



## Planning & Building Department Planning Commission

Laurie Simonson, 1<sup>st</sup> District  
Frederick Hansson, 2<sup>nd</sup> District  
Zoe Kersteen-Tucker, 3<sup>rd</sup> District  
Manuel Ramirez, Jr., 4<sup>th</sup> District  
Steve Dworetzky, 5<sup>th</sup> District

County Office Building  
455 County Center  
Redwood City, California 94063  
(650) 363-1859

### Action Minutes

MEETING NO. 1574

Wednesday, February 26, 2014

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In the Board of Supervisors Chambers, Hall of Justice and Records, located at 400 County Center, Redwood City.

Chair Hansson called the meeting to order at 9:01 a.m.

**Pledge of Allegiance:** The Pledge of Allegiance was led by Chair Hansson.

**Roll Call:**

Commissioners Present:	Dworetzky, Hansson, Kersteen-Tucker, Ramirez, Simonson
Commissioners Absent:	None
Staff Present:	Eggemeyer, Fox, Shu

Legal notice published in the San Mateo County Times on February 15, 2014 and in the Half Moon Bay Review on February 19, 2014.

**Oral Communications** to allow the public to address the Commission on any matter not on the agenda.

Klaus Lehrach

**Consideration of the Minutes** of the Planning Commission meeting of February 12, 2014.

Commissioner Simonson moved, and Commissioner Dworetzky seconded, that the minutes be approved as submitted. Motion carried 4-0-0-1.

Ayes: Commissioners Dworetzky, Hansson, Ramirez, Simonson

Noes: None

Absent: None

Abstained: Commissioner Kersteen-Tucker

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**CONSENT AGENDA**

Commissioner Simonson moved for approval of the Consent Agenda, and Commissioner Ramirez seconded the motion. Motion carried 5-0-0-0, approving items as follows:

1. **Owner:** State of California Beaches and Parks  
**Applicant:** State of California Parks and Recreation  
 File No.: PLN2013-00306  
 Location: West of Cabrillo Highway in unincorporated Montara and Pescadero  
 APNs: 036-321-010 and 086-202-010

Consideration of a Coastal Development Permit, pursuant to Section 6328 of the San Mateo County Zoning Regulations, to install two State Beach signs. One sign will be located at Montara State Beach. The second sign will be located at Bean Hollow State Beach. Both beaches are located west of Cabrillo Highway in the unincorporated Montara and Pescadero areas, respectively, of San Mateo County. This project is appealable to the California Coastal Commission. Application filed July 19, 2013. PROJECT PLANNER: Olivia Boo. Telephone: 650/363-1818 or Email: [oboo@smcgov.org](mailto:oboo@smcgov.org).

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**COMMISSION ACTION:**

There were no speakers regarding this item. At staff’s request, the item was removed from the Consent Agenda without staff presentation.

Commissioner Simonson moved to approve the project, making the findings and adopting the conditions of approval. Commissioner Ramirez seconded the motion. **Motion carried 5-0-0-0.**

Based on information provided by staff and evidence presented at the hearing the Planning Commission approved the request, make the findings and adopt conditions of approval as follows:

**FINDINGS:**

Regarding the Environmental Review, Found:

1. The Planning Commission, acting as a responsible agency, has reviewed and considered the Categorical Exemption, prepared by State Parks as Lead Agency.

Regarding the Coastal Development, Found:

2. That the project, as described in the application and accompanying materials required by Section 6328.7, and as conditioned in accordance with Section 6328.14, conforms to the plans, policies, requirements and standards of the San Mateo County Local Coastal Program (LCP). The Planning Commission has reviewed the plans and materials and determined the project, as proposed and conditioned, will not have any adverse impacts on Sensitive Habitats, Visual Resources, or Shoreline Access, as the State beach identification signs will require minimal ground disturbance and be located along Cabrillo Highway, will improve clear State beach identification to visitors, and will be designed (e.g., with respect to size, color and materials) to minimize visual impacts on coastal areas.
3. That the project conforms to the specific findings required by the policies of the San Mateo County LCP with regard to the Sensitive Habitats, Visual Resources, and Shoreline Access Components. As previously stated, the proposed signs will be designed and located in a manner to minimize ground disturbance and visual impacts on coastal areas, and will be used as State beach location identification assisting visitors to easily find the beaches.

**CONDITIONS OF APPROVAL:**Current Planning Section

1. This approval is for the project as described on the plans and documents submitted for consideration by the Planning Commission on February 26, 2014. Any revisions to the approved plans must be submitted to the Planning Department for review and approval prior to implementation. Minor adjustments to the project may be approved by the Community Development Director if they are consistent with the intent of, and are in substantial conformance with, this approval.
2. The Coastal Development Permit is valid for one (1) year from the date of approval, in which all work authorized under this permit must be completed. The Coastal Development Permit may be extended beyond one (1) year if the applicant requests an extension in writing and submits payment of applicable extension fees at least sixty (60) days before the expiration date.
3. During project construction, the applicant shall, pursuant to Chapter 4.100 of the San Mateo County Ordinance Code, minimize the transport and discharge of stormwater runoff from the construction site into storm drain systems and adjacent water bodies by:
  - a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 1 and April 30. Stabilizing shall include both proactive measures, such as the placement of hay bales or coir netting, and passive measures, such as revegetating disturbed areas with plants propagated from seed collected in the immediate area.
  - b. Storing, handling, and disposing of construction materials and wastes properly, so as to prevent their contact with stormwater and watercourses.
  - c. Controlling and preventing the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
  - d. Using sediment controls or filtration to remove sediment when dewatering site and obtaining all necessary permits.
  - e. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
  - f. Delineating with field markers clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses.
  - g. Protecting adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
  - h. Performing clearing and earth moving activities only during dry weather.
  - i. Limiting and timing applications of pesticides and fertilizers to prevent polluted runoff.
  - j. Limiting construction access routes and stabilizing designated access points.

- k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
  - l. The contractor shall train and provide instruction to all employees and subcontractors regarding the construction best management practices.
4. Noise levels produced by proposed construction activities shall not exceed the 80 dBA level at any one moment. Construction activities shall be limited to the hours from 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday. Construction operations shall be prohibited on Sunday and any national holiday.
  5. The applicant shall use materials and colors that blend in with the natural environment, absorb light and minimize reflection. As indicated in the staff report and application, final colors and materials shall blend in with the natural surrounding environment and minimize reflection. Any modifications to the proposed materials and/or colors shall be submitted to the Community Development Director for review and approval.

**END OF THE CONSENT AGENDA**

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**REGULAR AGENDA  
9:00 a.m.**

2. **Owner:** Sara Armstrong  
**Applicant:** Chris Fowler for Verizon Wireless  
**File No.:** PLN2007-00469  
**Location:** 7400 Stage Road in unincorporated San Gregorio  
**APN:** 081-240-020

Consideration of a Coastal Development Permit, Use Permit Amendment and Architectural Review Permit, pursuant to Sections 6328 and 6500 of the County Zoning Regulations and Section 7700 of the State Streets and Highways Code, and certification of a Mitigated Negative Declaration, pursuant to the California Environmental Quality Act, to allow for modifications to an existing cellular facility. The modifications consist of one additional 15-ft. tall monopole with associated panel antennas to be added to the site that consists of two 15-ft. tall monopoles and an 800 sq. ft. equipment structure located at 7400 Stage Road in the unincorporated San Gregorio area of San Mateo County. This project is appealable to the California Coastal Commission. Application filed July 22, 2011. PROJECT PLANNER: Angela Chavez. Telephone: 650/499-7217 or Email: [achavez@smcgov.org](mailto:achavez@smcgov.org).

**SPEAKERS:**

1. Chris Fowler

**COMMISSION ACTION:**

Commissioner Simonson moved and Commissioner Kersteen-Tucker seconded to close the public hearing.  
**Motion carried 5-0-0-0.**

Commissioner Simonson moved to “table”, or delay, the project for approximately 30 minutes, in order to give the applicant time to contact Verizon and inquire about paint color. Commissioner Dworetzky seconded the motion. **Motion carried 5-0-0-0.**

Commissioner Dworetzky moved to approve the project, making the findings and adopting the conditions of approval. Commissioner Ramirez seconded the motion. **Motion carried 5-0-0-0.**

Based on information provided by staff and evidence presented at the hearing, the Planning Commission approved the request, making the findings and adopt conditions of approval as follows:

**FINDINGS:**

Regarding the Mitigated Negative Declaration, Found:

1. That the Planning Commission 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, on the basis of 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 identified 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 the California Public Resources Code Section 21081.6.

Regarding the Coastal Development Permit, Found:

5. That the project, as described in the application and accompanying materials required by Zoning Regulations Section 6328.7, and as conditioned in accordance with Section 6328.14 of the Zoning Regulations, conforms with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program (LCP). The plans and materials have been reviewed against the application requirement in Section 6328.7 of the Zoning Regulations and the project has been conditioned to minimize visual impacts in accordance to the Visual Resources Component of the LCP.
6. That the project conforms to the specific findings required by policies of the San Mateo County LCP. Staff has added conditions which further limit visual impacts by requiring the new monopole and antennas to be painted a dark green color to blend in with the existing vegetation and requiring the existing coaxial cable route to be utilized thereby reducing the amount of vegetation removal further minimizing visual impacts.

Regarding the Use Permit, Found:

7. That the establishment, maintenance and/or conducting of the proposed use, under the circumstances of the particular case and as conditioned, will not result in a significant adverse impact to coastal resources, and will not be detrimental to the public welfare or injurious to property or improvements in said neighborhood. The cumulative RF level for this project site will be in compliance with Federal

Communication Commission's requirements for the applicable public exposure limit at ground level. There is no evidence to suggest that this use will impact nearby property or public improvements.

8. That the approval of this cellular telecommunications facility is necessary for the public health, safety, convenience, or welfare. This facility contributes to an enhanced wireless network for increased clarity, range, and system capacity, and therefore is a benefit to both public and private users.

Regarding the Architectural Review, Found:

9. That the proposed cellular communication facility, as conditioned, is in compliance with the architectural design standards for the Cabrillo Highway State Scenic Corridor. These standards call for quiet, unobtrusive designs that are both integral to the site and complementary to the surrounding natural terrain. The proposal complies with these design goals by creating a monopole that utilizes mature trees as a backdrop and locates the equipment structure downslope.

**CONDITIONS OF APPROVAL:**

Current Planning Section

1. This approval applies only to the proposal, documents, and plans described in this report and submitted to and approved by the Planning Commission on February 26, 2014. 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. The use permit shall be for the proposed project only. Any change in design or intensity of use shall require an amendment to the use permit. Amendment to this use permit requires an application for amendment, payment of applicable fees, and possible consideration at a public hearing.
3. The Coastal Development Permit shall be valid for one year, by which time the associated building permit shall have been issued.
4. The installation shall be removed in its entirety at that time when this technology becomes obsolete or this facility is no longer needed.
5. This use permit remains valid until November 12, 2018. Renewal of this permit shall be applied for six months prior to expiration to the Current Planning Section and shall be accompanied by the renewal application and fee applicable at that time.
6. The Department of Fish and Game has determined that this project is not exempt from the Department of Fish and Game California Environmental Quality Act filing fees per Fish and Game Section 711.4. The applicant shall pay to the San Mateo County Recorder's Office an amount of \$2,231.25 at the time of filing of the Notice of Determination by the County Planning and Building Department staff within 10 business days of the approval.
7. The applicant shall file a copy of the current FCC and CPUC license with the Current Planning Section. The applicant shall be required to keep a current copy of these forms on file with the Planning Department throughout the life of this use permit. The applicant shall notify the Current Planning Section if, at any time, the FCC or CPUC license is revoked or suspended.

8. Prior to the final inspection for the building permit, the applicant shall paint and maintain the monopoles and antennas a dark green color to blend in with the surrounding vegetation. The fencing surrounding the equipment structure shall be coated in black vinyl and have dark green plastic slats installed. No barbed wire shall be allowed as part of the fencing surrounding the facility.
9. At the time of use permit renewal, if staff has determined, based on a field inspection, that the color of the monopoles or fence slats is no longer in compliance with the approved colors, the applicant shall repaint the structures or install new fence slats prior to use permit renewal.
10. The applicant shall underground all utilities associated with the project.
11. Prior to the issuance of a building permit, the applicant shall provide an erosion and sediment control plan for any utility trenching. Should other methods of utility installation be used (e.g., boring) to minimize disturbance of soil, the applicant shall provide an erosion and sediment control plan addressing entry and exit points.
12. Prior to the issuance of a building permit, the applicant shall submit a revegetation plan for review and approval by the Current Planning Section. Said plan shall address replanting of all disturbed areas with native plant species to address erosion.
13. The underground coaxial cable from the equipment structure to the monopoles shall utilize the existing disturbed area on the face of the project hillside. In no case shall any additional coastal scrub brush be removed.
14. Only the minimum vegetation necessary shall be removed to accommodate the construction of the monopole.
15. Access to the proposed monopole locations shall utilize either the footpath which loops north from the equipment structure area up the hill to the monopole site or the disturbed cable run area. No additional vegetation shall be removed to provide access to the monopole site.
16. Prior to the issuance of a building permit, the applicant shall submit to the Current Planning Section for review and approval a drainage 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, 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 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 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 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. Throughout the construction period, the applicant shall conduct regular inspections of the condition and operational status of all structural best management practices required by the approved erosion control plan.
17. Prior to the final inspection for the building permit, the applicant shall present photos to the Current Planning Section to verify that the revegetation plan has been implemented.
  18. Prior to the issuance of the building permit, the applicant shall submit to the Current Planning Section a copy of the Bay Area Air Quality Management District (BAAQMD) Permit in compliance with the Statewide Air Toxics Control Measure for Stationary Diesel Engine.
  19. All 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 80-dBA level at any one moment.
  20. No tree cutting is allowed by this permit. Removal of any tree with a diameter greater than 12 inches as measured 4.5 feet above the ground shall require a separate tree removal permit.



- 21. The provisions of the San Mateo County Grading Ordinance shall govern all grading on and adjacent to this site. Prior to any on-site grading, the applicant may be required to obtain a grading permit, or grading permit exemption from the County Planning Section. A grading permit is required if 250 cubic yards or more of earth is to be removed or if a cut or fill exceeds two (2) feet in vertical depth, measured from ground level. This permit, if required, shall be considered at a public hearing with the Planning Commission prior to commencement of any grading activities.
- 22. The applicant shall paint the existing equipment located within the leased equipment area an earth toned brown color to blend with the natural environment. Prior to the issuance of a building permit and prior to painting of the equipment, the applicant shall submit a color sample to the Planning Department for review and approval.

Building Inspection Section

- 23. The applicant shall comply with all Building Inspection requirements at the building permit stage of the application.

Department of Public Works

- 24. The applicant shall comply with all requirements of the Department of Public Works at the building permit stage of the application.

Cal-Fire

- 25. The applicant shall comply with all Cal-Fire requirements at the building permit stage of the application.
- 26. The applicant shall maintain the required road and site improvements as detailed by Cal-Fire, to its satisfaction, through the duration of this permit.

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3. **Applicant: County of San Mateo Planning and Building Department**

File No.: PLN2013-00076

Location: Unincorporated Colma

APN: All Planned Colma zoned parcels in unincorporated Colma

Consideration of a zoning text amendment to the Planned Colma (PC) Zoning Regulations (Chapter 21B), to allow emergency shelters as a use by-right in PC-zoned areas designated High Density and Medium High Density residential, to adopt design standards for emergency shelters, and a zoning text amendment to the Design Review Chapter (Chapter 28.1) of the County Zoning Regulations, indicating that such emergency shelters are exempt from discretionary design review, pursuant to Chapter 27 of the County Zoning Regulations, and certification of a Negative Declaration, pursuant to the California Environmental Quality Act. This amendment was previously considered by the Planning Commission, and has been remanded from the Board of Supervisors for further consideration of appropriate design standards. PROJECT PLANNER: William Gibson. Telephone: 650/363-1816 or Email:

[wgibson@smcgov.org](mailto:wgibson@smcgov.org).

**COMMISSION ACTION:**

Commissioner Dworetzky moved and Commissioner Simonson seconded to close the public hearing. **Motion carried 5-0-0-0.**

Commissioner Dworetzky moved to recommend that the Board of Supervisors adopt the proposed text amendment to the Planned Colma Zoning Regulations and Design Review Regulations, to allow emergency shelters as a use by right. The Planning Commission also recommended that the Board of Supervisors certify the attached Negative Declaration as complete and correct. Commissioner Ramirez seconded the motion. **Motion carried 5-0-0-0.**

Based on information provided by staff and evidence presented at the hearing, the Planning Commission recommended that the Board of Supervisors adopt the proposed text amendment to the Planned Colma Zoning Regulations and Design Review Regulations, to allow emergency shelters as a use by right. The Planning Commission also recommended that the Board of Supervisors certify the attached Negative Declaration as complete and correct.

**FINDINGS:**

1. Recommend that the Board of Supervisors adopt the proposed text amendment to the Planned Colma (PC) Zoning Regulations and Design Review Regulations, to allow emergency shelters as a use by right.
2. Recommend that the Board of Supervisors certify the attached Negative Declaration as complete and correct.

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4. **Owner: Dana Denman**  
**Applicant: NSA Wireless for Verizon**  
 File No.: PLN2010-00054  
 Location: 100 Shamrock Road Ranch in unincorporated Pacifica  
 APNs: 023-741-010 and 023-741-020

Consideration of a Use Permit, a PAD Permit and a Coastal Development Permit, pursuant to Sections 6500, 6512, and 6328, respectively, of the San Mateo County Zoning Regulations, a Grading Permit for 1,550 c.y., pursuant to Section 8600 of the County Ordinance Code, an Architectural Review Permit, pursuant to Section 261 of the State Streets and Highways Code, and certification of a Mitigated Negative Declaration to allow a new telecommunications facility consisting of a 123-foot tall monopine with six panel antennas and associated equipment within a 1,207 sq. ft. enclosure. The project is located on two parcels that are 187 and 109 acres in size with access proposed via one parcel and the facility/equipment proposed on the other in the unincorporated Pacifica area of San Mateo County. Application filed March 2, 2010. PROJECT PLANNER: Erica Adams. Telephone: 650/363-1828 or Email: [eadams@smcgov.org](mailto:eadams@smcgov.org).

**SPEAKERS:**

1. John Peterson
2. Lennie Roberts

**COMMISSION ACTION:**

Commissioner Simonson moved and Commissioner Dworetzky seconded to close the public hearing. **Motion carried 5-0-0-0.**

Commissioner Dworetzky moved to continue the item until a date uncertain in order to allow time for the applicant to answer questions asked by the Commission. The applicant was not present during the hearing. Commissioner Simonson seconded the motion. **Motion carried 5-0-0-0.**

Based on information provided by staff and evidence presented at the hearing that the Planning Commission approve/deny/continue the request, make the findings and adopt conditions of approval as follows:

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5. **Owner:** John M. Willis  
**Appellant:** Melissa Manson  
File No.: VIO2012-00074  
Location: 131 California Avenue in unincorporated Princeton  
APN: 047-022-250

Consideration of an appeal of fines issued for the establishment of a commercial real estate use ("The Nest") without the required permits. Appeal filed October 31, 2013. SENIOR CODE COMPLIANCE OFFICER: Ana Santiago. Telephone: 650/363-4825 or Email: [asantiago@smcgov.org](mailto:asantiago@smcgov.org).

At the request of the Appellant, the item was continued until the March 12, 2014 meeting.

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6. **Correspondence and Other Matters**

None

7. **Consideration of Study Session for Next Meeting**

Two items are tentatively scheduled for the March 12, 2014 meeting.

8. **Director's Report**

Director Eggemeyer welcomed new Commissioner Zoe Kersteen-Tucker.

9. **Adjournment**

The meeting adjourned at 10:32 a.m.