-development flows and velocities shall not exceed those that existed in the pre-developed state. Recommended measures shall be designed and included in the improvement plans and submitted to the Department of Public Works for review and approval.

25. Prior to the issuance of the BLD permit or PLN permit (if applicable), the applicant shall submit a driveway “Plan and Profile”, to the Department of Public Works, showing the driveway access to the parcel (garage slab) complying with County Standards for driveway slopes (not to exceed 20%) and to County Standards for driveways (at the property line) being the same elevation as the center of the access roadway. When appropriate, as determined by the Department of Public

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

26. No proposed construction work within the County right-of-way shall begin until County requirements for the issuance of an encroachment permit, including review of the plans, have been met and an encroachment permit issued. Applicant shall contact a Department of Public Works Inspector 48 hours prior to commencing work in the right-of-way.

27. Prior to the issuance of the Building Permit, the applicant will be required to provide payment of "roadway mitigation fees" based on the square footage (assessable space) of the proposed building per Ordinance #3277.

28. The applicant shall install a new sidewalk along the property line from El Camino Real along Amherst (approximately 250 feet) in conformance with county standards.

29. The applicant shall submit hydrology and hydraulic calculations for stormwater detention (C-4.2).

30. The applicant shall revise the construction entrance from 3”-6” rock to 2”-3” rock (C-6).

Building Department

31. The applicant shall provide a designated parking space for any combination of low-emitting, fuel-efficient, and carpool/vanpool vehicle with at stall marked as required per CALGreen Section 5.106.5.2.

32. The applicant shall provide both long term and short term bicycle parking per CALGreen Section 5.106.4.

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