

1189
Delia M. Olivas/Comito

462 Coronado Street ■ Post Office Box 1953 ■ El Granada, CA 94018

RECEIVED

March 4, 2013

MAR 05 2013

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Nick Dreher
California Coastal Commission
North Central Coast District Office
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Go to original staff report

Re: Appeal Number A-2-SMC-10-015

Project Information: APN 047-271-200, 121-137 Avenue Cabrillo, El Granada

Dear Mr. Dreher:

As you are aware, my appeal to the Coastal Commission (referenced above), will likely be considered at the 3/6/13 meeting in San Diego as scheduled. Regretfully, due to the lack of sufficient travel planning time and for financial reasons, I am unable to attend the meeting.

Please be advised that it is further disappointing to find that I cannot request one postponement of the hearing as you indicated to me during our 2/25/13 phone conversation. Based on that belief, I submitted a request for postponement to you, and informed another interested party, Mr. Alan O'Driscoll, who then canceled his travel arrangements to attend the meeting. Mr. O'Driscoll had planned to be there in support of my Appeal and to represent other interested parties.

In light of the situation, I will greatly appreciate your support to recommend that the Commission vote in favor of the staff recommendation on the substantial issue determination, and then to table the *de novo* hearing. If my appeal hearing is rescheduled to April in Santa Barbara, I will be able to attend. In the event that the Commission proceeds with the *de novo* hearing on March 6th, I will forward my PowerPoint presentation to you for distribution by no later than tomorrow morning.

Thank you,

Delia Olivas/Comito
(650) 766-6715 – Cell Phone
(650) 726-7093 – Work Phone

cc: Commissioners Zimmer, Groom, McClure and Sanchez (via email)

/

WS

Delia M. Olivas/Comito
462 Coronado Street • Post Office Box 1953 • El Granada, CA 94018

February 25, 2013

VIA FACSIMILE (415) 904-5400

Nick Dreher
California Coastal Commission
North Central Coast District Office
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Re: APN 047-271-200, 121-137 Avenue Cabrillo, El Granada

Dear Mr. Dreher:

I respectfully request the postponement of my Appeal scheduled to go before the Commission on March 6, 2013.

I will appreciate receiving confirmation of your receipt of this correspondence, and notice if the postponement is granted. I can be reached at the phone numbers below if you have any questions. I appreciate your assistance.

Thank you,

Delia Comito

Delia Olivas/Comito
(650) 766-6715 -- Cell Phone
(650) 726-7093 -- Work Phone

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FEB 26 2013

CALIFORNIA
COASTAL COMMISSION

W89

Email Letter Received 3/25/13 at 4:41 p.m. from alan@baggengineers.com:

Delia,

Thank you for filing the Appeal to the California Coastal Commission on behalf of the El Granada Community regarding development of the 3-Story Condo Project on Avenue Cabrillo, by developer Jim Irizarry and for keeping us informed as much as possible.

The community is opposed to the project for the following reasons:

- 1) Size- The height (well over 30 feet) and relative to the two small single family residences adjacent to the project on both sides, dwarfs them and degrades the rural appearance of the neighborhood.
- 2) Scale- The project, in its' current configuration is creates a big box look in a otherwise eclectic neighborhood.
- 3) Mass- The project pushes the setbacks in all directions to maximize building footprint with no considerations to privacy of neighbors on three of the four sides crowds their surrounding space.
- 4) Increased Traffic, which already backs up onto surface streets from ingress/ egress onto, nearby Highway 1.
- 5) Potential conversion to multifamily living in each of the 9 proposed units, leading to overcrowding, residential noise and congested, offsite street parking as seen in similar coastsides Condos and Apartments Projects.
- 6) Uncontrolled drainage and potential flooding of the project from storm water surface drainage along Avenue Cabrillo which flows curb deep, with no upstream catch basins, which is not addressed by the project.
- 7) Unstudied Removal of Eucalyptus Trees which provides nesting and active Raptor Habitat to Red Tail Hawks and other species.

A long time has passed since you filed the appeal and we were surprised to learn, from you, through commission staff, that the hearing is next week. We made inquiries into Airfare and Travel arrangements last week, but did not follow through as you informed us that there was potential opportunity for a one time meeting postponement of the appeal hearing to the next commission hearing in Santa Barbara.

We and others in the neighborhood received written notice, just last week (after talking to you) about the hearing date in San Diego. We would still like to attend the hearing where the appeal is to be held but we have not received sufficient notice to do so and feel our right to due process has been compromised by the late noticing.

Please forward our letter to the California coastal Commission. Please thank the commission on our behalf for the one time opportunity to delay the hearing for us to be able to prepare and attend the meeting.

Thank you,

Susan & Alan O'Driscoll
610 Coronado street
El Granada, CA 94018
(650) 444-4270

Alan O'Driscoll, Vice President BAGG Engineers
(650) 444-4270 cell

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MAR 05 2013

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AND NORTH CENTRAL COAST DISTRICT OFFICES

725 FRONT STREET, SUITE 300

SANTA CRUZ, CA 95060

PHONE: (831) 427-4863

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**W8a**

Appeal filed: 4/26/2010
49th day: Waived
Staff: N.Dreher-SF
Staff report: 2/22/2013
Hearing date: 3/6/2013

STAFF REPORT: SUBSTANTIAL ISSUE & DE NOVO REVIEW

Appeal Number: A-2-SMC-10-015

Applicant: Jim Irizarry

Appellant: Delia Comito

Local decision: Approved by the San Mateo County Planning Commission on March 24, 2010 (Coastal Development Permit (CDP) Application Number PLN2008-00218).

Project Location: 121-137 Avenue Cabrillo, El Granada, San Mateo County (APN: 047-271-200).

Project Description: Subdivision of a 10,865 sq. ft. undeveloped parcel and construction of a three-story, nine-unit condominium complex. The project includes removal of 13 non-native Eucalyptus trees, 200 cu. yds. of grading, and construction of retaining walls.

Staff Recommendation: Substantial Issue Exists; Approval with Conditions

SUMMARY OF STAFF RECOMMENDATION

San Mateo County approved a CDP for subdivision of a 10,865 square foot parcel to allow for construction of a three-story, nine-unit residential condominium complex within a high-density, multi-family residential area of the El Granada community in the urban Midcoast area of unincorporated San Mateo County. The Appellant contends that the County's approval is inconsistent with Local Coastal Program (LCP) policies related to traffic, tree protection and visual resources. Staff recommends that the Commission find that the appeal raises a substantial issue of conformance with the County's LCP and that the Commission take jurisdiction over the

CDP for the project. Further, Staff recommends that the Commission approve a conditioned CDP for a modified project that addresses the LCP issues associated with the project.

In terms of the substantial issue question, although the County appropriately addressed issues related to tree protection and visual resources in its approval, the County's approval did not evaluate or mitigate for increased traffic impacts and congestion that will result from the approved subdivision. Thus, potential traffic impacts were not adequately evaluated and the appeal raises a substantial LCP conformance issue regarding traffic impacts along Highway 1.

With respect to the CDP determination in a de novo review, issues associated with the project can be addressed via conditions of approval. First, with respect to traffic, the Applicant is now proposing to provide for the construction of a lateral access trail along the west side of Highway 1, in close proximity to the project location, for pedestrian and bike access, in order to offset traffic and congestion impacts caused by the proposed project. With regard to visual resources and water quality, recommended conditions of approval require: 1) native landscaping, including replacing the Eucalyptus trees that would be removed with trees of native species; 2) building materials that will blend with the surrounding built and natural environment; 3) pervious paving materials to reduce runoff, and; 4) appropriate construction best management practices. As modified, the project would blend with the community character of the area and protect water quality. Finally, an additional condition requires future notice of the terms and conditions of this CDP via a deed restriction.

As conditioned, the proposed project is consistent with the policies and standards of the LCP. As a result, Staff recommends that the Commission approve a CDP with conditions for the proposed project. The motions and resolutions to act on this recommendation follow below on page 4.

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APPENDICES

Appendix A – Substantive File Documents

EXHIBITS

Exhibit 1 - Location Map

Exhibit 2 - San Mateo County CDP Approval

Exhibit 3 - Appeal of San Mateo County CDP Decision

Exhibit 4 - Project Plans

Exhibit 5 – Project Area Photos

Exhibit 6 - Applicable LCP Policies and IP Standards

I. MOTIONS AND RESOLUTIONS

A. Substantial Issue Determination

Staff recommends a **NO** vote on the following motion. Failure of this motion will result in a de novo hearing on the application, and adoption of the following resolution and findings. Passage of this motion will result in a finding of No Substantial Issue and the local action will become final and effective. The motion passes only by an affirmative vote of the majority of the appointed Commissioners present.

Motion: *I move that the Commission determine that Appeal Number A-2-SMC-10-015 raises no substantial issue with respect to the grounds on which the appeal has been filed under Section 30603 of the Coastal Act. I recommend a no vote.*

Resolution to Find Substantial Issue: *The Commission hereby finds that Appeal Number A-2-SMC-10-015 presents a substantial issue with respect to the grounds on which the appeal has been filed under Section 30603 of the Coastal Act regarding consistency with the certified Local Coastal Program and/or the public access and recreation policies of the Coastal Act.*

B. CDP Determination

Staff recommends a **YES** vote on the following motion. Passage of this motion will result in approval of the CDP as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Motion: *I move that the Commission approve Coastal Development Permit Number A-2-SMC-10-015 pursuant to the staff recommendation. I recommend a yes vote.*

Resolution to Approve a CDP: *The Commission hereby approves the coastal development permit on the grounds that the development as conditioned will be in conformity with the policies of the San Mateo County Local Coastal Program and the public access and recreation policies of the Coastal Act. Approval of the coastal development permit complies with the California Environmental Quality Act because either: (1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the amended development on the environment; or (2) there are no feasible mitigation measures or alternatives that would substantially lessen any significant adverse effects of the amended development on the environment.*

II. STANDARD CONDITIONS

This permit is granted subject to the following standard conditions:

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the Permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the Permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

This permit is granted subject to the following special conditions:

1. **Final Project Plans.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall submit two full-size sets of Final Project Plans (Plans) to the Executive Director for review and approval. The Final Project Plans shall be in substantial conformance with the plans attached to the March 24, 2010 San Mateo County Planning Commission approval report for PLN2008-00218 (received in the Commission's North Central Coast District Office on April 12, 2010), except that they shall be revised and supplemented to comply with the following requirements:
 - a. **Design.** The Plans shall clearly identify all measures that will be applied to ensure that the project design, including all structures and including all other project elements (e.g., driveway, fencing and barriers, lighting, landscaping, etc.) reduces the appearance of bulk and mass and blends with the surrounding environment. At a minimum, exterior materials shall appear natural and non-reflective, including through the use of wood, stone, brick, and earth tone colors, including the roof materials. Plans shall clearly identify all structural elements, materials, and finishes (including through site plans and elevations, materials palettes and representative photos, product brochures, etc.).
 - b. **Landscaping.** The Plans shall include landscape and irrigation parameters that shall

identify all plant materials (size, species, quantity, etc.), all irrigation systems, and all proposed maintenance measures. All plant materials shall be native and non-invasive species selected to be complimentary with the mix of native habitats in the project vicinity, prevent the spread of exotic invasive plant species, and avoid contamination of the local native plant community gene pool. As replacement for the Eucalyptus trees approved for removal, the landscape plan shall include a minimum of 13 15-gallon trees of native species. Landscaping (at maturity) shall also be capable of partial/mottled screening and softening the appearance of new development as much as possible. All landscaped areas on the project site shall be continuously maintained by the Permittee; all plant material shall be continuously maintained in a litter-free, weed-free, and healthy growing condition. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council, or as may be so identified from time to time by the State of California, and no plant species listed as a 'noxious weed' by the State of California or the U.S. Federal Government shall be planted.

- c. **Lighting.** All exterior lights, including any lights attached to the outside of the condominium complex, shall be the minimum necessary for the safe ingress and egress of the condominium complex, and shall be low-wattage, non-reflective, shielded, and have a directional cast downward such that no light will shine beyond the boundaries of the site.
- d. **Property Lines.** All property lines for the subject property and all adjacent properties shall be clearly and accurately identified.
- e. **Utilities Underground.** All utilities shall be installed underground.
- f. **Pervious Pavement.** All paved areas shall consist of pervious materials, and the type and location of these pervious materials shall be shown on the plans.

All requirements above and all requirements of the approved Final Project Plans shall be enforceable components of this coastal development permit. The Permittee shall undertake development in accordance with the approved Final Project Plans.

2. Traffic Mitigation Fee.

- a. The Applicant or any successor(s) in interest to the subject property shall pay a mitigation fee to the Pillar Point Harbor District, San Mateo County, the Coastal Conservancy, or other entity acceptable to the Executive Director, of an amount not less than \$15,000.00, to provide for construction of the proposed public access path to be located west of Highway 1, starting at the intersection of Coronado Avenue and Cabrillo Highway in El Granada (San Mateo County) and extending north, approximately 400 feet. This amount must be used for capital improvement of the lateral access along the El Granada shoreline (i.e., the fee may not be used for planning documents and other planning costs). Any portion of the fee that remains after five years shall be donated to Pillar Point Harbor District, San Mateo County Parks, or other organization acceptable to the Executive Director, for the purpose of public recreational access improvements in San Mateo County. PRIOR TO EXPENDITURE OF ANY FUNDS CONTAINED IN

THIS ACCOUNT, the Executive Director must review and approve the proposed use of the funds as being consistent with the intent and purpose of this condition. Any alternative project shall provide for public access improvements in the vicinity of the project site that reduce vehicular traffic and promote public access to the shoreline.

- b. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, but only after the Executive Director of the Coastal Commission has indicated, in writing, that the Commission has entered into an agreement with the entity accepting the funds (the “Agreement”), the Applicant shall provide to the identified recipient, through a financial instrument subject to the review and approval of the Executive Director, a mitigation fee in an amount not less than \$15,000.00 as described in subsection A, payable to the recipient agency.
3. **Construction Plan.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall submit two copies of a Construction Plan to the Executive Director for review and approval. The Construction Plan shall, at a minimum, include the following:
- a. **Construction Areas.** The Construction Plan shall identify the specific location of all construction areas, all staging areas, and all construction access corridors in site plan view. All such areas within which construction activities and/or staging are to take place shall be minimized to the maximum extent feasible in order to have the least impact on coastal resources, including by using inland areas for staging and storing construction equipment and materials as feasible. Construction (including but not limited to construction activities, and materials and/or equipment storage) is prohibited outside of the defined construction, staging, and storage areas.
 - b. **Construction Methods and Timing.** The plan shall specify the construction methods to be used, including all methods to be used to keep the construction areas separated from normal community traffic flow (including using unobtrusive fencing (or equivalent measures) to delineate construction areas). All work shall take place during daylight hours.
 - c. **General BMPs.** The plan shall identify the type and location of all erosion control/water quality best management practices that will be implemented during construction to protect coastal water quality, including the following: (a) silt fences, straw wattles, or equivalent apparatus, shall be installed at the perimeter of the construction site to prevent construction-related runoff and/or sediment from discharging to coastal waters or to areas that would eventually transport such discharge to coastal waters; (b) equipment washing, refueling, and/or servicing shall take place at least 50 feet from drainage/stormwater sewers; (c) all construction equipment shall be inspected and maintained at an off-site location to prevent leaks and spills of hazardous materials at the project site; (d) the construction site shall maintain good construction housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep materials covered and out of the rain (including covering exposed piles of soil and wastes); dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles

during wet weather; remove all construction debris from the site); and (e) all erosion and sediment controls shall be in place prior to the commencement of construction as well as at the end of each work day.

- d. Tree Protection.** The Plans shall identify tree protection zones/measures for all existing trees not approved in this permit for removal. The Plans shall establish and provide for tree protection zones that shall be delineated using 4-foot tall orange plastic fencing supported by poles pounded into the ground located outside of the tree driplines, while still allowing room for construction to safely continue. The Permittee shall maintain tree protection zones free of equipment and material storage and shall not clean any equipment within these areas.
- e. Material Containment BMPs.** Particular care shall be exercised to prevent foreign materials (e.g., construction scraps, wood preservatives, other chemicals, etc.) from entering the stormwater system.
- f. Construction Site Documents.** The plan shall provide that copies of the signed CDP and the approved Construction Plan be maintained in a conspicuous location at the construction job site at all times, and that such copies are available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of the CDP and the approved Construction Plan, and the public review requirements applicable to them, prior to commencement of construction.
- g. Construction Coordinator.** The plan shall provide that a construction coordinator be designated to be contacted during construction should questions arise regarding the construction (in case of both regular inquiries and emergencies), and that contact information (i.e., address, phone numbers, etc.) including, at a minimum, a telephone number that will be made available 24 hours a day for the duration of construction, is conspicuously posted at the job site where such contact information is readily visible from public viewing areas, along with indication that the construction coordinator should be contacted in the case of questions regarding the construction (in case of both regular inquiries and emergencies). The construction coordinator shall record the name, phone number, and nature of all complaints received regarding the construction, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.
- h. Notification.** The Permittee shall notify planning staff of the Coastal Commission's North Central Coast District Office at least 3 working days in advance of commencement of construction, and immediately upon completion of construction.

Minor adjustments to the above construction requirements may be allowed by the Executive Director if such adjustments: (1) are deemed reasonable and necessary; and (2) do not adversely impact coastal resources. All requirements above and all requirements of the approved Construction Plan shall be enforceable components of this coastal development permit. The Permittee shall undertake construction in accordance with this condition and the approved Construction Plan.

4. **Conditions Imposed by Local Government.** All previous conditions of approval imposed on the project by San Mateo County pursuant to an authority other than the California Coastal Act remain in effect but do not alter the permittee's responsibility to satisfy all conditions of approval as specified herein.
5. **Deed Restriction.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Applicant shall submit to the Executive Director for review and approval documentation demonstrating that the Applicant has executed and recorded against the parcel(s) governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

IV. FINDINGS AND DECLARATIONS

The Commission finds and declares as follows:

A. PROJECT SITE, DESCRIPTION AND BACKGROUND

Project Site

The approved development is located on a 10,685-square-foot parcel located at 121–137 Avenue Cabrillo, east of Highway 1, in the unincorporated El Granada portion of San Mateo County (see **Exhibit 1**). The property is located within an existing developed area zoned R-3/S-3/DR/CD (Multi-Family Residential, S-3 Combining District, Development Standards, Design Review, Coastal Development). The Land Use Plan designation is High Density Residential (16.2-32.0 density units/acre). The development site is bordered by residential parcels. Numerous Eucalyptus trees are growing on the property.

Project Description

The County-approved project includes subdivision of the parcel to allow for the construction of a three-story, nine-unit residential condominium complex (see **Exhibit 4**). The complex would consist one 33.3-foot high three-story building. The units range in size from 645 square feet to 1,083 square feet. The ground floor design of the development includes a partially enclosed 16-space garage and residential units on the second and third floors. The residential units are one bedroom and two bedroom condos, including one very-low income unit. The exterior will feature lap siding with wood grain texture, stone veneer and natural colors (greens and tans). The landscaping will include shrubs and trees planted along the perimeter of the proposed

structure. The development of the site would also entail removal of 13 Eucalyptus trees, ranging in size from 6” dbh (diameter at breast height) to 18” dbh.

B. SAN MATEO COUNTY CDP APPROVAL

The San Mateo County Planning Commission approved the project on March 24, 2010 (see **Exhibit 2**). Notice of the Planning Commission’s final local action on the CDP was received in the Coastal Commission’s North Central Coast District Office on April 12, 2010. The Commission’s ten-working-day appeal period for this action began on April 13, 2010 and concluded at 5pm on April 26, 2010. One valid appeal (see below) was received during the appeal period.

C. APPEAL PROCEDURES

Coastal Act Section 30603 provides for the appeal to the Coastal Commission of certain CDP decisions in jurisdictions with certified LCPs. The following categories of local CDP decisions are appealable: (a) approval of CDPs for development that is located (1) between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance, (2) on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff, and (3) in a sensitive coastal resource area; or (b) for counties, approval of CDPs for development that is not designated as the principal permitted use under the LCP. In addition, any local action (approval or denial) on a CDP for a major public works project (including a publicly financed recreational facility and/or a special district development) or an energy facility is appealable to the Commission. This project is appealable because it includes a subdivision, which is not designated as the principally permitted use in this residential zoning district.

The grounds for appeal under Section 30603 are limited to allegations that the development does not conform to the certified LCP or to the public access policies of the Coastal Act. Section 30625(b) of the Coastal Act requires the Commission to conduct a de novo CDP hearing on an appealed project unless a majority of the Commission finds that “no substantial issue” is raised by such allegations. Under Section 30604(b), if the Commission conducts a de novo hearing and ultimately approves a CDP for a project, the Commission must find that the proposed development is in conformity with the certified LCP. If a CDP is approved for a project that is located between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone, Section 30604(c) also requires an additional specific finding that the development is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act. This project is not located between the nearest public road and the sea, and thus this additional finding will not need to be made if the Commission approves the project as consistent with the certified LCP following a de novo hearing.

Under the provisions of the currently certified Midcoast Update, this project is subject to the standards and requirements of the LCP in effect prior to its recent certification in 2012. The 2012 Midcoast Update itself limits application of its updated policies to only those County

applications not considered filed and complete prior to October 8, 2012 (the effective date of the 2012 San Mateo County Midcoast LCP Update). The subject project was filed complete prior to 2012. Therefore, the currently certified Midcoast Update directs that the previously certified provisions apply to this proposed development.

The only persons qualified to testify before the Commission on the substantial issue question are the Applicant, persons who made their views known before the local government (or their representatives), and the local government. Testimony from other persons regarding substantial issue must be submitted in writing. Any person may testify during the de novo CDP determination stage of an appeal.

D. SUMMARY OF APPEAL CONTENTIONS

The Appellant contends that the County-approved project raises issues with respect to the project's conformance with LCP policies regarding traffic impacts and public access to the shoreline, visual resources/community character, and tree removal. The Appellant contends that the County's approval is inconsistent with San Mateo County LCP policies 8.9, 8.12, 2.48, 2.49, and 2.57. Specifically, the Appellant contends that the approved project: 1) will cause additional traffic impacts to roads that are already at capacity, which will impact the public's ability to access the coast; 2) was not designed to minimize impacts to visual resources; 3) does not minimize tree removal; and 4) is not similar to the size and scale of the surrounding structures. See **Exhibit 3** for the full text of the appeal.

E. SUBSTANTIAL ISSUE DETERMINATION

Substantial Issue Background

The term substantial issue is not defined in the Coastal Act. The Commission's regulations simply indicate that the Commission will hear an appeal unless it "finds that the appeal raises no significant question" (California Code of Regulations, Title 14, Section 13115(b)). In previous decisions on appeals, the Commission has been guided by the following factors in making such determinations:

1. The degree of factual and legal support for the local government's decision that the development is consistent or inconsistent with the certified LCP and with the public access policies of the Coastal Act;
2. The extent and scope of the development as approved or denied by the local government;
3. The significance of the coastal resources affected by the decision;
4. The precedential value of the local government's decision for future interpretation of its LCP; and
5. Whether the appeal raises only local issues, or those of regional or statewide significance.

Even where the Commission chooses not to hear an appeal, Appellants nevertheless may obtain judicial review of the local government's coastal permit decision by filing a petition for a writ of mandate pursuant to Code of Civil Procedure, Section 1094.5

In this case, for the reasons discussed further below, the Commission determines that the development as approved by the County presents a substantial issue.

Traffic and Public Access

The LCP regulates public services capacity within the urban Midcoast, including El Granada. San Mateo County LCP Policies 2.48 and 2.49 require adequate road capacity to serve new development and to minimize impacts of development to traffic on the local highways. LCP Policy 2.49 sets minimum roadway levels of service (LOS) (see below) to consider when siting new development in the urban Midcoast, in order to minimize negative impacts to public services caused by population growth. Because increases in traffic levels directly impact the public's ability to access the beach and coastal recreational areas, particularly along Highway 1 in El Granada, LCP policy 2.57(c) requires monitoring of peak recreation period traffic to determine whether new residential development is consuming road capacity needed for visitors. See **Exhibit 6** for the full text of these policies

The Appellant contends that the existing road capacity is insufficient to serve the current population, significantly impacting the public's ability to access the coast. The Appellant contends that the approved project will cause adverse traffic impacts due to increased vehicle trips on roads that are already at capacity, and that therefore this project should demonstrate that it will not further impact road capacity in the area. (**Exhibit 3**).

Roadway access to the coastal area of the Midcoast region in San Mateo County is provided by Highways 1 and 92 (**Exhibit 1**). Various reports, including the 2009 and 2011 San Mateo County Congestion Management Program (CMP) Reports¹ identify the existing LOS conditions during peak commute hours for roadway segments along Highways 1 and 92. LOS is a term used to qualitatively describe the operating conditions of a roadway based on factors such as speed, travel time, maneuverability, delay, and safety. The LOS of a roadway or intersection is designated with a letter, "A" to "F." "A" represents the best operating conditions and "F" the worst. Highways 1 and 92 in San Mateo County carry a large volume of traffic and serve a vital function in the Bay Area's transportation network. For this reason, the 2001 Countywide Transportation Plan (CTP) defined Highways 1 and 92 as "corridors of regional significance." Consequently, the roadway capacity of Highway 1 in the Midcoast area is an issue of great concern that has local, regional and statewide significance because Highway 1 is the primary public access route to the coast and its resources.

¹ The Final San Mateo County Congestion Management Program, by the City/County Association of Governments of San Mateo County, dated September 2009. http://www.ccag.ca.gov/pdf/tac/2009/FINAL_SMC_2009_CMP.pdf; The Final San Mateo County Congestion Management Program, by the City/County Association of Governments of San Mateo County, dated November 2011. http://www.ccag.ca.gov/pdf/Studies/Final%202011%20CMP_Nov11.pdf.

Highway 1 is a two-lane conventional highway along the stretch from Linda Mar Boulevard (in Pacifica) down to the Santa Cruz County line, with a limited number of passing zones in either direction. El Granada is situated within the CMP-designated Highway 1 *Frenchman's Creek to Linda Mar Boulevard* roadway segment (which extends along the coast). This segment of Highway 1 is used as a local travel route to coastal destinations and currently has an LOS "E" at peak commuter periods. The LOS E designation is described as unstable operations where conditions approach capacity and maneuverability is severely limited, resulting in low driver comfort and significant delays.

San Mateo County LCP Policy 2.48 requires the County to use the commuter peak period traffic to determine appropriate increases in capacity. LCP Policy 2.49 considers an LOS D acceptable during commute peak periods and an LOS E acceptable during recreation peak periods. In the 2009 Final San Mateo County Congestion Management Program Report (CMP),² the City/County Association of Governments (C/CAG) found that the existing LOS during peak commuter periods was D, and projected an LOS of E to F during peak commuter periods for 2011. The 2011 Final CMP³ demonstrated that the LOS for the same segment is at LOS E during peak commuter periods. Therefore, the current road capacity during the peak commuter period exceeds the acceptable LOS as identified in LCP Policy 2.49. Although specific information related to peak recreational period road capacity is not currently available, congestion trends since 2001 demonstrate that the LOS has deteriorated from level D to level E and will only continue to worsen with increased residential development in the Midcoast without significant improvement and expansion of the Highway 1 roadway segment. The trend (from LOS D to E) evidences that the Highway 1 roadway segment near El Granada will face continued congestion and gridlock during commute hours and recreational hours.

After the appeal was filed, a project-specific traffic impact study dated December 3, 2010, was prepared by RKH Civil and Transportation Engineering (RKH) for the Applicant.⁴ The study concluded that the approved development is estimated to generate approximately 50 vehicle trips per day distributed on the surrounding street and highway system. The project would add 30 vehicle trips on Highway 1 to and from the southeast, an addition of 0.11% to the daily total number of vehicles that travel this segment of Highway 1. The traffic study analyzed the impacts of this additional traffic on intersection delays, and concludes that the 30 vehicle trips added to Highway 1 would not have a calculable effect on vehicles attempting to access coastal areas west of the highway. However, the traffic report does not provide an analysis of impacts on highway segment level of service, which is the standard at issue in the LCP. Further, because the current LOS exceeds the traffic standard set forth in the certified LCP, any cumulative increase in traffic congestion has the potential to significantly adversely impacting road capacity and the public's ability to access the coast.

² The Final San Mateo CMP, C/CAG, dated September 2009.

http://www.ccag.ca.gov/pdf/tac/2009/FINAL_SMC_2009_CMP.pdf

³ The Final San Mateo CMP, C/CAG, dated November 2011.

http://www.ccag.ca.gov/pdf/Studies/Final%202011%20CMP_Nov11.pdf

⁴ The County did not require the Applicant to obtain a traffic study to determine project-related impacts to Highway 1 traffic congestion and the project's potential to affect the public's ability to access the coast. The Initial Study prepared for the approved project states that the project will generate additional traffic that "will likely use Highway 1 during peak hours." However, the County's evaluation identified this impact as "not significant."

The regional transportation studies conducted over the last several years consistently demonstrate that the Midcoast area highways cannot support the current level of development. Additional new development that does not mitigate for traffic impacts will only exacerbate the existing traffic problems in the Midcoast area of San Mateo County. The County's approval did not evaluate the approved project's cumulative adverse impacts on the public's ability to access the Coast or condition the project to include traffic mitigation measures that would alleviate the impacts to roadway congestion and impaired public access due to added vehicle trips resulting from the project.

Therefore, the Commission finds that the approved project raises a substantial issue of conformity of the project approved by the County with LCP Policies 2.48, 2.49, and 2.57(c) regarding adequate road capacity.

Visual Resources and Community Character

The San Mateo County LCP's Visual Resources Chapter requires that visual impacts to public viewpoints be minimized, and also requires that structures be designed to be consistent with community character. Policy 8.9 requires that new development be located and designed to minimize tree removal and also requires protection of significant trees in urban areas zoned Design Review (DR). Policy 8.12 establishes general design standard policies, including requiring that development not block ocean views from scenic roads and publicly owned land. Taken together, these policies and standards are designed to ensure that visual resources are protected and that development in San Mateo County, including El Granada, is appropriately sited and designed to minimize impacts to public viewpoints.

The Appellant contends that the approved 9-unit multi-family project was not designed to minimize visual resource impacts and that the project's size and scale are not similar to surrounding structures (see **Exhibit 3**).

Trees

The County-approved project allows the removal of 13 Eucalyptus trees. Although Eucalyptus trees are non-native, invasive species with little habitat value, eight of the 13 trees are technically considered significant under the LCP due to their size (38 inches in circumference or greater). The Appellant contends that the removal of the 13 trees will constitute the cutting of a "grouping of trees" which will have a significant impact on the environment and the neighborhood. In support of these contentions, the Appellant cites Policy 8.9a (which requires that new development be located and designed to minimize tree removal) and Policy 8.9b (which employs the Significant Tree Ordinance to protect significant trees zoned within the Designed Review overlay zone). Additional LCP policies that provide standards for tree protection include 8.9c-g and 8.10, as well as the Heritage Tree Ordinance. See **Exhibit 6** for applicable policies and standards with respect to tree protection.

LCP Policy 8.9(a) requires new development to minimize tree removal. Although 13 trees are approved to be removed, four existing trees on the site will be retained. Also, County condition 12 (see **Exhibit 2**) does not allow for removal of additional trees on the site beyond the 13 approved for removal, and states that any additional tree removal will require a separate tree

removal permit. Additionally, to protect the remaining trees on the site, County condition 10 requires that a series of measures be put in place to protect the remaining trees on the site during construction activities. Further, the project footprint is the most appropriate given the unusual shape of the property and given the setback and lot coverage requirements. Tree removal cannot be reduced further due to the high concentration of Eucalyptus trees in a particular portion of the northern side of the lot. In order to avoid all of the trees, the project would be reduced by approximately 70% and confined to the southernmost portion of the lot. Thus, any alternative to avoid additional trees would result in a disproportionate reduction to the proposed building and could hinder the project's potential to offer an affordable unit. Finally, the approved project will provide additional trees through mitigation requirements and protect remaining trees onsite. As such, the approved project is consistent with LCP Policy 8.9(a).

LCP Section 8.9(f) restricts the removal of living trees in the coastal zone that have a trunk circumference of 55 inches or greater (this applies to several of the trees approved for removal) except as otherwise permitted under the regulations of the LCP. LCP Section 8.9(b) requires that the regulations of the Significant Tree Ordinance (STO) be employed to protect significant trees (38 inches or more in circumference), which also applies to some of the trees proposed for removal. Section 12,021 of the STO requires that any person desiring to cut down trees submit a permit application that includes, among other things, the type, size, location, and general health of the trees to be removed, the method to be used in removing the trees, and the description of a tree planting or replacement program. The Applicant submitted the required information to the County, and the County allowed the removal of 13 Eucalyptus consistent with LCP requirements. In addition, Section 12,023 of the STO allows for removal of significant trees to allow reasonable economic use of the property, and if the trees are replaced with appropriate plantings. The County conditioned its approval (see **Exhibit 2** condition 8) to require replanting on site with 13 15-gallon trees of appropriate native species consistent with LCP requirements. Therefore, the approved project is consistent with LCP Sections 8.9(b) and 8.9(f) and with the County's Significant Tree Ordinance.

LCP Policy 8.9d protects trees that have important scenic or scientific qualities. LCP Policy 8.9e prohibits the removal of trees in scenic corridors with certain exceptions. The non-native Eucalyptus trees are located within an existing urbanized area on the inland side of Highway 1. This area of Highway 1 is not defined in the LCP as a scenic corridor. Thus, the approved project is consistent with LCP Policies 8.9d and 8.9e.

LCP Policy 8.9(c) employs the regulations of the Heritage Tree Ordinance to protect unique trees which meet specific size and locational requirements. In this case, the trees proposed for removal do not meet the definitions of Heritage trees. First, this group of trees was not designated by the Board of Supervisors as a Heritage Tree grouping and "Eucalyptus" is not identified in the enumerated list of specific trees considered to be Heritage Trees. LCP Policy 8.9(c) does not apply and therefore there is no impact to Heritage trees as a result of this project. Therefore, the proposed tree removal is consistent with LCP Policy 8.9(c). For all the reasons stated above, including that the approved project includes replacement planting of trees of appropriate native species, the Commission finds that this contention does not raise a substantial issue of conformance of the approved project with the San Mateo County certified LCP tree protection policies.

Location of Development and Community Character

San Mateo County LCP Policy 8.13 provides general standards for designing structures within the El Granada community, including requiring that structures be designed to fit existing topography, and that new development use natural colors and materials that blend with the natural character of the setting. This policy also requires structures to be in scale with the character of their overall setting so that they blend with the overall view of the urban landscape. LCP Policy 8.12 establishes general design standard policies, including requiring that the Design Review zoning district be applied to urbanized areas of the coastal zone. Section 6300 of the LCP's IP sets the development standards for development in the S-3 combining overlay district. See **Exhibit 6** for the applicable policies and standards.

The Appellant contends that the community surrounding the proposed development contains single-family dwellings and duplexes and therefore the proposed three-story multi-residential structure will have a size and scale that is not similar to the surrounding structures, inconsistent with Policies 8.12(b) and 8.13(a)(4).

The approved project consists of a three-story (33.25 ft. high), nine-unit multi-residential condominium development east of Highway 1, within a land use designation and zoning district intended for high density, multi-family developments. The proposed project incorporates design features to reduce the mass and bulk of the building by recessing exterior walls of the first and second floors up to two feet in depth in some areas. Further, the roof is designed to screen vents and other equipment.

The approved development is bordered by Avenue Cabrillo to the south, Avenue Alhambra to the west, Avenue Coronado to the east and single-family residential development to the north. Across Avenue Cabrillo to the south is a small open space bordered by residential streets, which is bordered by numerous single-family residences further south. West of the proposed project, across Avenue Alhambra, there are existing two-and-three story residential developments, and more such developments along Avenue Alhambra heading north. The majority of development to the north and east of the proposed project site consists of one and two-story single/duplex residential developments. Accordingly, the area has a variety of development of different mass and scale ranging from 1-3 stories. Thus, the approved project is similar in mass and scale to nearby development, consistent with LCP policy 8.13(a)(4).

The approved project meets all of the LCP's development standards for the zoning district, except where the County allowed design exceptions as incentives for providing affordable housing. For example, the LCP requires front and rear yard setbacks to be no less than 20 feet and although the approved building setbacks are 20 feet, the building does contain front and rear decks that extend three to six feet into the setback, which the County allowed as an incentive to the Applicant to participate in the Affordable Housing Density Bonus Program. These design exceptions are recognized by LCP Policies 3.19 and 3.20 and the reduced setbacks in this case have minimal visual impacts due to the site topography and the height of the decks which will not obscure or block views to the shoreline. The decks are too low to the ground and only block views to surrounding residential developments.

The approved project also satisfies the other applicable design limitations. The LCP requires side setbacks to be no less than 5 feet and the proposed project contains 5 ft. side setbacks, consistent with the requirement. The LCP allows a height of 3 stories/36 feet and the proposed project will be three stories/33 feet-3 inches), consistent with the requirement. The LCP allows no more than 50% lot coverage and the proposed structure will have 48.3% lot coverage, consistent with the requirement. Thus, the approved project is consistent with IP section 6300 regarding setbacks (except for decks that were allowed within the setback as an incentive for the affordable housing component), height, and coverage. The approved project also requires a limited amount of grading (200 cubic yards) to provide a level parking area on the ground floor. County condition 19 requires the Applicant to obtain a grading permit if grading exceeds 250 cubic yards. Thus, the approved development is consistent with LCP Policy 8.13(a)(1), which requires grading to be minimized.

The approved project went through County's Design Review process, incorporated design alterations to blend within the surrounding community and, as conditioned by the County, the approved project is consistent with the relevant provisions of LCP Policies, 3.19, 3.20, 8.12 and 8.13 and IP Sections 6300 and 6565.7.

Therefore, the Commission finds that the above-identified appeal contentions do not raise a substantial issue of conformance of the approved project with the San Mateo County certified Local Coastal Program.

Substantial Issue Determination Conclusion

In conclusion, the County-approved project raises a substantial issue with respect to its conformance with applicable LCP provisions related to traffic/Highway 1 congestion increases and its resulting impact on the public's ability to access the coast. Therefore, the Commission finds that a substantial issue exists with respect to the approved project's conformance with the certified San Mateo County LCP, and takes jurisdiction over the CDP application for the proposed project.

F. COASTAL DEVELOPMENT PERMIT DETERMINATION

The standard of review for this CDP application is the San Mateo County certified LCP (**Exhibit 6**). All Substantial Issue Determination findings above are incorporated herein by reference.

In the time since the appeal was filed, the Applicant has revised the proposed project to include a \$15,000 contribution to an appropriate public agency for the construction of lateral public access west of Highway 1 in El Granada to offset the impacts of additional vehicle trips from the project.

Traffic and Shoreline Access

As discussed in the substantial issue finding above, the existing traffic congestion on Highway 1 (Cabrillo Highway) during peak periods significantly interferes with the public's ability to access the area's substantial public beaches and other visitor serving coastal resources, in conflict with LCP policies 1.18, 2.48, 2.49, and 2.57(c) (see **Exhibit 6**). In addition to these

policies, LCP Policy 1.18 directs new development to existing urban areas in order to maximize the efficiency of public facilities, services, and utilities. When siting new development in existing urban areas, it is critically important that the development not undermine maximum efficiency of public facilities, such as public roadways.

The project before the Commission includes the subdivision of an existing residential parcel to allow for the construction of a three-story, nine-unit condominium complex. The unimproved parcel is located within the High Density Residential designation (16.1-32 density units per acre), but the proposed project is allowed up to 40 density units per acre because of an affordable housing density credit bonus.⁵ Accordingly, the proposed density of development is permissible under the LCP, but any approved subdivision resulting in additional traffic impacts and increased congestion along Highway 1, must mitigate its impacts on the public's ability to access the recreational activities along the shoreline.

As discussed above, scenic Highway 1 provides vehicle access throughout the entire San Mateo County coastal zone. The subject site is approximately two blocks away from Highway 1, north of the Miramar community and close to Surfer's Beach and Pillar Point Harbor. This area has a wealth of opportunities to recreate along the shoreline, including multi-use access trails, boating opportunities surfing and visitor-serving commercial opportunities. As a result, this particular portion of Highway 1 can have long traffic delays, particularly on weekends when community and county events are taking place.⁶

As discussed above, the project will add 30 vehicle trips per day to a Highway 1 roadway segment that already is at LOS E during peak commute and peak recreational periods. Therefore, the approved multi-family residential subdivision will have a significant adverse cumulative impact on coastal access by contributing to increased traffic on Highway 1, a crucial public access roadway facility. Accordingly, this significant adverse cumulative impact must be mitigated.

In August of 2012, the Commission certified an update for the midcoast region of the LCP jurisdiction, which included an expansion of public services policies and created a framework for analyzing and imposing specified traffic mitigation programs to limit the effect residential development, particularly subdivisions, has along Highway 1 in this area. The subject application need not comply with these updated policies nor the specified mitigation measures contained within them because the currently certified Midcoast Update itself directs that applications filed complete prior to its effective date are subject to the previously certified

⁵ This bonus is carried out through the Housing Component of the LCP, specifically Policies 3.19 and 3.20, and they apply to this project because the proposal contains one very low-cost affordable unit out of the nine total units.

⁶ "Traffic flow on the highway ranges from rural conditions, where movement is typically free, to congested conditions during commute times with level of service issues at certain intersections, to unavoidable gridlock on weekends with good weather....One of the biggest challenges is that the corridor must provide for commuters and high volume vehicle traffic on weekends, while maintaining safety and comfort for residents. It must also provide for pedestrians, people with mobility impairments, and bicyclists who are using the highway right of way or trying to cross." See The San Mateo County Highway 1 Mobility Improvement Study (2010), pp 1-3.
<http://www.co.sanmateo.ca.us/Attachments/parks/Files/Parks%20Planning/Highway%201%20Safety%20and%20Mobility%20Improvement%20Study.pdf>

standards and requirements. The subject project was filed complete prior to the effective date of the update in 2012. Therefore, the currently certified Midcoast Update directs that the previously certified provisions apply to this proposed development. Similar to the updated LCP, the previously certified LCP provisions that are applicable to the project also require mitigation for traffic impacts, commensurate with the scale of the impact. For example, in addition to the policies and findings made in the substantial issue portion of the report, which are hereby incorporated by reference, LCP Policy 10.30(c) states in part:

10.30 Requirement of Minimum Access as a Condition of Granting Development Permits

[....]

c. Base the responsibility and requirements of the property owner for the provision of this access on: (1) the size and type of development, (2) the benefit to the Act and (4) the impact of the development, particularly the burden the proposed development would place on the public right of access to and use of the shoreline. Determine the minimum requirements according to the following:

(1) For small non-agricultural developments (i.e., construction of nonresidential structures 500 sq. ft. and smaller, fences, wells, placement of utility poles), require the retention of existing public access as defined in Policies 10.5 and 10.6, the posting of hazardous and environmentally sensitive areas, and pay an in-lieu fee of a minimal sum not to exceed 5% of the project cost to contribute to the provision of public access elsewhere along the County shoreline.

(2) For small to medium developments (i.e., single-family residences, all minor land divisions, barns over 5,000 sq. ft., small greenhouses), not specifically exempted from shoreline access requirements by Policy 10.2, require the offering or granting of a vertical and/or lateral access consistent with the policies of this component, to either a public agency or private group acceptable to the County for improvement and maintenance.

(3) For large agricultural and non-agricultural developments (i.e., developments of more than one single-family house, major subdivisions, commercial and industrial developments, and large greenhouses and agricultural processing plants), require the property owner to provide, improve, and maintain shoreline access consistent with the policies of this component.

As discussed below, the applicant has proposed such mitigation. Approximately 700 feet from the subject project site, there is a gap in safe lateral coastal trail access along the west side of Highway 1. (See **Exhibit 5**). The recently constructed Mirada Surf Trail between the southern end of El Granada along the Burnham Strip and the northern end of the Community of Miramar ends (while heading north) at the intersection of Avenue Coronado and Highway 1 approximately 400 feet south of Surfer's Beach. As a result, those who want to walk from the Mirada Surf Trail to Surfer's Beach and beyond, including to Pillar Point Harbor, must walk along an uneven, narrow (less than 3 feet wide) dirt path, and those with strollers or wheelchairs

must use the Highway shoulder. The poor condition of the sidewalk discourages potential users, who may otherwise choose to drive along the congested roadway.⁷

At present, there is a group of organizations that has formed in order to address the 400 foot stretch of sidewalk/trail along Highway 1 that is in disrepair and unsafe. The group is comprised of local governments and state governments that are seeking funding to address these issues. Recently, an approximately \$180,000.00 Cosco-Busan grant was obtained by San Mateo County to begin planning and permitting efforts to realize the access project. The framework for accomplishing these goals is currently progressing and the next step will entail seeking commitments from those who want to help implement the project. In addition to funding and planning efforts, funding is required to construct the desired improvements, which include a trail link along the west side of Highway 1 between the Mirada Surf Trail and Surfer's Beach (located just north of the Avenue Coronado and Highway 1 (Cabrillo Hwy) intersection). Current asphalt trail paving costs approximately \$3.00 per square foot. The needed pathway in question is approximately 330 ft. long and 10 ft. wide (3,300 square feet). Accordingly, the approximate cost, without grading or structural improvements should be around \$10,000 and with such grading and improvements the Commission estimates the cost of the trail alone will be at least \$15,000.

The Applicant has proposed to provide for this pathway to be constructed to mitigate for the congestion impacts of the project. Such mitigation is appropriate given the proximity of the trail to the project site, and the strong potential for the path to relieve vehicle congestion along Highway 1. Therefore, **Special Condition 2** formalizes the Applicant's proposal to pay \$15,000.00 to be used toward the construction of the trail on the west side of Highway 1, at the intersection of Coronado Avenue and Cabrillo Highway in El Granada (San Mateo County⁸). As conditioned and revised, the Commission finds this project adequately mitigates for its increased traffic and the project's resulting significant adverse cumulative on the public's ability to access the coast and finds the project therefore consistent with the Highway Capacity policies of the certified San Mateo County LCP.

Visual Resources and Water Quality

To minimize the project's impact on the visual character of the area, as required by the visual resources policies described above in the Substantial Issue findings, and to allow for infiltration on site to reduce runoff and protect water quality, **Special Condition 1** requires the Applicant to submit revised project plans that include: 1) a landscaping plan that requires that all plantings on the site be of appropriate native plant species, and that the 13 Eucalyptus trees proposed for removal be replaced with a minimum of 13 trees of native species (15-gallon minimum size); 2) downward facing lighting that will not illuminate areas offsite; 3) all utilities to be installed

⁷ The San Mateo County Highway 1 Mobility Improvement Study: Phase II (page 11) indicates that this particular stretch of Highway 1 in EL Granada maintains poor horizontal access.
<http://www.co.sanmateo.ca.us/Attachments/planning/PDFs/Midcoast%20Mobility/Draft%20SMM%20Ph%202%20Study%20v5%20Low%20Res.pdf> ;
<http://www.co.sanmateo.ca.us/Attachments/parks/Files/Parks%20Planning/Highway%201%20Safety%20and%20Mobility%20Improvement%20Study.pdf>

⁸ This path lies, in part, within the City of Half Moon Bay's LCP jurisdiction, and the City is a partner in the planning efforts regarding the trail/path project.

underground; 4) exterior materials and colors (including the roof materials) that blend in with the surrounding built and natural environment; and 5) paved areas that consists of pervious materials.

In addition, the proposed project would require the movement of large equipment, workers, and supplies in this area of the Midcoast. Such activities have the potential to adversely affect water quality through foreign materials entering the stormwater system and ultimately being discharged into coastal waters. Fortunately, these impacts can be contained through construction parameters that limit the area of construction, limit the times when work can take place, clearly fence off the minimum construction area necessary, apply water quality best management practices (BMPs), and other BMPs designed to both inform the public and protect resources (maintaining copies of the CDP and approved construction plans available for public review at the construction site, good construction housekeeping required, etc.), and requiring BMPs that protect the existing trees on site that are not approved for removal. See **Special Condition 3**.

Accordingly, as conditioned, the Commission finds the development consistent with the LCP's requirements regarding visual resources and community character, and water quality.

Future Notice

In order to ensure that this owner and future owners are aware of the CDP terms and conditions, this approval is conditioned to require future notice of the terms and conditions of this CDP via a deed restriction (see **Special Condition 5**).

Conclusion – Approval with Conditions

Accordingly, the Commission finds that the project, as conditioned, is consistent with the San Mateo County LCP.

G. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

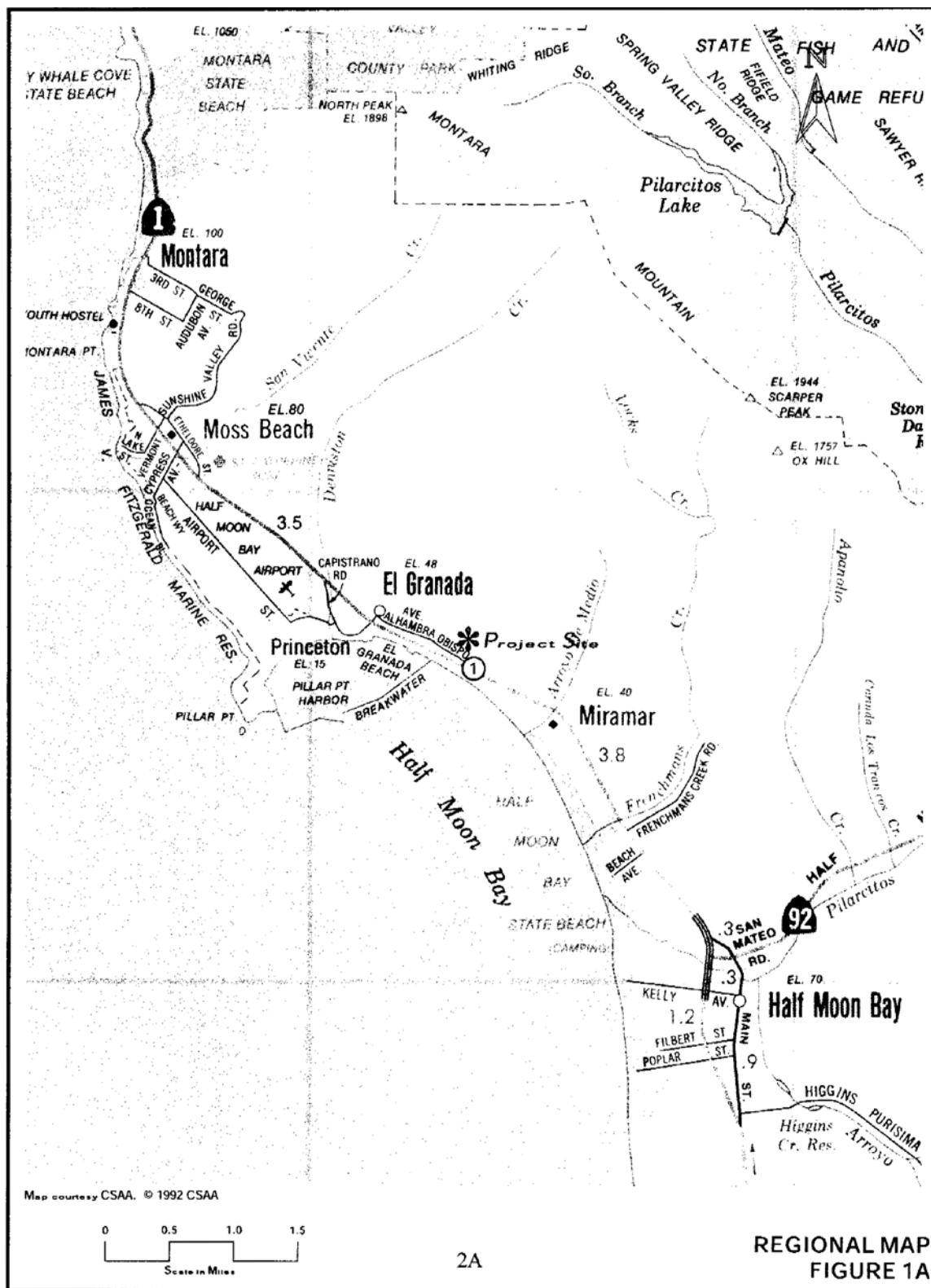
Section 13096 of the California Code of Regulations requires that a specific finding be made in conjunction with coastal development permit applications showing the application to be consistent with any applicable requirements of CEQA. Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The County, acting as the lead CEQA agency, certified a mitigated Negative Declaration for the project pursuant to Section 21081.6 of CEQA. The Coastal Commission's review and analysis of land use proposals has been certified by the Secretary of Resources as being the functional equivalent of environmental review under CEQA. The Commission has reviewed the relevant coastal resource issues with the proposed project, and has identified appropriate and necessary modifications to address adverse impacts to such coastal resources. All public comments received to date have been addressed in the findings above. All above findings are incorporated herein in their entirety by reference.

The Commission finds that only as conditioned by this permit will the proposed project avoid significant adverse effects on the environment within the meaning of CEQA. As such, there are no additional feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse environmental effects that approval of the proposed project, as modified, would have on the environment within the meaning of CEQA. If so modified, the proposed project will not result in any significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA Section 21080.5(d)(2)(A).

APPENDIX A – SUBSTANTIVE FILE DOCUMENTS

1. San Mateo County certified Local Coastal Program (LCP)
2. Administrative record for San Mateo County CDP Application Number PLN2008-00218
3. The Final San Mateo County Congestion Management Program, by the City/County Association of Governments of San Mateo County, dated September 2009.
http://www.ccag.ca.gov/pdf/tac/2009/FINAL_SMC_2009_CMP.pdf
4. The Final San Mateo County Congestion Management Program, by the City/County Association of Governments of San Mateo County, dated November 2011.
http://www.ccag.ca.gov/pdf/Studies/Final%202011%20CMP_Nov11.pdf





San Mateo County

Planning and Building Department ■ 455 County Center ■ Redwood City
California 94063 ■ Planning: 650/363-4161 ■ Building: 650/599-7311 ■ Fax: 650/363-4849

April 9, 2010

NOTICE OF FINAL LOCAL DECISION
Pursuant to Section 6328.11.1(f) of the San Mateo County Zoning Regulations

CERTIFIED MAIL

California Coastal Commission
Nr. Central Coast District Office
Attn: Ruby Pap Coastal Planner
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

RECEIVED

APR 12 2010

CALIFORNIA
COASTAL COMMISSION

County File No. : PLN2008-00218

Applicant Name: MORTAZAVI
Owner Name: JIM IRIZARRY

The above listed Coastal Development Permit was conditionally approved by the County of San Mateo on **March 24, 2010**. The County appeal period ended on **April 7, 2010**. Local review is now complete.

This permit IS appealable to the California Coastal Commission; please initiate the California Coastal Commission appeal period.

If you have any questions about this project, please contact MELISSA ROSS at (650) 363-4161.

MELISSA ROSS

Project Planner

Planning & Building Department

455 County Center, 2nd Floor
Redwood City, California 94063
650/363-4161 Fax: 650/363-4849

Mail Drop PLN122
plngbldg@co.sanmateo.ca.us
www.co.sanmateo.ca.us/planning

Please reply to: **Melissa Ross**
(650) 599-1559

March 25, 2010

Mr. Jim Irizarry
1200 Bear Gulch Road
Woodside, CA 94062

PROJECT FILE

Dear Mr. Irizarry:

Subject: LETTER OF DECISION
File Number: **PLN2008-00218**
Location: 121-137 Avenue Cabrillo, El Granada (Vacant Parcel)
APN: 047-271-200

On March 24, 2010, the San Mateo County Planning Commission considered a Coastal Development Permit, Major Subdivision, and Density Bonus, pursuant to Section 6328 of the San Mateo County Zoning Regulations, Section 7010 of the San Mateo County Subdivision Regulations and the State Subdivision Map Act, and Section 7900 of the San Mateo County Ordinance Code, and certification of a Mitigated Negative Declaration, pursuant to the California Environmental Quality Act, to construct a three-story nine-unit residential condominium complex. The project includes 200 cubic yards of grading and the removal of thirteen trees on the unimproved parcel. The project site is located along Avenue Cabrillo and Coronado Avenue in the unincorporated El Granada area of San Mateo County

Based on information provided by staff and evidence presented at the hearing, the Planning Commission approved the Coastal Development Permit, Major Subdivision, and Density Bonus for the alternative design, County File Number PLN 2008-00218 and certified the Mitigated Negative Declaration, by adopting the required findings and modified conditions of approval identified in Attachment A, as follows:

1. *Inserted new Condition of Approval No. 2(subsequent conditions renumbered)*
2. *Modification of Condition No. 11 to read:*

11. Prior to the issuance of the building permit, the applicant shall submit colors and materials for the building and exposed retaining walls for review and approval by the Current Planning Section. The building and retaining walls shall be surfaced or constructed of earthtone colors and materials (as indicated in the presentation illustrations by the applicant).

Mr. Jim Irizarry
March 25, 2010
Page 2

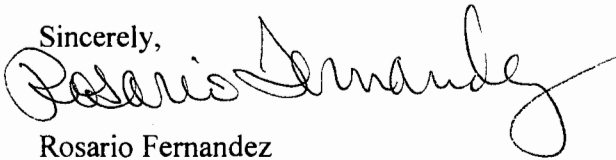
Any color or material additions or modifications shall be subject to review and approval of the Community Development Director prior to implementation.

Any interested party aggrieved by the determination of the Planning Commission has the right of appeal to the Board of Supervisors within ten (10) business days from such date of determination. The appeal period for this matter will end at **5:00 p.m. on April 7, 2010.**

This approval is appealable to the California Coastal Commission. Any aggrieved person who has exhausted local appeals may appeal this decision to the California Coastal Commission within 10 working days following the Coastal Commission's receipt of the County's final decision. Please contact the Coastal Commission's North Central Coast District Office at (415) 904-5260 for further information concerning the Commission's appeal process. The County and Coastal Commission appeal periods are sequential, not concurrent, and together total approximately one month. A project is considered approved when these appeal periods have expired and no appeals have been filed.

If you have questions regarding this matter, please contact the Project Planner listed on page one.

Sincerely,



Rosario Fernandez
Planning Commission Secretary
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Enclosures: Attachment A
San Mateo County Survey

cc: Farhad Mortazavi
Delia Comito
Kerry Burke
Alan O'Driscoll

County of San Mateo
Planning and Building Department

FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2008-00218

Hearing Date: March 24, 2010

Prepared By: Melissa Ross, Project Planner

Adopted By: Planning Commission

FINDINGS

Regarding the Environmental Review, Found:

1. That the Negative Declaration is complete, correct and adequate, and prepared in accordance with the California Environmental Quality Act and applicable State and County Guidelines.
2. That, on the basis of the Initial Study and comments hereto, there is no evidence that the project, subject to the mitigation measures contained in the Negative Declaration, will have a significant effect on the environment.
3. That the Negative Declaration reflects the independent judgment of San Mateo County.
4. That the mitigation measures identified in the Negative Declaration, agreed to by the applicant, placed as conditions on the project, and identified as part of this public hearing, have been incorporated in to the Mitigation and Reporting Plan in conformance with 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 Section 6328.7 and as conditioned in accordance with Section 6328.14, conforms with the plans, policies, requirements and standards of the San Mateo County LCP because the plans and materials have been reviewed against the application requirements in Section 6328.7 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 impact by requiring the revised erosion and sediment control and landscape plans, pervious materials, and natural colors and materials.

Regarding the Major Subdivision, Found:

7. That the proposed map is consistent with applicable general and specific plans because the project meets density requirements, required setbacks (subject to granting of requested incentives under the Density Bonus Program), and lot coverage.
8. That the design or improvement of the proposed subdivision is consistent with the applicable general and specific plans because the project meets parking requirements and is in compliance with the Coastside Design Review guidelines and standards.
9. That the site is physically suitable for the type of development since the site is zoned multiple-family residential and both water and sewer are available from the Coastside County Water District and the Granada Sanitary District.
10. That the site is physically suitable for the proposed density. The project will meet both the General Plan and Local Coastal Program densities through the Density Bonus Program.
11. 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 because the parcel was not identified as a sensitive habitat.
12. That the design of the subdivision or type of improvement is not likely to cause serious public health problems because the project is in compliance with all applicable development standards and applicable Subdivision Regulations. The inclusion of conditions of approval ensures that the public health and safety of the area are maintained.
13. 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 since no easements exist or are proposed on the parcel.
14. 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 because the project is capable of service from the Granada Sanitary District and must meet State Regional Water Quality Control Board requirements.
15. That the land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965 ("the Williamson Act") and that the resulting parcels following a

subdivision of that land would not be too small to sustain their agricultural use because the land is not under or subject to a Williamson Act contract or Open Space Easement contract.

Regarding the Density Bonus, Found:

16. That the project, as proposed, is consistent with the Density Bonus Program requirements pursuant to Section 7900 of the San Mateo County Ordinance Code because the project meets the definition of residential development and is not located within the rural area of the Coastal Zone.

CONDITIONS OF APPROVAL

Current Planning Section

1. This approval applies only to the alternative design proposal, documents and plans described in this report and submitted to and approved by the Planning Commission on March 24, 2010. Minor revisions or modifications 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 applicant shall submit to the Current Planning Section a revised tentative map in accordance with Section 7011.2 of the San Mateo County Subdivision Regulations. Said revised tentative map shall match the alternative design plans in all aspects (e.g., individual unit configurations, residential common area configurations, etc.). Prior to final map recordation, the revised tentative map shall be reviewed and approved by the Current Planning Section, Building Inspection Section, Department of Public Works, and Coastside Fire Protection District. Should the revised tentative map substantially deviate from the alternative design plans, for reasons other than public health and safety, the project shall be referred back to the Planning Commission for review and approval. The applicant shall pay any applicable fees associated with returning to the Planning Commission.

Corrections and amendments of the final map after recordation shall be in accordance with Section 7018 of the San Mateo County Subdivision Regulations.

This subdivision approval is valid for two years from the date of the conditionally approved tentative map, pursuant to Section 7013.5.a of the Subdivision Regulations, and not from the date of revised tentative map submittal to the Current Planning Section.

3. The Coastal Development Permit shall be valid for two years. Any extension of this permit shall require submittal of an application for permit extension and payment of applicable permit extension fees.

4. This subdivision approval is valid for two years pursuant to Section 7013.5.a of the Subdivision Regulations, during which time a final map shall be filed. An extension to this period, pursuant to Section 7013.5.c, may be issued by the Community Development Director upon written request submitted 30 days prior to the expiration date and payment of any applicable extension fees if required.
5. The applicant shall coordinate with the San Mateo County Department of Housing and the Planning Department for compliance with the San Mateo County Inclusionary Housing Ordinance and the Density Bonus Program.
6. Prior to recordation of the final map, the applicant shall submit to the Current Planning Section for review and approval the proposed condominium Covenants, Conditions, and Restrictions (CC&Rs). Once approved, the CC&Rs shall be recorded with the final map and become binding upon all parcels created by this project. This document shall expressly address maintenance of common areas, landscaping, stormwater treatment/control devices and structures such as the access driveway and roofs.
7. Prior to recordation of the final parcel map, the applicant shall pay In-Lieu Park Fees to the Planning Department pursuant to Section 7055.3 of the Subdivision Regulations. The current amount is \$72,469 but shall be calculated at time of recordation using the most recent assessed value of the parcel as required by Section 7055.3 of the Subdivision Regulations.
8. Prior to the issuance of the building permit, the applicant shall submit a revised landscape plan utilizing native plant species and prepared by a landscape architect or landscape consultant familiar with the San Mateo County Coast. At minimum, replacement plantings shall consist of thirteen 15-gallon trees. The revised plan shall indicate the method(s) of irrigation and details of irrigation systems for review and approval by the Current Planning Section. The landscape plan shall be fully implemented prior to the final building inspection. All installed landscaping shall be maintained.
9. Prior to the issuance of the building permit, the applicant shall indicate on the construction plans all new service lines to be installed underground from the nearest existing utility pole. The applicant shall provide for the extension of existing sewer, gas, electric, and cable lines to service the new condominium project for any future development. No new utility pole(s) shall be installed.
10. Prior to the issuance of the building permit, the applicant shall include tree protection zones/measures on the construction plans for all existing significant- or heritage-size trees not included in this permit for removal. Tree protection measures shall be implemented prior to construction activities. The applicant shall establish and maintain tree protection zones which shall be delineated using a 4-foot tall orange plastic fencing supported by poles pounded into

the ground located as close to the tree driplines as possible while still allowing room for construction to safely continue. The applicant shall maintain tree protection zones free of equipment and material storage and shall not clean any equipment within these areas. Should any large roots or large masses of roots need to be cut, the roots shall be inspected by a certified arborist prior to cutting. Any root cutting shall be monitored by an arborist and documented.

11. Prior to the issuance of the building permit, the applicant shall submit colors and materials for the building and exposed retaining walls for review and approval by the Current Planning Section. The building and retaining walls shall be surfaced or constructed of earthtone colors and materials (as indicated in the presentation illustrations by the applicant). Any color or material additions or modifications shall be subject to review and approval of the Community Development Director prior to implementation.
12. This permit does not allow for the removal of any trees other than the thirteen (13) proposed for removal in this permit. Removal of any tree with a diameter of 12 inches or greater as measured 4.5 feet above the ground shall require a separate tree removal permit.
13. Prior to the issuance of the building permit, the applicant shall submit a manufacturer's cut sheet for exterior lighting fixtures for review and approval by the Current Planning Section. All lighting shall be downward lit.
14. Prior to the issuance of the building permit, the applicant shall indicate on the construction plans the type and location of pervious material. All paved areas shall consist of pervious materials.
15. Prior to the issuance of the building permit, the applicant shall have a licensed land surveyor or engineer indicate grade and building elevations on the construction plans to include:
 - a. A datum point and its elevation. This datum point shall be used during construction to verify the elevation of the finished floors relative to the existing natural or finished grade. The applicant shall maintain the datum point so that it will not be disturbed by the proposed construction activities until final approval of the building permit.
 - b. The natural grade elevations at the significant corners (at least four) of the footprint of the proposed structure on the submitted site plan and the elevations of the proposed finished grades. These elevations shall be shown on the site plan, elevations, and cross section.
 - c. The finished grade elevations at the significant corners of the proposed structure, garage slab elevation, finished floor elevations, and topmost elevation of the roof. These elevations shall be shown on the site plan, elevations, and cross section.

16. Prior to the issuance of the building permit, the applicant shall submit an erosion and sediment control plan prepared by a professional erosion control consultant or a civil engineer, for review and approval by the Current Planning Section. The erosion control plan shall clearly delineate the types of measures to be used, the location of where the measures will be placed, and sectional drawings showing how the measures shall be installed. In addition, stabilized construction entranceway(s), washout pit(s), and materials and vehicle staging areas shall be included in the erosion and sediment control plan. All erosion control devices shall be installed on-site prior to any activities. Said plans shall adhere to the San Mateo County Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:
- a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15. 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.
 - 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 the 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 instructions to all employees and subcontractors regarding the construction best management practices.
17. During the construction phase, the applicant shall provide finished floor elevation verification to certify that the condominium building is constructed at the height shown on the submitted plans. The applicant shall have a licensed land surveyor or engineer established a baseline elevation datum point in the vicinity of the construction site.
- a. Once the building is under construction, prior to the below floor framing inspection or the pouring of the concrete slab (as the case may be) for the lowest floor(s), the applicant shall submit to the Building Inspection Section a letter from the licensed surveyor or engineer certifying that the lowest floor height – as constructed – is equal to the elevation specified for that floor in the approved plans. Similarly, certifications on the garage slab and the topmost elevation of the roof are required.
 - b. If the actual floor height, garage slab, or roof height – as constructed – is different than the elevation specified in the plans, then the applicant shall cease all construction and no additional inspections shall be approved until a revised set of plans is submitted to and subsequently approved by the Building Official and Community Development Director.
18. Prior to the final building permit inspection, exterior color and materials verification shall occur in the field after the applicant has applied the approved materials and colors.
19. If grading exceeds 250 cubic yards or if a cut or fill exceeds two (2) feet in vertical depth, the applicant shall obtain a grading permit. Where cutting and filling are necessary because of terrain difficulties, such work should be blended in a natural appearance and in a manner to prevent erosion from stormwater runoff. No grading activities shall commence until the applicant has been issued a grading permit.
20. Noise sources associated with demolition, construction, repair, remodeling, or grading of any real property, provided said activities do not 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, are exempt as indicated under Section 4.88.360 of the County Ordinance Code.
21. Prior to the issuance of the building permit or final map recordation, the applicant shall have entered into an agreement with the County, which shall be recorded, specifying the manner of compliance with the Density Bonus Program.

At a minimum, the agreement shall specify the following for the qualifying unit in the development (section numbers referring to the Density Bonus Program):

- a. The number of qualifying units, their size and number of bedrooms, per Section 7905.1.
 - b. The party/process responsible for certifying buyer/tenant eligibility, per Section 7905.2.
 - c. How vacancies will be marketed and filled, per Sections 7905.3 and 4.
 - d. The standards for maximum qualifying incomes for very low, lower, or moderate income households, per Sections 7901 and 7905.2
 - e. The standards for maximum sales prices or rents for qualifying units for very low, lower, or moderate income households, per Sections 7905.3 and 4.
 - f. The restrictions and enforcement mechanisms binding on the property upon sale or transfer, per Sections 7905.3 and 4.
22. The applicant shall utilize roof materials that perform as a "cool roof." Roof colors shall be medium toned and subject to the approval of the Community Development Director. Prior to final Planning approval of the building permit for this project, the applicant shall submit photos of the completed building to the Planning Department to verify that the approved colors and materials have been implemented.

Building Inspection Section

23. Prior to pouring any concrete for foundations, written verification from a licensed surveyor must be submitted which will confirm that the required setbacks as shown on the approved plans have been maintained.
24. An automatic fire sprinkler system shall be required. This permit shall be issued prior to or in conjunction with the building permit.
25. If a water main extension, upgrade, or hydrant is required, this work shall be completed prior to the issuance of the building permit, or the applicant must submit a copy of an agreement and contract with the water purveyor which will confirm the work shall be completed prior to finalization of the building permit.
26. Sediment and erosion control measures shall be installed prior to beginning any site work and maintained throughout the term of the permit.

Failure to install or maintain these measures shall result in stoppage of construction until the corrections have been made and fees paid for staff enforcement time.

27. This project must comply with the Green Building Ordinance. The applicant shall submit two hard copies as well as plan sheets of the 50-point required minimum Green Building Checklist.
28. All drawings shall be drawn to scale and clearly define the whole project and its scope in its entirety.
29. The design and/or drawings shall be done according to the 2007 Editions of the California Building Standards Code, 2007 California Plumbing Code, 2007 California Mechanical Code, and the 2007 California Electrical Code or the most current set of codes in effect at the time of application for a building permit. These codes shall be noted on the code summary.
30. The plans shall show the dimension lines for the accessible parking, accessible route to the accessible elevator, and an accessible parking structure height of 8'-2", per CBC 2007 Section 11090.A.8.1. One unit is required to be an accessible unit and shall be shown on the plans.
31. The number of exits shall comply with CBC Table 1015.1. The elevator shall comply with CBC Section 1007.4 to be considered as part of an accessible means of egress.
32. If two exits are required from the building or area, they shall be separated by (one-half/one-third if sprinklered throughout) the diagonal dimension of the building or area served (CBC 1015.2.1).
33. The garage shall be of Type I, II, or IV construction (CBC Section 406.2.4).
34. Multi-story dwelling units contained in buildings with elevators shall comply with the following:
 - a. At least one powder room or bathroom shall be located on the primary entry level (the story of the unit that is served by the building elevator).
 - b. All rooms or spaces located on the primary entry level shall be served by an accessible route and shall comply with Division IV (CBC Section 1102A.3.2).
35. All units shall comply with HUD accessibility requirements.
36. Balcony projection shall be more than 3'-4" from the property line in order to comply with CBC Section 704.2.

37. The applicant shall coordinate with Coastside Fire Protection District for address order.
38. Bedroom windows shall meet egress requirements.
39. Only EPA Phase II certified wood stoves are permitted.

Department of Public Works

40. 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 issue.
41. 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. The driveway plan shall also include and show specific provisions and details for both the existing and the proposed drainage patterns and drainage facilities.
42. Prior to the issuance of the building permit, the applicant will be required to provide payment of "roadway mitigation fees based on the square footage (assessable space) of the proposed building per Ordinance No. #3277.
43. The applicant shall have prepared, by a registered civil engineer, a drainage analysis of the proposed subdivision 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 submitted to the Department of Public Works for review and approval.
44. The applicant shall record the Covenants, Conditions, and Restrictions (CC&Rs) documents which address future maintenance responsibilities of any private drainage and/or roadway facilities which may be constructed. Prior to recording these documents, they shall be submitted to the Department of Public Works for review.
45. Prior to final approval, "As-Built" plans of all construction required by these conditions shall be prepared and signed by the subdivider's engineer upon completion of all work. The "As-Built" plans shall be accompanied by a written certificate from the engineer that all private facilities have been completed in conformance with the approved plans.

46. Prior to the issuance of the building permit, the applicant shall submit to the project planner, for recordation, legal descriptions of the parcels. The project planner will review these descriptions and forward them to Public Works for approval.
47. Prior to the issuance of the building permit, the applicant shall submit a permanent stormwater management plan in compliance with the County's Drainage Policy and NPDES requirements for review and approval by the Department of Public Works. Note: C.3 applies for this project.
48. Prior to final approval, the applicant shall repair a portion of the sidewalk and areas of roadway along Coronado Avenue and Avenue Cabrillo as required by the Department of Public Works Inspector.
49. Prior to recordation of the final subdivision map, the applicant shall submit written certification from the appropriate energy and communication utilities to the Department of Public Works and the Current Planning Section stating that they will provide energy and communication services to the proposed parcels of this subdivision.
50. Prior to the issuance of the building permit, the provision of San Mateo County Grading Ordinance shall govern all grading on and adjacent to this site. Unless exempted by the Grading Ordinance, the applicant may be required to apply for a grading permit upon completion of their review of the plans and should access construction be necessary.
51. Prior to the issuance of the building permit, the applicant shall prepare a plan indicating the proposed method of sewerage for these properties. This plan should be included on the improvement plans and submitted to the Department of Public Works for review.

Upon completion of this review, the applicant or his engineer shall have these approved plans signed by the appropriate Sewer District (Granada Sanitary District).

52. Prior to recordation of the final subdivision map, the applicant shall submit, to both the Department of Public Works and the Current Planning Section, written certification from the appropriate Water District stating that their requirements to provide water service connections to the proposed parcels of this subdivision have been met.
53. Prior to the issuance of the building permit, erosion and sediment control during the course of this grading work shall be according to a plan prepared and signed by the engineer of record and approved by the Current Planning Section. Revisions to the approved erosion and sediment control plan shall be prepared and signed by the engineer and resubmitted and approved by the Building Inspection Section.
54. It shall be the responsibility of the applicant's engineer to regularly inspect the erosion control measures and determine that they are functioning as designed and that proper maintenance is

being performed. Deficiencies shall be reported to the Building Inspection Section and immediately corrected.

55. No grading shall be allowed during the winter season (October 15 to April 15) to avoid potential soil erosion unless approved, in writing, by the Community Development Director. The applicant shall submit a letter to the Current Planning Section, at least, two (2) weeks prior to commencement of grading stating the date when grading will begin.
56. The applicant shall submit a final map to the Department of Public Works for review and recording. Additional fees will be required from the applicant for processing and reviewing all post-approval conditions of approval by the Department of Public Works. The current review fees are \$100 per hour.

Geotechnical Section

57. If a grading permit is required, this project shall require an updated soils and foundation report prior to any permits being issued. If no grading permit is required, the soils report shall be updated to include 2007 CBC and be made specific to the currently proposed project and reviewed at the building permit stage.

Coastside Fire Protection District

58. **Occupancy Separation:** As per the 2007 CBC, Section 406.1.4, a one-hour occupancy separation wall shall be installed with a solid core, 20-minute fire rated, self-closing door assembly with smoke gasket between the garage and the residence.
59. **Fire Hydrant:** As per 2007 CFC, Appendix B and C, a fire district approved fire hydrant (Clow 960) must be located within 250 feet of the proposed single-family dwelling unit measured by way of drivable access. As per 2007 CFC, Appendix B, the hydrant must produce a minimum fire flow of 1,000 gallons per minute at 20 pounds per square inch residual pressure for 2 hours. Contact the local water purveyor for water flow details.
60. **Automatic Fire Sprinkler System:** As per San Mateo County Building Standards and Coastside Fire District Ordinance No. 2007-01, the applicant is required to install an automatic fire sprinkler system throughout the proposed or improved dwelling and garage. All attic access locations will be provided with a pilot head on a metal upright. All areas that are accessible for storage purposes shall be equipped with fire sprinklers including closets and bathrooms. The only exception is small linen closets less than 24 sq. ft. with full depth shelving. The plans for this system must be submitted to the San Mateo County Planning and Building Department or the City of Half Moon Bay. A building permit **will not** be issued until plans are received, reviewed and approved. Upon submission of plans, the County or City will

forward a complete set to the Coastside Fire Protection District for review. The fee schedule for automatic fire sprinkler systems shall be in accordance with the Half Moon Bay Ordinance No. 2006-01. Fees shall be paid prior to plan review. **Installation of underground sprinkler pipe shall be visually inspected and flushed by the Fire District prior to hookup to riser. Any soldered fittings must be pressure tested with trench open.**

61. **Exterior bell and interior horn/strobe:** Required to be wired into the required flow switch on the fire sprinkler system. The bell, horn/strobe and flow switch, along with the garage door opener, are to be wired into a separate circuit breaker at the main electrical panel and labeled.
62. **Smoke detectors which are hardwired:** As per the California Building Code, State Fire Marshal Regulations, and Coastside Fire District Ordinance No. 2007-01, the applicant is required to install State Fire Marshal approved and listed smoke detectors which are **hardwired, interconnected, and have battery backup**. These detectors are required to be placed in each sleeping room and at the point centrally located in the corridor or area giving access to each separate sleeping area. A minimum of one detector shall be placed on each floor. Smoke detectors shall be tested and approved prior to the building final.
63. **Address Numbers:** As per Coastside Fire District Ordinance No. 2007-01, building identification shall be conspicuously posted and visible from the street. (TEMPORARY ADDRESS NUMBERS SHALL BE POSTED PRIOR TO COMBUSTIBLES BEING PLACED ON-SITE.) The letters/numerals for permanent address signs shall be **4 inches** in height with a minimum 3/4-inch stroke. Such letters/numerals shall be internally illuminated and facing the direction of access. Finished height of bottom of address light unit shall be greater than or equal to 6 feet from finished grade. When the building is served by a long driveway or is otherwise obscured, a reflectorized address sign shall be placed at the entrance from the nearest public roadway. See Fire Ordinance for standard sign.
64. **Roof Covering:** As per Coastside Fire District Ordinance No. 2007-01, the roof covering of every new building or structure, and materials applied as part of a roof covering assembly, shall have a minimum fire rating of Class "B" or higher as defined in the current edition of the California Building Code.
65. **Fire Access Roads:** The applicant must have a maintained all-weather surface road for ingress and egress of fire apparatus. The San Mateo County Department of Public Works, the Coastside Fire District Ordinance No. 2007-01, and the California Fire Code shall set road standards. As per the 2007 CFC, dead-end roads exceeding 150 feet shall be provided with a turnaround in accordance with Half Moon Bay Fire District specifications. As per 2007 CFC, Section Appendix D, road width shall not be less than 20 feet. Fire access roads shall be installed and made serviceable prior to combustibles being placed on the project site and maintained during construction.

Approved signs and painted curbs or lines shall be provided and maintained to identify fire access roads and state the prohibition of their obstruction. If the road width does not allow parking on the street (20-foot road) and on-street parking is desired, an additional improved area shall be developed for that use.

66. **Solar Photovoltaic Systems:** These systems shall meet the requirement of the Coastside Fire Protection District as outlined in Standard Detail DI-007 Solar Photovoltaic Systems.
67. **Vegetation Management:** The Coastside Fire District Ordinance No. 2007-01, the 2007 California Fire Code and Public Resources Code 4291 require a minimum clearance of 100 feet, or to the property line of all flammable vegetation to be maintained around all structures by the property owner. This does not include individual species of ornamental shrubs and landscaping.
68. **Community Facilities District:** The Fire District requires the formation of a Mello-Roos Community Facilities District (CFD) for all new construction of three or more residential units. Please contact the Fire District administration office for more details. Please be advised that the formation of a CFD takes approximately three months. The formation of a CFD is a condition of development and required to be completed prior to Fire District final approval and sign-off on the project.

County Housing Department

69. The applicant shall coordinate with the Planning Department to finalize the inclusionary details (BMR) for this project.

Granada Sanitary District

70. If the size of the parcel conforms to applicable zoning regulations, the applicant may apply for a sewer permit after receiving approval from the County Planning Department and after the expiration of any applicable appeal period.
71. If the project parcel is non-conforming or antiquated, or if the project includes a non-buildout dwelling such as a caretaker's unit, the applicant must apply for a variance with the District, which is subject to approval by the District Board of Directors. Applicants needing a variance are not required to obtain planning approval prior to submitting an application for a variance.
72. A sewer permit shall only be issued upon approval by action of the District Board if the project requires one or more of the following:
 - a. The project requires more than two equivalent residential units (ERUs) of sewer capacity.

Mr. Jim Irizarry
March 25, 2010
Page 17

- b. The project requires preparation of a Negative Declaration or Environmental Impact Report pursuant to the California Environmental Quality Act.
- c. Includes a non-buildout dwelling such as a caretaker's unit.
- d. The parcel is non-conforming or antiquated.

Coastside County Water District

73. The applicant shall acquire a total of a 1-1/2-inch service from the Coastside County Water District.

MAR 22 2010

CALIFORNIA
COASTAL COMMISSION**COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT****DATE:** March 24, 2010**TO:** Planning Commission**FROM:** Planning Staff

SUBJECT: EXECUTIVE SUMMARY: Consideration of a Coastal Development Permit, Major Subdivision, Density Bonus, and certification of a Mitigated Negative Declaration, to construct a three-story nine-unit residential condominium complex. The project includes 200 cubic yards of grading and the removal of thirteen trees on the unimproved parcel. The project site is located along Avenue Cabrillo and Coronado Avenue in the unincorporated El Granada area of San Mateo County. This project is appealable to the California Coastal Commission.

PROPOSAL

The applicant proposes to construct a three-story residential condominium complex on a 10,686 sq. ft. unimproved parcel consisting of nine units ranging from 645 sq. ft. to 1,083 sq. ft. (exclusive of decks). The ground floor of the complex includes a partially enclosed garage accommodating 16 parking spaces. The first and second floors, directly above the garage, consist of a mixture of one- and two-bedroom residential units. The proposal includes construction of one very-low income unit, satisfying the County's Inclusionary Ordinance, and density bonus, which allows for a 25% increase in density as well as an additional incentive allowed through the Density Bonus Program for relief of setbacks for residential decks. The project includes the removal of thirteen significant eucalyptus trees and 200 cubic yards of grading. Retaining walls vary in height from approximately 0.5 to 5 feet.

RECOMMENDATION

Approve the Coastal Development Permit, Design Review, Major Subdivision, and Density Bonus, County File Number PLN 2008-00218 and certify the Mitigated Negative Declaration, by adopting the required findings and conditions of approval identified in Attachment A.

SUMMARY

As a requirement of a major subdivision, a public workshop was held on May 17, 2006, at the El Granada Elementary School in El Granada. Comments during the public workshop included size and scale of the proposed development, tree removal, parking and traffic impacts.

The current project has been revised and, as conditioned, complies with all applicable General Plan, Local Coastal Program policies related to soil resources, minimizing erosion, urban land

use and density. The project complies with the R-3/S-3 development standards and is consistent with the Housing Element and the San Mateo County Inclusionary Ordinance and Density Bonus Program.

Conditions of approval include a revised landscape plan utilizing native plant species, a revised erosion and sediment control plan, and all paved areas noted on construction plans to consist of pervious materials.

The applicant has also submitted an alternative design proposal to include an exterior fire escape and façade modifications which is discussed in Section B of the staff report.

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**COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT**

DATE: March 24, 2010

TO: Planning Commission

FROM: Planning Staff

SUBJECT: Consideration of a Coastal Development Permit, Major Subdivision, and Density Bonus, pursuant to Section 6328 of the San Mateo County Zoning Regulations, Section 7010 of the San Mateo County Subdivision Regulations and the State Subdivision Map Act, and Section 7900 of the San Mateo County Ordinance Code, and certification of a Mitigated Negative Declaration, pursuant to the California Environmental Quality Act, to construct a three-story nine-unit residential condominium complex. The project includes 200 cubic yards of grading and the removal of thirteen trees on the unimproved parcel. The project site is located along Avenue Cabrillo and Coronado Avenue in the unincorporated El Granada area of San Mateo County. This project is appealable to the California Coastal Commission.

County File Number: PLN 2008-00218 (Irizarry/Mortazavi)

PROPOSAL

The applicant proposes to construct a three-story residential condominium complex on a 10,686 sq. ft. unimproved parcel consisting of nine units ranging from 645 sq. ft. to 1,083 sq. ft. (exclusive of decks). The ground floor of the complex includes a partially enclosed garage accommodating 16 parking spaces. The first and second floors, directly above the garage, consist of a mixture of one- and two-bedroom residential units. The proposal includes construction of one very-low income unit, satisfying the County's Inclusionary Ordinance, and density bonus, which allows for a 25% increase in density as well as an additional incentive allowed through the Density Bonus Program for relief of setbacks for residential decks. The project includes the removal of thirteen significant eucalyptus trees and 200 cubic yards of grading. Retaining walls vary in height from approximately 0.5 to 5 feet.

An alternative design proposal has been submitted by the applicant; however, an alternative tentative map has not been submitted. The alternative proposal adds an exterior fire escape stairway, increases the unit size range from 645 sq. ft. up to 1,240 sq. ft. (exclusive of decks), and includes additional façade details (e.g., increased stonework). The stairway encroaches 9.5 feet into the rear yard setback (where 20 feet is the minimum), as such, the applicant is requesting the density bonus incentive include relief from the rear yard setback for the stairway as well as the residential decks. The alternative is discussed in Section B, below.

RECOMMENDATION

Approve the Coastal Development Permit, Major Subdivision, and Density Bonus, County File Number PLN 2008-00218 and certify the Mitigated Negative Declaration, by adopting the required findings and conditions of approval identified in Attachment A.

BACKGROUND

Report Prepared By: Melissa Ross, Project Planner, Telephone 650/599-1559

Applicant: Farhad Mortazavi

Owner: Jim Irizarry

Location: Unimproved parcel along Avenue Cabrillo and Coronado Avenue, El Granada

APN: 047-271-200

Size: 10,686 sq. ft. (0.245 acres)

Existing Zoning: R-3/S-3/DR/CD (Multiple-Family Residential/Design Review/Coastal Development)

General Plan Designation: High Density Residential (General Plan range of 17.5+ density units/acre; Local Coastal Program High Density Residential range of 16.1 – 32.0 density units/acre)

Parcel Legality: Current parcel configuration (five lots) conveyed by Grant Deed and recorded on March 16, 1988. County Counsel has determined that parcel legality will be resolved if and when this subdivision is approved and a final map recorded.

Existing Land Use: Unimproved parcel

Water Supply: Coastside County Water District

Sewage Disposal: Granada Sanitary District

Flood Zone: FEMA Flood Insurance Rate Map Zone C (Area of Minimal Flooding); Panel No. 060311 0114 B, effective date July 5, 1984.

Environmental Evaluation: Mitigated Negative Declaration issued with public review period from February 10, 2010 to March 1, 2010.

Setting: The subject property is located approximately 0.11 mile east of Highway 1 with the surrounding area zoned multiple-family residential and developed with a mix of one- and two-story single-family residences and two- and three-story multiple-family residences.

DISCUSSION

A. KEY ISSUES

1. Conformance with the General Plan

a. Soil Resources Policies

Policy 2.23 (*Regulate Excavation, Grading, Filling, and Land Clearing Activities Against Accelerated Soil Erosion*). The parcel has an approximately 7% east-west slope. To provide a level parking area (ground floor), 200 cubic yards of grading are proposed. Retaining walls along the east and west property lines with varying heights of 0.5 feet to approximately 5 feet are proposed for on-site drainage through the use of swales. A condition of approval has been added to require an erosion and sediment control plan, prepared by a professional erosion control consultant or civil engineer, at the building permit stage in order to protect against accelerated erosion and sedimentation (Condition No. 15). The plan must include stabilized construction entrances and materials, and vehicle staging areas.

b. Visual Quality Policies

Policy 4.14 (*Appearance of New Development*) regulates development to promote and enhance good design, site relationships and other aesthetic considerations. While zoned multiple-family residential, development in the surrounding area consists of a mix of single-family and multiple-family residences. When compared to the surrounding multiple-family dwellings, the project is similar in size (three stories/36 feet) and design (i.e., ground floor carports or enclosed single or community-parking garages with partially or fully enclosed first and second residential floors and a mix of exterior materials including wood siding, stone, and stucco). As proposed, exterior materials will consist of natural materials (e.g., wood or stone) and earth tone in color, similar to other nearby multi-family buildings.

Policy 4.20 (*Utility Structures*) discusses minimizing the adverse visual quality of utility structures. All utility structures required for this development must be placed underground and indicated, as such on the construction plans for the building permit. The applicant will provide for the extension of services (e.g., water and sewer) to this development.

c. Urban Land Use Policies

Policies 8.29 (*Infilling*), 8.34 (*Zoning Regulations*), 8.35 (*Uses*) encourage the infilling of urban areas where infrastructure and services are available and ensure that development is consistent with the specific zoning standards and land use designation. Both water and wastewater service are available to this

unimproved parcel. The project is in compliance with the R-3/S-3 development standards (with exception to setbacks as an incentive under the Density Bonus Program) and the multiple-family residence proposal is a consistent use under the R-3 zoning designation.

Policy 8.36 (*Density*) regulates maximum allowable densities in zoning districts in order to ensure a level of development that is consistent with the land use designations. The unimproved parcel is located within an area designated as “High Density Residential” (17.5+ density units per acre). At a proposed 36.69 density units per acre, the project is consistent with this General Plan policy.

Policy 8.38 (*Height, Bulk, and Setbacks*) regulates height, bulk, and setback requirements in zoning districts in order to: (1) ensure that the size and scale of development is compatible with parcel size, (2) provide sufficient light and air in and around structures, (3) ensure that development of permitted densities is feasible, and (4) ensure public health and safety. With the exception of the requested density bonus incentive (relief from setbacks for decks), the proposal will meet setbacks, will not exceed the 36-foot height maximum, and will comply with lot coverage as required by the development standards of the S-3 combining district ensuring that the development is compatible with the parcel size, providing for sufficient air and light around structures, and is feasible at the proposed density. The Department of Public Works and the Coastside Fire Protection District have reviewed the plans for compliance with their standards. As conditioned, both parties have found the project complies with their regulations, thus ensuring public health and safety are maintained.

Policy 8.39 (*Parking Requirements*) discusses regulating minimum on-site parking requirements and parking development standards in order to: (1) accommodate the parking needs of the development, (2) provide convenient and safe access, (3) prevent congestion of public streets, and (4) establish orderly development patterns. As discussed in Section 2.b, below, the proposal includes the required parking spaces, individual parking dimensions, aisle width, and driveway width. The applicant has submitted a building cross section, which shows that the minimum garage height for the community parking garage can be achieved. Garage access is proposed along Avenue Cabrillo (200-foot road right-of-way). Due to the large center median, traffic can only access the development via the westbound direction of Avenue Cabrillo. No garage access is proposed from Coronado Street (60-foot road right-of-way).

d. Water Supply Policies

Policy 10.10 (*Water Suppliers in Urban Areas*) discusses the use of municipal water systems as the preferred method of water supply in urban areas. The Coastside County Water District has reviewed the project and determined that service is available for the project provided the service line is upgraded when installed.

e. Wastewater Policies

Policy 11.5 (*Wastewater Management in Urban Areas*) discusses the use of municipal sewerage systems as the appropriate method of wastewater management in urban areas. As determined by the Granada Sanitary District, sewer connections are available for the project subject to the attached conditions of approval.

f. Housing Element

Policies 14.37 (*Establish an Inclusionary Requirement for Affordable Housing*) and 14.40 (*Grant Density Bonuses for the Development of Affordable Housing*) require residential developments to either reserve a percentage of the units constructed as affordable housing or pay a fee in lieu of constructing the required affordable housing units and assure continued affordability of reserved affordable housing units through appropriate deed restrictions. The applicant is proposing to construct one affordable unit to be offered at the very low-income level in compliance with the General Plan Housing Element. As conditioned, the applicant is required to coordinate with the San Mateo County Department of Housing and the Planning Department for compliance with the Inclusionary Housing Ordinance (Condition No. 4). The Ordinance and Density Bonus Program are discussed in greater detail in Section 5, below.

2. Conformance with the Local Coastal Program (LCP)

a. Locating and Planning New Development Component

Policy 1.5 (*Land Uses and Development in Urban Areas*) permits development within density limits based on land use designations. The parcel is within a High Density Residential land use area with a Local Coastal Program density range of 16.1 – 32.0 density units per acre. The project includes a density bonus for affordable housing thus exceeding the High Density Residential Density maximum of 32 density units per acre (proposed 36.69 density units per acre). Compliance with the Density Bonus Program as well as Policy 3.19 (*Grant Density Bonuses for the Development of Affordable Housing*) and Policy 3.20 (*Establish an Inclusionary Requirement for Affordable Housing*) of the LCP Housing Component is discussed in Section 5, below.

b. Visual Resources Component

Policy 8.5 (*Location of Development*) requires that new development be located on a portion of a parcel where the development is: (1) least visible from State and County Scenic Roads, (2) least likely to significantly impact views from public viewpoints, and (3) consistent with all other LCP requirements, best preserves the visual and open space qualities of the parcel overall. The project is not located within the Highway 1 County Scenic Corridor and will be

screened from view by existing three-story multiple-family residential development. Due to the topography and existing three-story development along Avenue Alhambra, the project will not significantly impact views from public viewpoints and will maintain setbacks preserving the open space qualities of the parcel.

Policy 8.9 (*Trees*) discusses locating and designing new development to minimize tree removal. Thirteen eucalyptus trees, located within the building footprint, are proposed for removal. The applicant has submitted a landscape plan as part of the application; however, staff has added a condition requiring this plan to be revised to include native plant species and to require that it be prepared by a landscape architect or landscape consultant familiar with the San Mateo County Coast (Condition No. 7).

Policy 8.13 (*Special Design Guidelines for Coastal Communities – Montara-Moss Beach-El Granada*) discusses designing structures which fit the topography of the site, the use of natural materials and colors, designing structures which are in scale with the character of their setting and blend with the overall view of the urban landscape and, to the extent possible, minimize blocking views. The project is similar in size and design to existing multiple-family residences in the area and employs natural colors and materials for the exterior construction. Colors and materials proposed include: James Hardie 8" lap siding with wood grain texture (Kelly Moore "La Marina"), El Dorado stone veneer (Fieldledge "Meseta"), trim in Kelly Moore "Blanco," door and accents in Kelly Moore "Bravado," and Gaf Roofing 40-year Timberline/Prestique "Charcoal." Grading is proposed in order to provide a level garage slab and create swales for on-site drainage.

3. Conformance with Zoning Regulations

The project site is located in a multiple-family residential (R-3/S-3/DR/CD) zoning district. With incentives that the project is eligible for under the Density Bonus Program, the project complies with all development criteria set forth by the County Zoning Regulations as discussed below.

	Required	Proposed
Minimum Parcel Size	5,000 sq. ft.	10,686 sq. ft. (existing)
Minimum Lot Width	50 feet	93.3 feet (average)
Minimum Lot Depth	100 feet	114.5 feet (average)
Parcel Coverage	50%	48.3%
Height	3 stories/36 feet	3 stories/33 feet – 3 inches
Front and Rear Yard Setbacks	20 feet	20 feet (building) 14 feet (front decks)** 17 feet (rear decks)**

	Required	Proposed
Side Yard Setbacks	5 feet/10 feet*	5 feet (building) 3 feet (right decks)**
<p>*Side yard setbacks adjacent to roadways are 1/2 the front yard setback.</p> <p>**Setback encroachment as a requested incentive under the Density Bonus Program. Staff recommends approval of these incentives.</p>		

a. Compliance with Parking Requirements

Section 6117 of the Zoning Regulations discusses parking requirements for residences. Parking is calculated based on the number of bedrooms within each unit for a total of 15 parking spaces. The applicant is proposing a total of 15 spaces and one van-accessible ADA parking space. In compliance with parking dimension requirements, the project includes a 24-foot driveway, minimum 24-foot parking aisle width, individual space dimensions of 9 feet wide x 19 feet deep, and minimum 8'-2" height clearance for parking garages.

b. Design Review

Section 6565.1 of the Zoning Regulations states that in any district which is combined with the "DR" District, the regulations specified in Chapter 28.1 shall apply. Section 6565.7 of the Zoning Regulations establishes the standards for review within Design Review Districts located in the Coastal Zone. The project proposes to reduce the mass and bulk of the three-story building by recessing exterior walls of the first and second (residential) floors up to 2 feet in depth in some areas. The roof has been designed to screen vents and stacks up to 2 feet in height. Landscaping is conditioned to consist of native plant species and any paved areas must incorporate pervious materials. A manufacturer's cut sheet for exterior lighting will be submitted, for review and approval, during the building permit stage to minimize visual impacts (Condition No. 12). Additionally, a condition has been placed on the project which requires all exposed retaining walls to be surfaced or constructed of natural colors and materials (Condition No. 10).

4. Public Workshop

Section 6415.4 of the Zoning Regulations requires a public workshop to be held for major subdivisions. 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 May 17, 2006, at the El Granada Elementary School in El Granada. Comments and concerns regarding the 2006 proposal were raised at the public workshop for the project proposed at that time. Comments received at the public workshop are discussed below (full text can be found in Attachment I).

- a. *Some community members expressed concern that the project is too tall and out of scale with the development in the area. They stated that the three-story building should be downsized to one or two stories.*

Development in the S-3 combining district has a maximum three stories and 36-foot height limit measured from average finished grade to average roof height. The original proposal included a three-story building with an approximate height of 29 feet. The revised 2008 proposal continues to propose a three-story building with a height proposed at 33'- 3". The increase in height is still in compliance with the allowed maximum set by the S-3 combining district (three stories, 36 feet).

While the public workshop is an opportunity for community members to provide input prior to a formal project submittal, the comments received at the workshop are not binding on the applicant. It is at the discretion of the applicant to either incorporate or omit community comments in the formal development application. Ultimately, all comments will be considered by the Planning Commission as part of their decision-making process.

- b. *The view has been expressed that one space per unit is inadequate for parking.*

The project is in compliance with the parking requirements outlined in Section 6119 of the Zoning Regulations, which are based on the number of bedrooms in each dwelling unit. As calculated for six two-bedroom units and three one-bedroom units, fifteen regular parking spaces and one ADA compliant parking space are required and proposed.

- c. *Community member opined that if tree removal is granted, replanting of required new trees must occur.*

A revised landscape plan will be required at the building permit stage as a condition of approval and must consist of native plant species and prepared by a landscape architect or landscape consultant (the current landscape plan proposes 30 trees and 41 shrubs). The landscape plan must be implemented prior to the building permit final inspection.

- d. *Community members opined that the project will exacerbate already congested traffic conditions along Coronado Avenue.*

While an increase in vehicular traffic will occur as a result of the project, the increase will not be significant. The entire length of Coronado Avenue (60-foot road right-of-way) serves a multiple-family zoning district. Vehicular traffic is anticipated with buildout given R-3 zoning district and high density land use designation.

5. Conformance with Inclusionary Housing Ordinance

The purpose of the County's Inclusionary Housing Ordinance is to enhance the public health, safety and general welfare by increasing the production of affordable housing units in new residential developments that create five or more residential units. The Inclusionary Ordinance requires 20% of the new units be designated for extremely low, very low, low or moderate-income households. For projects proposing on-site inclusionary units, assistance is available from the County per Section 7913 of the ordinance. One such means of assistance is the Density Bonus Program, which allows for an increase in the number of units permitted. The project has been reviewed by the County Department of Housing and is in compliance with the standards for the provision of inclusionary units and qualifies for the density bonus as follows:

a. Standards for the Provision of Inclusionary Units

The applicant is proposing one very-low income inclusionary housing unit to be constructed concurrently with the market-rate units thereby satisfying the Inclusionary Housing Ordinance's 20% affordable housing requirement for new residential development. The inclusionary unit will be integrated into the overall design, generally the same size as the market-rate units, and proportional to the mix of unit sizes. The sales price of the inclusionary unit will be offered as very low income and subject to deed restrictions including, but not limited to, the County's first right to purchase, resale and rent level controls and occupancy restrictions. The inclusionary unit will also satisfy the requirements of the Density Bonus Program.

b. Density Bonus Program

The Density Bonus Program allows for a 25% addition to the maximum attainable residential development density and at least one additional incentive (e.g., modification of zoning requirements). Provided 10% of the total residential development units consist of very low-income housing, the project qualifies for the first density bonus of 25%, as well as an additional incentive. The applicant has chosen relief from setbacks for the proposed decks as the incentive under the Density Bonus Program (minimum 14-foot and 17-foot setbacks for the front and rear decks where 20 feet is required and a minimum of 3-foot right side yard setbacks where 5 feet is required). Both the Density Bonus and additional incentive are discretionary and must be approved by the Planning Commission. A 25% increase in the maximum attainable density, under the LCP, would allow for a maximum of 40.0 density units per acre. The project is proposed at 36.69 density units per acre.

6. Conformance with Subdivision Regulations

The proposed Major Subdivision has been reviewed by staff for compliance with both the State Subdivision Map Act and the County Subdivision Ordinance. The Department of Public Works, the Coastside Fire Protection District, Building Inspection Section, and Geotechnical Section have also reviewed the project and found that it complies with their standards and applicable requirements of the County Subdivision Ordinance. Conditions of approval have been included in Attachment A of this report.

Staff's recommendation to approve the subdivision application is based on the following findings pursuant to Section 7013(3)(b) of the San Mateo County Subdivision Regulations:

a. That the proposed map is consistent with applicable general and specific plans.

The proposed map is consistent with the San Mateo County General Plan as previously discussed in Sections A.1 – A.4 of this report. The proposed density is 36.69 density units per acre, which is in compliance with the High Density Residential land use designation of both the General Plan and the Local Coastal Program (25% density bonus allowed under the Density Bonus Program).

The proposed building envelope of the submitted map is in compliance with the R-3/S-3 zoning district (setback relief requested as an incentive under the Density Bonus Program) and the design of the building is consistent with the Design Review Standards as previously discussed in the staff report.

b. That the design or improvement of the proposed subdivision is consistent with the applicable general and specific plans.

Please refer to a, above.

c. That the site is physically suitable for the type of development.

The project site has an approximate 7% slope and is not in a mapped sensitive habitat area.

d. That the site is physically suitable for the proposed density of development.

As discussed previously, the parcel is located in a multiple-family residential district. The development is consistent with both the General Plan and Local Coastal Program High Density land use designation.

- e. **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.**

Pursuant to the California Environmental Quality Act (CEQA) requirements, an Initial Study and a Negative Declaration were prepared and circulated for this project and staff determined that no significant adverse environmental impacts will result from this project.

- f. **That the design of the subdivision or type of improvement is not likely to cause serious public health problems.**

The project is in compliance with all applicable development standards and applicable Subdivision Regulations. The inclusion of conditions of approval ensures that the public health and safety of the area are maintained.

- g. **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 public access easements for use or access on this parcel.

- h. **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 Control Board pursuant to Division 7 (commencing with Section 13000) of the State Water Code.**

The project has been reviewed by the Granada Sanitary District and approved subject to the conditions of approval in Attachment A.

- i. **That the land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965 ("the Williamson Act") and that the resulting parcels following a subdivision of that land would not be too small to sustain their agricultural use.**

The land is not under or subject to a Williamson Act Contract or Open Space Easement.

7. In-Lieu Park Fees

Section 7055.3 of the Subdivision Regulations requires that, as a condition of approval of a tentative parcel map, the subdivider dedicate land or pay a fee in lieu of dedication for the purpose of acquiring, developing, or rehabilitating County park and recreation facilities and/or assisting other providers of parks and recreation facilities in acquiring, developing, or rehabilitating facilities that will serve the proposed subdivision. The regulation further defines the formula for calculating this

fee. The fee for this subdivision is \$72,469. A worksheet showing the computation methodology is included in Attachment J.

B. ALTERNATIVE DESIGN PROPOSAL

An alternative design proposal was submitted on March 10, 2010 by the applicant and can be found in Attachment K. This alternative proposal, however, does not include an alternative tentative map.

The alternative design proposal includes modifications to the first floor to include a secondary emergency fire escape stairway leading into the rear yard as well as modifications to the interior units to accommodate access to the stairway. Interior unit modifications have also been made on the second floor to shorten the hallway to a less than 20-foot length thereby not requiring a secondary emergency fire escape for the second residential floor per building code (CBC Section 1017.3). The stairway encroaches into the rear yard setback by 9.5 feet (where 20 feet is required). As such, the previously requested relief from setbacks, through the Density Bonus Program, will include the stairway in addition to the residential decks.

Exterior modifications are included in the alternative proposal and incorporate increased stonework, trellises, and decorative window shutters on the proposed building.

Conclusion

The alternative proposal is consistent with applicable Zoning Regulations (including Design Review), Local Coastal Program Policies, Subdivision Regulations, and Inclusionary Housing and Density Bonus Program requirements. As such, staff recommends approval of the alternative design plan. Should the Planning Commission find the alternative proposal adequate, the following condition of approval is recommended:

The applicant shall submit to the Current Planning Section a revised tentative map in accordance with Section 7011.2 of the San Mateo County Subdivision Regulations. Said revised tentative map shall match the alternative design plans in all aspects (e.g., individual unit configurations, residential common area configurations, etc.). Prior to final map recordation, the revised tentative map shall be reviewed and approved by the Current Planning Section, Building Inspection Section, Department of Public Works, and Coastside Fire Protection District. Should the revised tentative map substantially deviate from the alternative design plans, for reasons other than public health and safety, the project shall be referred back to the Planning Commission for review and approval. The applicant shall pay any applicable fees associated with returning to the Planning Commission.

Corrections and amendments of the final map after recordation shall be in accordance with Section 7018 of the San Mateo County Subdivision Regulations.

This subdivision approval is valid for two years from the date of the conditionally approved tentative map, pursuant to Section 7013.5.a of the Subdivision Regulations, and not from the date of revised tentative map submittal to the Current Planning Section.

C. ENVIRONMENTAL REVIEW

An Initial Study and Negative Declaration was prepared for this project and posted on February 10, 2010 with the public review period ending on March 1, 2010. Comments were received from the California Coastal Commission (Attachment L) and are discussed below.

1. *Is this development consistent with LCP Public Works policies regarding capacity and priority uses of public sewer and water services?*

Staff's Response: This project does not include a parcel or use designated in the Local Coastal Program as a priority land use or include a public works facility and has been approved with conditions by the Granada Sanitary District and the Coastside County Water District.

2. *What is the impact of this development on Highway 1 traffic? How many additional vehicle trips would this development generate?*

Staff's Response: The project will result in an increase in vehicular traffic, however, in a limited quantity and along existing travel routes serving a multiple-family residential district. While a traffic study has not been conducted for this proposal, vehicle trips generated by this development can be estimated by utilizing the average rate for low-rise condominium developments based on the number of dwelling units. The average rate data, based on *Trip Generation* by the Institute of Transportation Engineers, for peak weekday hourly travel times (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.) estimates an additional five vehicle trips generated per hour for this development during the peak weekday hours. The additional estimated vehicle trips would not significantly impact the area or Highway 1.

3. *What is the impact of this development on pedestrian access to nearby coastal areas?*

Staff's Response: Construction of the proposal would not impede access to coastal areas since the subject parcel is located east of Highway 1. There are no established or proposed coastal trails or access on or through the subject parcel; only neighborhood vehicle and pedestrian routes exist off-site.

4. *Is this development consistent with LCP Visual Resources Policy 8.5?*

Staff's Response: Compliance with LCP Policy 8.5 is discussed in Section A.2.b, above. The project is not located within the Highway 1 County Scenic Corridor and is screened from view by existing three-story multiple-family residential development

and will not significantly impact views from public viewpoints due to topography and existing three-story development.

D. REVIEWING AGENCIES

Building Inspection Section
Department of Public Works
Geotechnical Section
County Counsel
County Housing Department
Coastside Fire Protection District
Granada Sanitary District
Coastside County Water District
California Coastal Commission
Midcoast Community Council
City of Half Moon Bay
Cabrillo Unified School District
PG&E

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
- B. Vicinity Map
- C. Tentative Map
- D. Site Plan
- E. Floor Plan
- F. Elevations
- G. Section Drawing
- H. Landscape Plan
- I. Public Workshop Letter
- J. Park In-Lieu Worksheet
- K. Alternative Design Plans
- L. Comments Received from the California Coastal Commission
- M. Initial Study and Negative Declaration

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FEB 08 2010

POSTING
ONLY COUNTY CLERK

County of San Mateo
Planning and Building Department

INITIAL STUDY

ENVIRONMENTAL EVALUATION CHECKLIST
(To Be Completed By Current Planning Section)

I. BACKGROUND

Project Title: Irizarry Major Subdivision

File No.: PLN 2008-00218

Project Location: 121-137 Avenue Cabrillo, El Granada (Vacant Parcel)

Assessor's Parcel No.: 047-271-200

Applicant/Owner: Farhad Mortazavi/Jim Irizarry

Date Environmental Information Form Submitted: July 9, 2008

PROJECT DESCRIPTION

The applicant proposes to construct a three-story residential condominium complex on a 10,685 sq. ft. unimproved parcel consisting of nine units ranging from 645 sq. ft. to 1,083 sq. ft. The ground floor of the complex includes a partially enclosed garage accommodating 16 parking spaces. The first and second floors, directly above the garage, consist of a mixture of one- and two-bedroom residential units. The proposal includes construction of one very-low income unit, satisfying the County's Inclusionary Ordinance, and density bonus, which allows for a 25% increase in density as well as an additional incentive allowed through the Density Bonus Program for relief of setbacks for residential decks. The project includes the removal of thirteen significant size eucalyptus trees and 200 cubic yards of grading. Retaining walls vary in height from approximately 0.5 to 5 feet.

Attachment M

II. ENVIRONMENTAL ANALYSIS

Any controversial answers or answers needing clarification are explained on an attached sheet. For source, refer to pages 14 and 15.

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
1. <u>LAND SUITABILITY AND GEOLOGY</u>						
Will (or could) this project:						
a. Involve a unique landform or biological area, such as beaches, sand dunes, marshes, tidelands, or San Francisco Bay? Not located in such an area.	X					B,F,O
b. Involve construction on slope of 15% or greater? Parcel has approximately 7% slope.	X					E,I
c. Be located in an area of soil instability (subsidence, landslide or severe erosion)? Not located in such an area.	X					Bc,D
d. Be located on, or adjacent to a known earthquake fault? The nearest fault is over 1 mile from the project site.	X					Bc,D
e. Involve Class I or Class II Agriculture Soils and Class III Soils rated good or very good for artichokes or Brussels sprouts? Not located on such soils.	X					M
f. Cause erosion or siltation? See Questions and Answers Section for discussion.			X			M,I
g. Result in damage to soil capability or loss of agricultural land? Not located on agricultural lands.	X					A,M

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
h. Be located within a flood hazard area? Located in FEMA Flood Zone C (Area of Minimal Flooding). Not located in tsunami inundation area.	X					G
i. Be located in an area where a high water table may adversely affect land use? See Questions and Answers Section for discussion.		X				D
j. Affect a natural drainage channel or streambed, or watercourse? None proposed; no drainage channel, streambed, or watercourse present.	X					E
2. <u>VEGETATION AND WILDLIFE</u> Will (or could) this project:						
a. Affect federal or state listed rare or endangered species of plant life in the project area? No such species of plant life mapped in the project area.	X					F
b. Involve cutting of heritage or significant trees as defined in the County Heritage Tree and Significant Tree Ordinance? See Questions and Answers Section for discussion.			X			I,A
c. Be adjacent to or include a habitat food source, water source, nesting place or breeding place for a federal or state listed rare or endangered wildlife species? No such listed species on or adjacent project site.	X					F
d. Significantly affect fish, wildlife, reptiles, or plant life? None proposed.	X					I

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
e. Be located inside or within 200 feet of a marine or wildlife reserve? Project site not located inside or within 200 feet of a reserve.	X					E,F,O
f. Infringe on any sensitive habitats? No mapped sensitive habitats within or adjacent to project site.	X					F
g. Involve clearing land that is 5,000 sq. ft. or greater (1,000 sq. ft. within a County Scenic Corridor), that has slopes greater than 20% or that is in a sensitive habitat or buffer zone? No land clearing proposed.	X					I,F,Bb
3. <u>PHYSICAL RESOURCES</u> Will (or could) this project:						
a. Result in the removal of a natural resource for commercial purposes (including rock, sand, gravel, oil, trees, minerals or topsoil)? None proposed.	X					I
b. Involve grading in excess of 150 cubic yards? See Questions and Answers Section for discussion.		X				I
c. Involve lands currently protected under the Williamson Act (agricultural preserve) or an Open Space Easement? Parcel not under a Williamson Act Contract or Open Space Easement.	X					I
d. Affect any existing or potential agricultural uses? Not located on or adjacent to agricultural uses.	X					A,K,M

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
4. <u>AIR QUALITY, WATER QUALITY, SONIC</u>						
Will (or could) this project:						
a. Generate pollutants (hydrocarbon, thermal odor, dust or smoke particulates, radiation, etc.) that will violate existing standards of air quality on-site or in the surrounding area? None proposed.	X					I,N,R
b. Involve the burning of any material, including brush, trees and construction materials? None proposed.	X					I
c. Be expected to result in the generation of noise levels in excess of those currently existing in the area, after construction? None proposed.	X					Ba,I
d. Involve the application, use or disposal of potentially hazardous materials, including pesticides, herbicides, other toxic substances, or radioactive material? None proposed.	X					I
e. Be subject to noise levels in excess of levels determined appropriate according to the County Noise Ordinance or other standard? See Questions and Answers Section for discussion.		X				A,E
f. Generate noise levels in excess of levels determined appropriate according to the County Noise Ordinance standard? See Questions and Answers Section for discussion.			X			I
g. Generate polluted or increased surface water runoff or affect groundwater resources? None proposed.	X					I

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
h. Require installation of a septic tank/leachfield sewage disposal system or require hookup to an existing collection system which is at or over capacity? Sewer service is available from the Granada Sanitary District.	X					S
5. <u>TRANSPORTATION</u> Will (or could) this project:						
a. Affect access to commercial establishments, schools, parks, etc.? None proposed.	X					A,I
b. Cause noticeable increase in pedestrian traffic or a change in pedestrian patterns? See Questions and Answers Section for discussion.		X				A,I
c. Result in noticeable changes in vehicular traffic patterns or volumes (including bicycles)? See Questions and Answers Section for discussion.		X				I
d. Involve the use of off-road vehicles of any kind (such as trail bikes)? None proposed.	X					I
e. Result in or increase traffic hazards? None proposed.	X					S
f. Provide for alternative transportation amenities such as bike racks? None proposed.	X					I

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
g. Generate traffic which will adversely affect the traffic carrying capacity of any roadway? See Questions and Answers Section for discussion.		X				S
6. LAND USE AND GENERAL PLANS						
Will (or could) this project:						
a. Result in the congregating of more than 50 people on a regular basis? None proposed.	X					I
b. Result in the introduction of activities not currently found within the community? None proposed. Parcel zoned for residential use/activities.	X					I
c. Employ equipment which could interfere with existing communication and/or defense systems? None proposed.	X					I
d. Result in any changes in land use, either on or off the project site? Parcel will remain zoned multiple-family residential.	X					I
e. Serve to encourage off-site development of presently undeveloped areas or increase development intensity of already developed areas (examples include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)? None proposed.	X					I,Q,S

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
f. Adversely affect the capacity of any public facilities (streets, highways, freeways, public transit, schools, parks, police, fire, hospitals), public utilities (electrical, water and gas supply lines, sewage and storm drain discharge lines, sanitary landfills) or public works serving the site? Project referred to Public Works, Granada Sanitary District, Coastside County Water, Cabrillo School District, and PG&E resulting in no objections.	X					I, S
g. Generate any demands that will cause a public facility or utility to reach or exceed its capacity? Approved with conditions from the water and sewer districts.	X					I, S
h. Be adjacent to or within 500 feet of an existing or planned public facility? Not located near such an area.	X					A
i. Create significant amounts of solid waste or litter? None proposed in project.	X					I
j. Substantially increase fossil fuel consumption (electricity, oil, natural gas, coal, etc.)? No substantial increase in proposed project.	X					I
k. Require an amendment to or exception from adopted general plans, specific plans, or community policies or goals? None proposed.	X					B
l. Involve a change of zoning? No change in zoning.	X					C

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
m. Require the relocation of people or businesses? None proposed.	X					I
n. Reduce the supply of low-income housing? One affordable housing unit is proposed.	X					I
o. Result in possible interference with an emergency response plan or emergency evacuation plan? None proposed.	X					S
p. Result in creation of or exposure to a potential health hazard? None proposed.	X					S
7. <u>AESTHETIC, CULTURAL AND HISTORIC</u>						
Will (or could) this project:						
a. Be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor? See Questions and Answers Section for discussion.		X				A, Bb
b. Obstruct scenic views from existing residential areas, public lands, public water body, or roads? See Questions and Answers Section for discussion.	X					A, I
c. Involve the construction of buildings or structures in excess of three stories or 36 feet in height? Proposed height is 33 feet 3 inches.	X					I
d. Directly or indirectly affect historical or archaeological resources on or near the site? None proposed.	X					H

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
e. Visually intrude into an area having natural scenic qualities? Project site is located in a developed urban area.	X					A, I

III. **RESPONSIBLE AGENCIES.** Check what agency has permit authority or other approval for the project.

AGENCY	YES	NO	TYPE OF APPROVAL
U.S. Army Corps of Engineers (CE)			
State Water Resources Control Board			
Regional Water Quality Control Board			
State Department of Public Health			
San Francisco Bay Conservation and Development Commission (BCDC)			
U.S. Environmental Protection Agency (EPA)			
County Airport Land Use Commission (ALUC)			
CalTrans			
Bay Area Air Quality Management District			
U.S. Fish and Wildlife Service			
Coastal Commission	X		Appealable.
City			
Sewer/Water District: Granada Sanitary District/Coastside County Water	X		
Other: San Mateo County Department of Housing	X		

IV. MITIGATION MEASURES

	<u>Yes</u>	<u>No</u>
Mitigation measures have been proposed in project application.	_____	X _____
Other mitigation measures are needed.	X _____	_____

The following measures are included in the project plans or proposals pursuant to Section 15070(b)(1) of the State CEQA Guidelines:

Mitigation Measure 1: Prior to the issuance of the building permit, the applicant shall submit an erosion and sediment control plan prepared by a professional erosion control consultant or a civil engineer, for review and approval by the Current Planning Section. The erosion control plan shall clearly delineate the types of measures to be used, the location of where the measures will be placed, and sectional drawings showing how the measures shall be installed. In addition, stabilized construction entranceway(s), washout pit(s), and materials and vehicle staging areas shall be included in the erosion and sediment control plan. All erosion control devices shall be installed on-site prior to any activities. Said plans shall adhere to the San Mateo County Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:

- a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15. 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.
- 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 the 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, setoffs, 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.

I. The contractor shall train and provide instructions to all employees and subcontractors regarding the construction best management practices.

Mitigation Measure 2: Prior to the issuance of the building permit, the applicant shall submit a revised landscape plan utilizing native plant species and prepared by a landscape architect or landscape consultant familiar with the San Mateo County Coast. At minimum, replacement plantings shall consist of nine 15-gallon trees. The revised plan shall indicate the methods(s) of irrigation and details of irrigation systems for review and approval by the Current Planning Section. The landscape plan shall be fully implemented prior to the final building inspection. All installed landscaping shall be maintained.

Mitigation Measure 3: Noise sources associated with demolition, construction, repair, remodeling, or grading of any real property, provided said activities do not 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, are exempt as indicated under Section 4.88.360 of the County Ordinance Code.

V. MANDATORY FINDINGS OF SIGNIFICANCE

	Yes
1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal, or eliminate important examples of the major periods of California history or prehistory?	
2. Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	
3. Does the project have possible environmental effects which are individually limited, but cumulatively considerable?	
4. Would the project cause substantial adverse effects on human beings, either directly or indirectly?	

On the basis of this initial evaluation:

I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be required by the Current Planning Section.

I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect on the environment because of the mitigation measures in the discussion have been included as part of the proposed project. A NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT will be required.

2/3/10

Date


Melissa Ross

Project Planner
(Title)

VI. SOURCE LIST

- A. Field Inspection
- B. County General Plan 1986
 - a. General Plan Chapters 1-16
 - b. Local Coastal Program (LCP) (Area Plan)
 - c. Skyline Area General Plan Amendment
 - d. Montara-Moss Beach-El Granada Community Plan
 - e. Emerald Lake Hills Community Plan
- C. County Ordinance Code
- D. Geotechnical Maps
 - 1. USGS Basic Data Contributions
 - a. #43 Landslide Susceptibility
 - b. #44 Active Faults
 - c. #45 High Water Table
 - 2. Geotechnical Hazards Synthesis Maps
- E. USGS Quadrangle Maps, San Mateo County 1970 Series (See F. and H.)
- F. San Mateo County Rare and Endangered Species Maps, or Sensitive Habitats Maps
- G. Flood Insurance Rate Map – National Flood Insurance Program
- H. County Archaeologic Resource Inventory (Prepared by S. Dietz, A.C.R.S.) Procedures for Protection of Historic and Cultural Properties – 36 C.R.S. 800 (See R.)
- I. Project Plans or EIF
- J. Airport Land Use Committee Plans, San Mateo County Airports Plan
- K. Aerial Photography or Real Estate Atlas – REDI
 - 1. Aerial Photographs, 1941, 1953, 1956, 1960, 1963, 1970
 - 2. Aerial Photographs, 1981
 - 3. Coast Aerial Photos/Slides, San Francisco County Line to Año Nuevo Point, 1971
 - 4. Historic Photos, 1928-1937

- L. Williamson Act Maps
- M. Soil Survey, San Mateo Area, U.S. Department of Agriculture, May 1961
- N. Air Pollution Isopleth Maps – Bay Area Air Pollution Control District
- O. California Natural Areas Coordinating Council Maps (See F. and H.)
- P. Forest Resources Study (1971)
- Q. Experience with Other Projects of this Size and Nature
- R. Environmental Regulations and Standards:

<ul style="list-style-type: none"> Federal <ul style="list-style-type: none"> – Review Procedures for CDBG Programs – NEPA 24 CFR 1500-1508 – Protection of Historic and Cultural Properties – National Register of Historic Places – Floodplain Management – Protection of Wetlands – Endangered and Threatened Species – Noise Abatement and Control – Explosive and Flammable Operations – Toxic Chemicals/Radioactive Materials – Airport Clear Zones and APZ State <ul style="list-style-type: none"> – Ambient Air Quality Standards – Noise Insulation Standards 	<ul style="list-style-type: none"> 24 CFR Part 58 36 CFR Part 800 Executive Order 11988 Executive Order 11990 24 CFR Part 51B 24 CFR 51C HUD 79-33 24 CFR 51D Article 4, Section 1092
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------
- S. Consultation with Departments and Agencies:

<ul style="list-style-type: none"> a. County Health Department b. City Fire Department c. California Department of Forestry d. Department of Public Works e. Disaster Preparedness Office f. Other

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 (1/22/07)

COUNTY OF SAN MATEO
Planning and Building Department

Initial Study Pursuant to CEQA
Project Narrative and Answers to Questions for the Negative Declaration
File Number: PLN 2008-00218
Irizarry Major Subdivision

PROJECT DESCRIPTION

The applicant proposes to construct a three-story residential condominium complex on a 10,685 sq. ft. unimproved parcel consisting of nine units ranging from 645 sq. ft. to 1,083 sq. ft. The ground floor of the complex includes a partially enclosed garage accommodating 16 parking spaces. The first and second floors, directly above the garage, consist of a mixture of one- and two-bedroom residential units. The proposal includes construction of one very low-income unit, satisfying the County's Inclusionary Ordinance and density bonus, which allows for a 25% increase in density as well as an additional incentive allowed through the Density Bonus Program for relief of setbacks for residential decks. The project includes the removal of thirteen significant size eucalyptus trees and 200 cubic yards of grading. Retaining walls vary in height from approximately 0.5 feet to 5 feet.

ANSWERS TO QUESTIONS

1. LAND SUITABILITY AND GEOLOGY

f. Will (or could) this project cause erosion or siltation?

Yes, Significant Unless Mitigated. The project includes 200 cubic yards of grading on an approximately 7% slope to construct a level garage slab for the ground floor of the condominium complex. Due to the potential for erosion and siltation, the following mitigation measure is recommended:

Mitigation Measure 1: Prior to the issuance of the building permit, the applicant shall submit an erosion and sediment control plan prepared by a professional erosion control consultant or a civil engineer, for review and approval by the Current Planning Section. The erosion control plan shall clearly delineate the types of measures to be used, the location of where the measures will be placed, and sectional drawings showing how the measures shall be installed. In addition, stabilized construction entranceway(s), washout pit(s), and materials and vehicle staging areas shall be included in the erosion and sediment control plan. All erosion control devices shall be installed on-site prior to any activities. Said plans shall adhere to the San Mateo County Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:

- a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15. Stabilizing shall include both proactive measures, such as the placement of hay bales or coir netting, and

ANSWERS TO QUESTIONS

File No. PLN 2008-00218

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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.
 - 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 the 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 instructions to all employees and sub-contractors regarding the construction best management practices.
- i. **Will (or could) this project be located in an area where a high water table may adversely affect land use?**

Yes, Not Significant. While the project does not propose to underground the structure, it should be noted that the October 2008 Klienfelder Midcoast Groundwater Study (Phase II) stated that the average groundwater surface elevation is approxi-

ANSWERS TO QUESTIONS

File No. PLN 2008-00218

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mately 15.5 above mean sea level (MSL) (with a range of -1 to 44 feet above MSL) within the El Granada Terrace. The project site varies in elevation from 44 to 47 feet.

2. VEGETATION AND WILDLIFE

- b. **Will (or could) this project involve cutting of heritage or significant trees as defined in the County Heritage Tree and Significant Tree Ordinance?**

Yes, Significant Unless Mitigated. Construction of the building will require the removal of thirteen significant size eucalyptus trees (12" d.b.h. or greater). As a result, the following mitigation measure is recommended:

Mitigation Measure 2: Prior to the issuance of the building permit, the applicant shall submit a revised landscape plan utilizing native plant species and prepared by a landscape architect or landscape consultant familiar with the San Mateo County Coast. At minimum, replacement plantings shall consist of nine 15-gallon trees. The revised plan shall indicate the methods(s) of irrigation and details of irrigation systems for review and approval by the Current Planning Section. The landscape plan shall be fully implemented prior to the final building inspection. All installed landscaping shall be maintained.

3. PHYSICAL RESOURCES

- b. **Will (or could) this project involve grading in excess of 150 cubic yards?**

Yes, Not Significant. The project includes 200 cubic yards of grading. Please refer to Mitigation Measure 1, above.

4. AIR QUALITY, WATER QUALITY, SONIC

- e. **Will (or could) this project be subject to noise levels in excess of levels determined appropriate according to the County Noise Ordinance or other standard?**

Yes, Not Significant. The project site is located approximately 0.18 miles from a San Mateo County Office of Emergency Services Tsunami warning siren. While emergency systems are exempt from the County Noise Ordinance pursuant to Section 4.88.360(d) of the San Mateo County Ordinance Code, should the emergency system be activated or sound for routine maintenance, the decibels would exceed exterior noise standards.

- f. **Will (or could) this project generate noise levels in excess of levels determined appropriate according to the County Noise Ordinance standard?**

ANSWERS TO QUESTIONS

File No. PLN 2008-00218

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Yes, Significant Unless Mitigated. Noise associated with demolition, grading and construction are exempt from the San Mateo County Noise Ordinance pursuant to Section 4.88.360(e), provided these activities do not occur during specified times and days. The following mitigation measure is recommended:

Mitigation Measure 3: Noise sources associated with demolition, construction, repair, remodeling or grading of any real property, provided said activities do not 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, is exempt as indicated under Section 4.88.360 of the County Ordinance Code.

5. **TRANSPORTATION**

- b. **Will (or could) this project cause noticeable increase in pedestrian traffic or a change in pedestrian patterns?**

Yes, Not Significant. The project will result in an increase in pedestrian traffic. However, the increase is not significant due to the limited increase in pedestrians and the existing established routes (e.g. sidewalks).

- c. **Will (or could) this project result in noticeable changes in vehicular traffic patterns or volumes (including bicycles)?**

Yes, Not Significant. Vehicular traffic will increase as a result of this project, however, in a limited quantity and along existing travel routes serving a multiple-family residential district.

- g. **Will (or could) this project generate traffic which will adversely affect the traffic carrying capacity of any roadway?**

Yes, Not Significant. During peak hours the Level of Service (LOS) of Highway 1 this year is projected in the El Granada area at levels "E" to "F." This project will generate additional traffic that will likely utilize this highway during peak hours. As stated in the San Mateo County Board of Supervisors adopted Resolution No. 68386, the County will "coordinate with the City of Half Moon Bay and the San Mateo County Transportation Authority to propose projects that will improve roadway Level of Service at buildout on Highway 1 in the urban Midcoast and Half Moon Bay. The project(s) could include added new travel lanes, reconfiguring lanes, acceleration/deceleration lanes, and other operation and safety improvements, e.g., signals at major intersections, wider shoulders for emergency vehicle passage, turn pockets, and requiring trip reduction measures."

ANSWERS TO QUESTIONS

File No. PLN 2008-00218

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7. AESTHETIC, CULTURAL AND HISTORIC

- a. **Will (or could) this project be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor?**

Yes, Not Significant. The project is adjacent, but not within, the Highway 1 County Scenic Corridor. The surrounding topography and existing three-story multiple-family development located between the development and the scenic corridor will screen the project.

- b. **Will (or could) this project obstruct scenic views from existing residential areas, public lands, public water body, or roads?**

No. The project site is not located at the end of a view corridor. Views from the view corridor to the ocean are obstructed by existing three-story multiple family development.

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Ans to Questions Form(click).doc

1/25/10

COUNTY OF SAN MATEO, PLANNING AND BUILDING DEPARTMENT

**NOTICE OF INTENT TO ADOPT
NEGATIVE DECLARATION**

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et seq.), that the following project: *Irizarry Major Subdivision*, when adopted and implemented, will not have a significant impact on the environment.

FILE NO.: PLN 2008-00218

OWNER: Jim Irizarry

APPLICANT: Farhad Mortazavi

ASSESSOR'S PARCEL NO.: 047-271-200

LOCATION: 127-137 Avenue Cabrillo, El Granada (Vacant Parcel)

PROJECT DESCRIPTION

The applicant proposes to construct a three-story residential condominium complex on a 10,685 sq. ft. unimproved parcel consisting of nine units ranging from 645 sq. ft. to 1,083 sq. ft. The ground floor of the complex includes a partially enclosed garage accommodating 16 parking spaces. The first and second floors, directly above the garage, consist of a mixture of one- and two-bedroom residential units. The proposal includes construction of one very low-income unit, satisfying the County's Inclusionary Ordinance and density bonus, which allows for a 25% increase in density as well as an additional incentive allowed through the Density Bonus Program for relief of setbacks for residential decks. The project includes the removal of thirteen significant size eucalyptus trees and 200 cubic yards of grading. Retaining walls vary in height from approximately 0.5 feet to 5 feet.

FINDINGS AND BASIS FOR A NEGATIVE DECLARATION

The Current Planning Section has reviewed the initial study for the project and, based upon substantial evidence in the record, finds that:

1. The project will not adversely affect water or air quality or increase noise levels substantially.
2. The project will not have adverse impacts on the flora or fauna of the area.
3. The project will not degrade the aesthetic quality of the area.
4. The project will not have adverse impacts on traffic or land use.
5. In addition, the project will not:
 - a. Create impacts which have the potential to degrade the quality of the environment.

- b. Create impacts which achieve short-term to the disadvantage of long-term environmental goals.
- c. Create impacts for a project which are individually limited, but cumulatively considerable.
- d. Create environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

The County of San Mateo has, therefore, determined that the environmental impact of the project is insignificant.

MITIGATION MEASURES included in the project to avoid potentially significant effects:

Mitigation Measure 1: Prior to the issuance of the building permit, the applicant shall submit an erosion and sediment control plan prepared by a professional erosion control consultant or a civil engineer, for review and approval by the Current Planning Section. The erosion control plan shall clearly delineate the types of measures to be used, the location of where the measures will be placed, and sectional drawings showing how the measures shall be installed. In addition, stabilized construction entranceway(s), washout pit(s), and materials and vehicle staging areas shall be included in the erosion and sediment control plan. All erosion control devices shall be installed on-site prior to any activities. Said plans shall adhere to the San Mateo County Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:

- a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15. 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.
- 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 the 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 instructions to all employees and subcontractors regarding the construction best management practices.

Mitigation Measure 2: Prior to the issuance of the building permit, the applicant shall submit a revised landscape plan utilizing native plant species and prepared by a landscape architect or landscape consultant familiar with the San Mateo County Coast. At minimum, replacement plantings shall consist of nine 15-gallon trees. The revised plan shall indicate the methods(s) of irrigation and details of irrigation systems for review and approval by the Current Planning Section. The landscape plan shall be fully implemented prior to the final building inspection. All installed landscaping shall be maintained.

Mitigation Measure 3: Noise sources associated with demolition, construction, repair, remodeling or grading of any real property, provided said activities do not 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, is exempt as indicated under Section 4.88.360 of the County Ordinance Code.

INITIAL STUDY

The San Mateo County Current Planning Section has reviewed the Environmental Evaluation of this project and has found that the probable environmental impacts are insignificant. A copy of the initial study is attached.

REVIEW PERIOD: February 10, 2010 – March 1, 2010

All comments regarding the correctness, completeness, or adequacy of this Negative Declaration must be received by the County Planning and Building Department, 455 County Center, Second Floor, Redwood City, no later than **5:00 p.m., March 1, 2010.**

CONTACT PERSON

Melissa Ross, Project Planner
Project Planner, 650/599-1559



Melissa Ross, Project Planner

MAR:pac – MARU0065_WPH.DOC

STATE OF CALIFORNIA - THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE

45 FREMONT STREET, SUITE 2000

SAN FRANCISCO, CA 94105-2219

VOICE (415) 904-5280 FAX (415) 904-5400

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT****Please Review Attached Appeal Information Sheet Prior To Completing This Form.****SECTION I. Appellant(s)**

Name: Delia Comito

Mailing Address: Post Office Box 1953

City: El Granada

Zip Code: CA

Phone: 94018

SECTION II. Decision Being Appealed

1. Name of local/port government:

San Mateo County

2. Brief description of development being appealed:

New construction of 3-story, nine unit condominium complex.

3. Development's location (street address, assessor's parcel no., cross street, etc.):

121-137 Avenue Cabrillo, El Granada, APN: 047-271-200

4. Description of decision being appealed (check one.):

- ☐ Approval; no special conditions
- ☒ Approval with special conditions:
- ☐ Denial

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:APPEAL NO: A-2-SMC-10-015DATE FILED: 4/26/10DISTRICT: North Central Coast

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- ☐ Planning Director/Zoning Administrator
☐ City Council/Board of Supervisors
☒ Planning Commission
☐ Other

6. Date of local government's decision: 3/24/10

7. Local government's file number (if any): PLN2008-00218

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

Jim Irizarry
1200 Bear Gulch Road
Woodside, CA 94062

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1) Alan & Susan O'Driscoll
610 Coronado Street
Half Moon Bay, CA 94019

(2) Joyce Beckman
631 Columbus Street
Half Moon Bay, CA 94019

(3) Ivette Aguilera
239 Avenue Cabrillo
Half Moon Bay, CA 94019

(4) Mike Fitzpatrick
Post Office Box
El Granada, CA 94018

I am an aggrieved person to this project as I attended the pre-planning meeting and the Planning Commission meeting when the final County decision was made.

This project is inconsistent with the LCP Visual Resources Component policies and Design Review standards noted below related to natural and structural features. This project is also in conflict with the LCP Public Works policies regarding road capacity and traffic. As such, I believe that the Planning Commission's decision warrants a new hearing.

LCP Sections:

8.9 (a) to locate and design new development to minimize tree removal,
8.9 (b) to employ the regulations of the Significant Tree Ordinance to protect significant trees located in urban areas zoned DR,
8.12 (b) to employ the design criteria set forth in the Community Design Manual for all new development in urban areas,
8.12 (c) to locate and design new development and landscaping so that ocean views are not block from public viewing points such as public roads, and
8.12 (a) (4) to design structures which are in scale with the character of their setting and blend rather than dominate or distract from the overall view of the urban landscape.
2.48, 2.49 & 2.57 (c) to protect road capacity for visitors through transportation system management techniques by monitoring the peak recreation period traffic to determine whether the above techniques are successful and whether new residential development is consuming road capacity needed for visitors.

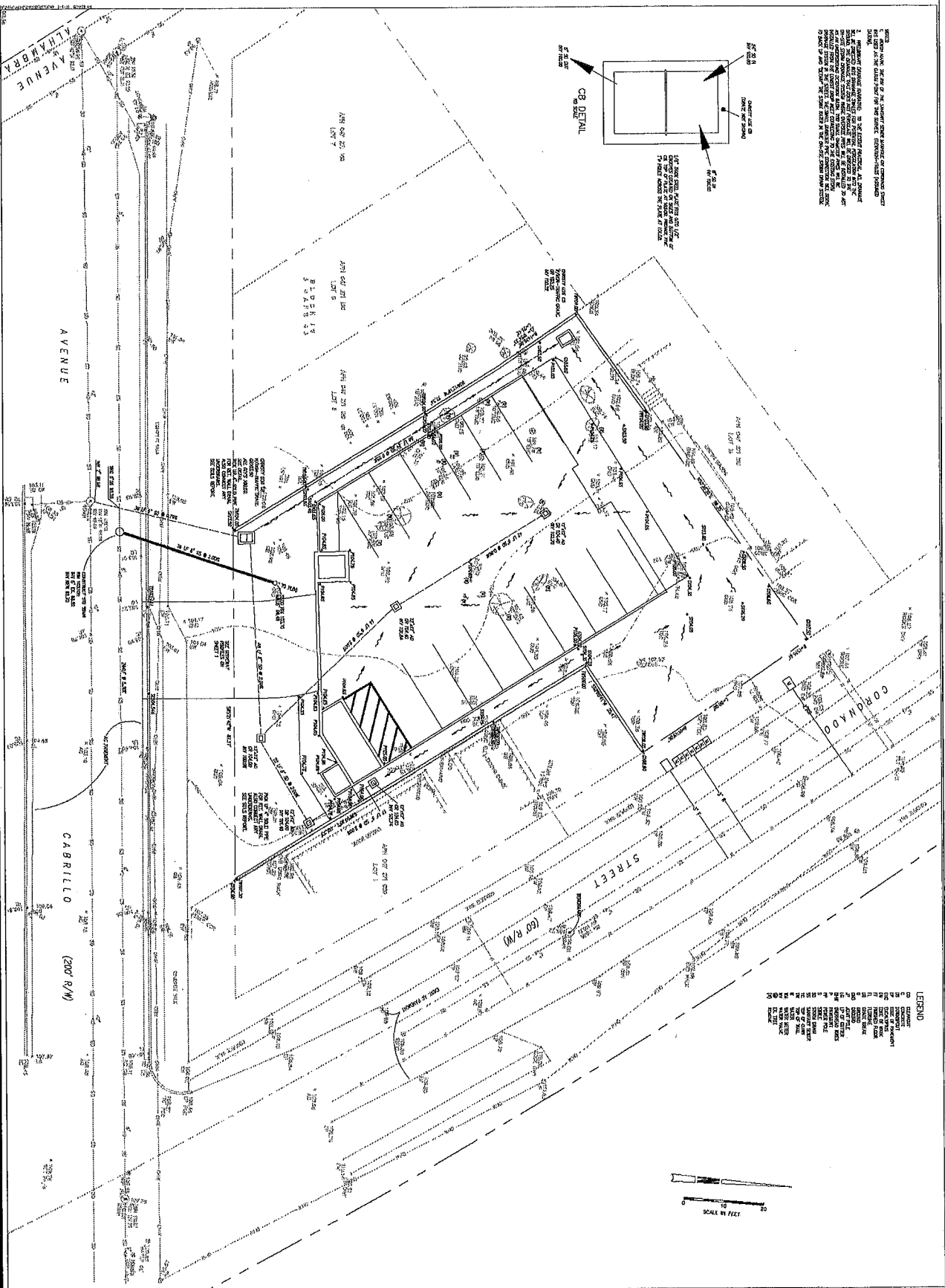
Reasons believed inconsistent:

This project proposes 9-units on a 10,865 sq. ft. lot and was not designed to minimize impacts to visual resources, and without any consideration of placement to minimize tree removal. The removal of 13 trees (8 significant) will constitute the cutting of a "Grouping of Trees" which will have a significant impact on the environment and the neighborhood.

The project size and scale is not similar to the surrounding structures. This project is surrounded by single-family dwellings and duplexes, with a maximum two-story height. The proposed project will be 33 ½' high, increased four feet from the pre-planning proposal. The Planning Department staff report compared the project to multiple-family dwellings in a different zoning district that were constructed before 1982.

The existing road capacity is insufficient to serve the current population and significantly impacts the public's ability to access the coast. A multi-residential project such as the proposed project will cause greater traffic impacts due to increased vehicle trips on roads that are already at capacity. Therefore, this project should have to demonstrate that the roads would provide an adequate level of service.





LEGEND

03	STANDARD
04	CONCRETE
05	PORECLAY
06	TYPE OF PLASTER
07	BRICKS
08	TYPE OF ROOF
09	TYPE OF FLOOR
10	TYPE OF WALL
11	DOOR
12	WINDOW
13	CEILING
14	JOINT P.C.
15	TYPE OF CLIMB
16	TYPE OF ROOF
17	TYPE OF FLOOR
18	TYPE OF WALL
19	DOOR
20	WINDOW
21	CEILING
22	JOINT P.C.
23	TYPE OF CLIMB
24	TYPE OF ROOF
25	TYPE OF FLOOR
26	TYPE OF WALL
27	DOOR
28	WINDOW
29	CEILING
30	JOINT P.C.
31	TYPE OF CLIMB
32	TYPE OF ROOF
33	TYPE OF FLOOR
34	TYPE OF WALL
35	DOOR
36	WINDOW
37	CEILING
38	JOINT P.C.
39	TYPE OF CLIMB
40	TYPE OF ROOF
41	TYPE OF FLOOR
42	TYPE OF WALL
43	DOOR
44	WINDOW
45	CEILING
46	JOINT P.C.
47	TYPE OF CLIMB
48	TYPE OF ROOF
49	TYPE OF FLOOR
50	TYPE OF WALL
51	DOOR
52	WINDOW
53	CEILING
54	JOINT P.C.
55	TYPE OF CLIMB
56	TYPE OF ROOF
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59	DOOR
60	WINDOW
61	CEILING
62	JOINT P.C.
63	TYPE OF CLIMB
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67	DOOR
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71	TYPE OF CLIMB
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74	TYPE OF WALL
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77	CEILING
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79	TYPE OF CLIMB
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81	TYPE OF FLOOR
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83	DOOR
84	WINDOW
85	CEILING
86	JOINT P.C.
87	TYPE OF CLIMB
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89	TYPE OF FLOOR
90	TYPE OF WALL
91	DOOR
92	WINDOW
93	CEILING
94	JOINT P.C.
95	TYPE OF CLIMB
96	TYPE OF ROOF
97	TYPE OF FLOOR
98	TYPE OF WALL
99	DOOR
100	WINDOW

EL GRANADA
CONDOS

AVENUE CABRILLO &
CORONADO STREET
SAN MATEO COUNTY
CALIFORNIA

Sticks	1-17
Drawing	SPR.DWG
Job No	200725
Date	Description
07/01/08	

EXISTING
TOPOGRAPHY
AND
PROPOSED
GRADING/
DRAINAGE PLAN

2 OF 3

San Mateo County Planning Commission's Meeting

Owner/Applicant: **Jim Irizarry**

File Numbers: **PLN 2008-00218**

Attachment:

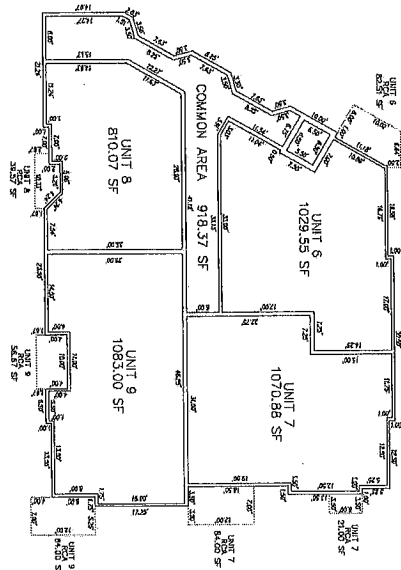
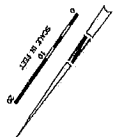
BOHLEY CONSULTING
CONSULTING
10000 RIVERDALE AVE. SUITE 100
DANFORTH, ONTARIO M1S 1T7
TEL: (416) 291-1111
FAX: (416) 291-1112

EL GRANADA CONDOS
VESTING
TENTATIVE MAP
AVENUE CARILLO &
CONADO STREET
SAN MATEO COUNTY
CALIFORNIA

Scale
1" = 40'
Drawing
STANDARD
Date
2007/10
Drawn
07/10/08

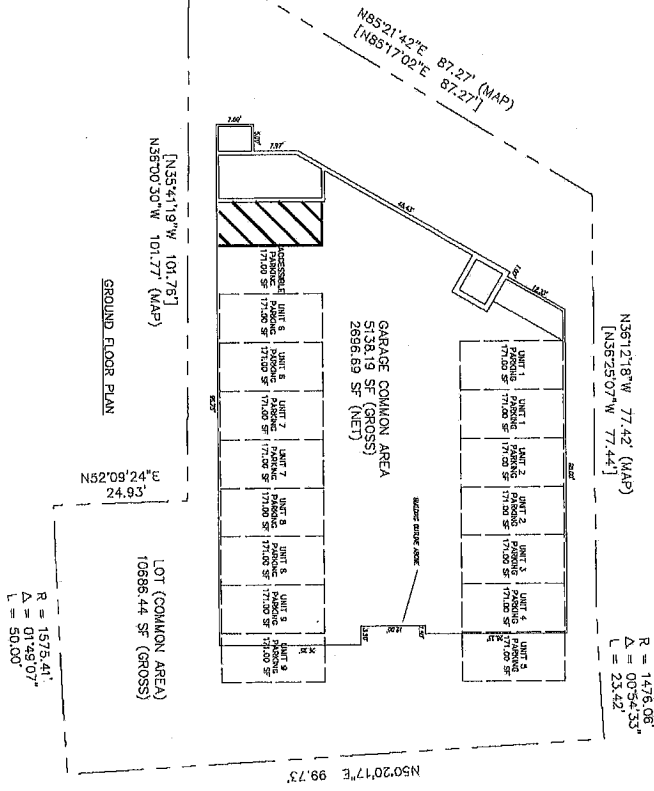
UNIT
DIMENSION
PLAN

3 OF 3



RCA = RESTRICTED COMMON AREA FOR THE SPECIFIED UNIT

2ND FLOOR PLAN



GROUND FLOOR PLAN

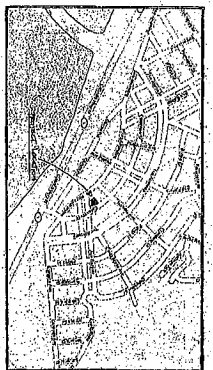
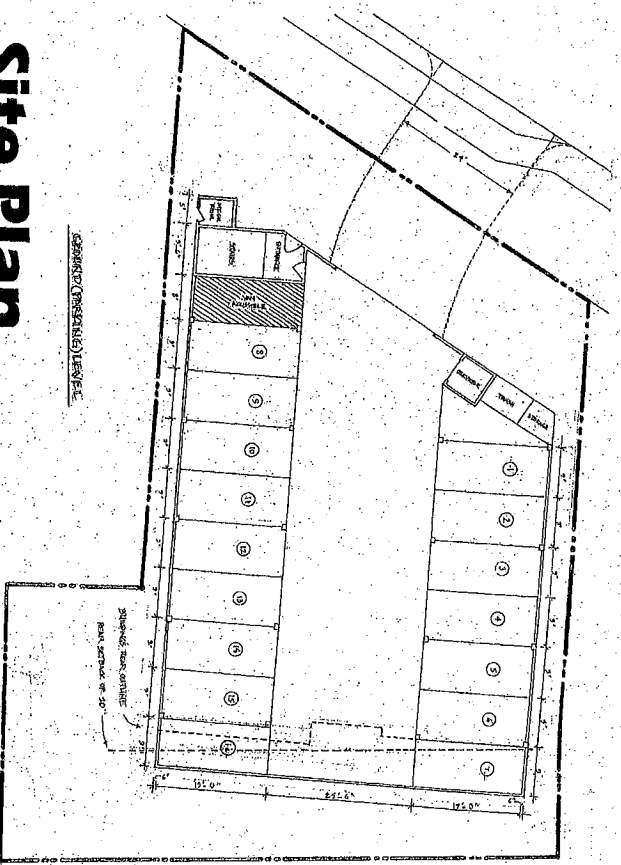
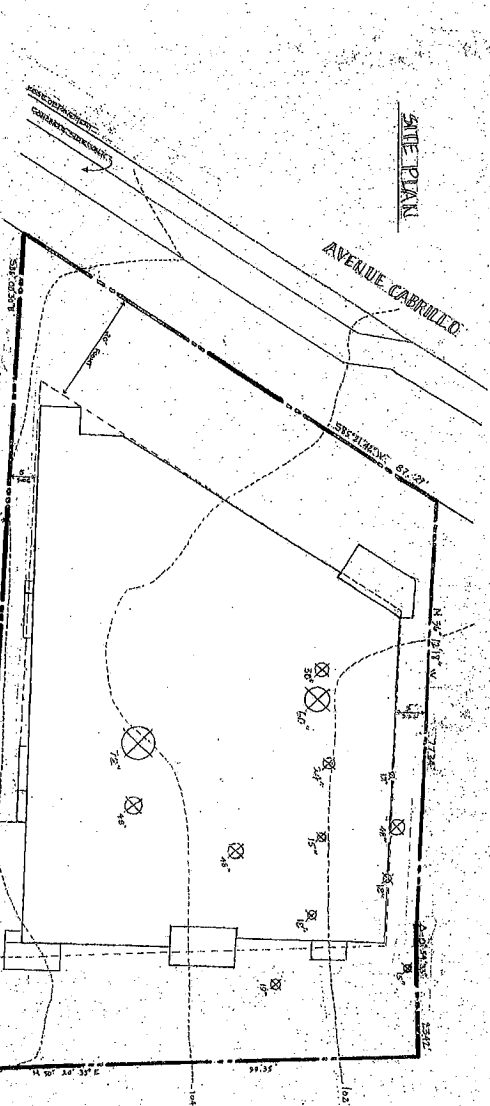
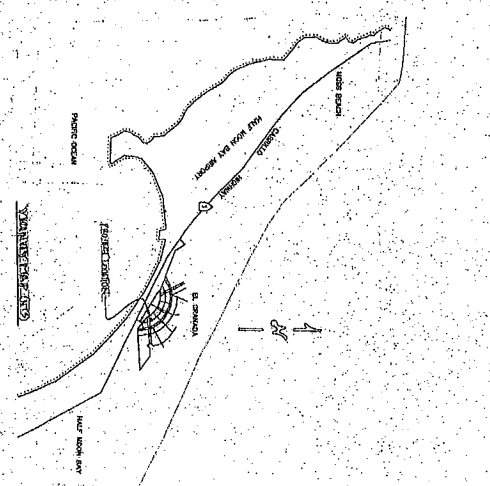
R = 1575.41'
Δ = 0149.07'
L = 50.00'

San Mateo County Planning Commission's Meeting

Owner/Applicant: **Jim Irizarry**

File Numbers: **PLN 2008-00218**

Attachment: **2**



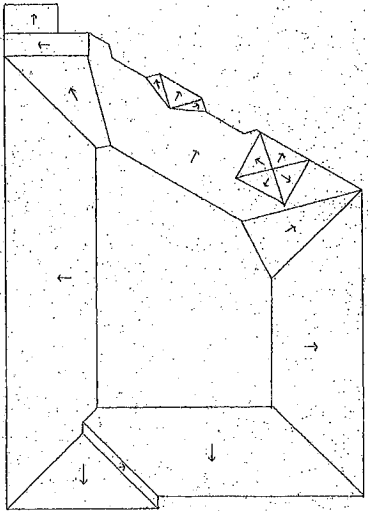
PROJECT OVERVIEW APR 07/21/200 Lot Size 10,623 sq. ft. - 244 acres Development Standards and Zoning Requirements Medium Density 34.9 Units Zoning R-36-S/DR/CD Proposed Development Density 8 units per 1 acreable unit Total Site: 20 ft. Rear Setback: 20 ft. Side Setback: 5 ft. (10 ft. from Corralito Avenue) Lot Coverage 5.134 sq. ft. or 48.3 % (allowed at 50 %) Maximum Height 32.5 ft. (allowed 56 ft.) Living Area 8,004 sq. ft. Total 685 sq. ft. Total Area 5,627 sq. ft. Trees to be removed 13 deciduous trees Setback Requirements Building setbacks from street by 6 ft. 6 ft. 6 ft. setbacks by 7 ft. 6 ft. setbacks by 10 ft. 11 ft. rear setback by 10 ft.	PROJECT: OCEAN VIEW TERRACE CONDOMINIUMS AVENUE CARRILLO	CONTRACTOR: TERRACE HOMES 926 WOODSIDE ROAD REDWOOD CITY, CA	SITE PLAN SCALE 1" = 10'-0" NOTARY CONSULTING PLANNING & BUILDING DESIGN 670 BAYVIEW, REDWOOD CITY, CA 94061
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San Mateo County Planning Commission's Meeting

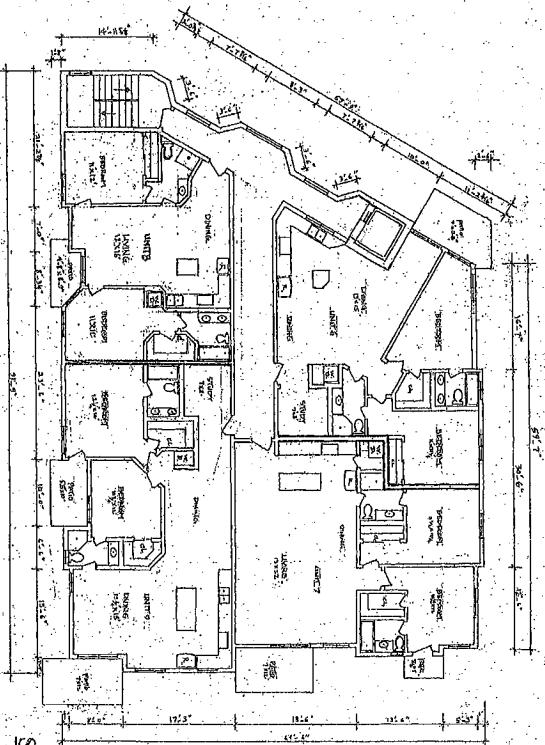
Owner/Applicant: Jim Irizarry
File Numbers: PLN 2008-00218

Attachment: D

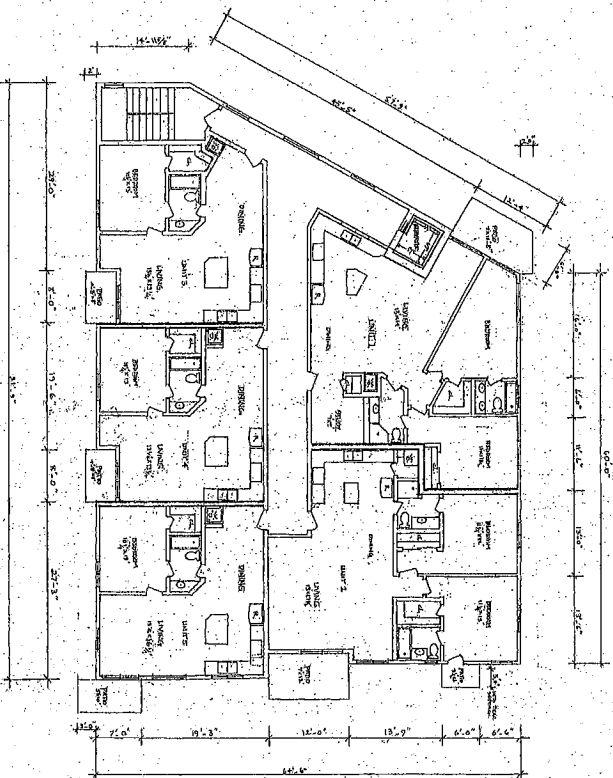
Attachment: E



ROOF PLAN



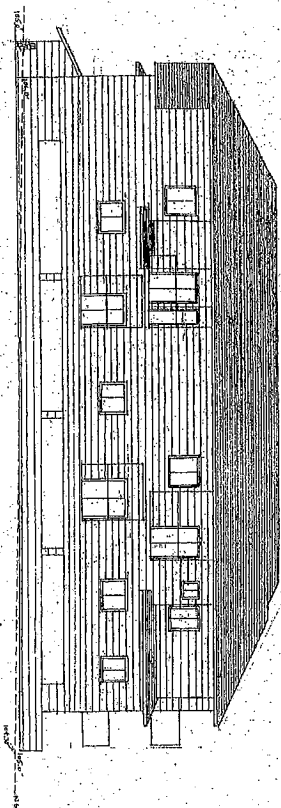
SECOND FLOOR PLAN



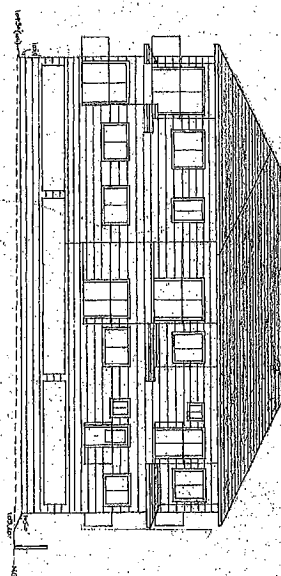
FIRST FLOOR PLAN

Condensation Specification	
First Floor, West Side:	
Unit 1:	1,065 sq. ft., 87 sq. ft. patio 2 bedrooms & 2 baths
Unit 2:	1,012 sq. ft., 405 sq. ft. patio 2 bedrooms & 2 baths
First Floor, East Side:	
Unit 3:	697 sq. ft., 37 sq. ft. patio 1 bedroom & 1 bath
Unit 4:	645 sq. ft., 37 sq. ft. patio 1 bedroom & 1 bath
Unit 5:	650 sq. ft., 50 sq. ft. patio 1 bedroom & 1 bath
Second Floor, West Side:	
Unit 6:	1,010 sq. ft., 83 sq. ft. patio 2 bedrooms & 2 baths
Unit 7:	1,077 sq. ft., 405 sq. ft. patio 2 bedrooms & 2 baths
Second Floor, East Side:	
Unit 8:	810 sq. ft., 40 sq. ft. patio 2 bedrooms & 2 baths
Unit 9:	1,083 sq. ft., 141 sq. ft. patio 2 bedrooms & 2 baths
PROJECT:	OCEAN VIEW TERRACE CONDOMINIUMS, AVENUE CARILLON
CONTRACTOR:	TERRACE HOMES 926 WOODSIDE ROAD REDWOOD CITY, CA
FLOOR PLANS, ROOF PLAN	SCALE: 1/8" = 1'-0"
MORTGIZANT CONSULTING	PLANNING & REFINANCING DEVISION
(916) 824-0171, mortgizant@comcast.net	

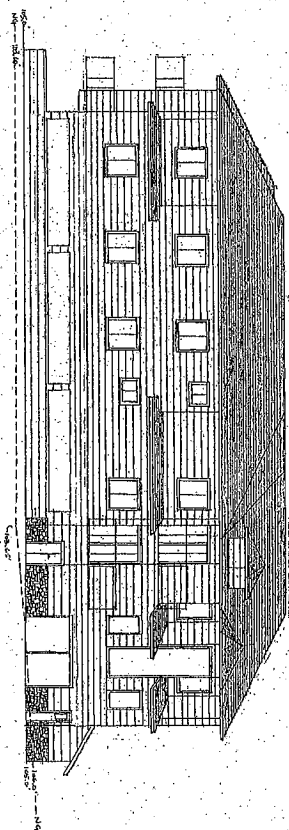
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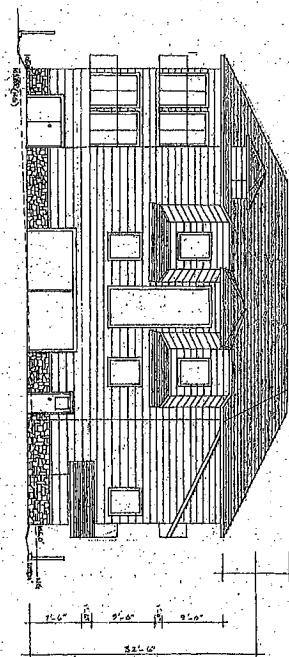
EAST



NORTH



WEST



SOUTH (AVE. CABRILLO)

Anterior Flexion Material

Roofing: Architectural Dimensional Corporation Shingles • Baycon 40-year warranty

Roof Pitch: 6 • 12 Horizontal to Vertical

Siding: Upper floors • Horizontal Burlington wood grain laminate w/ 5" vertical

Siding: Ground level • Jedge stone veneer interlocking on lower half with horizontal siding on upper half

Trim: Bead 2x6 gables around windows at corners, Jedge between floors and above stone veneer

Finish: Bead 2x6 with 24" cove

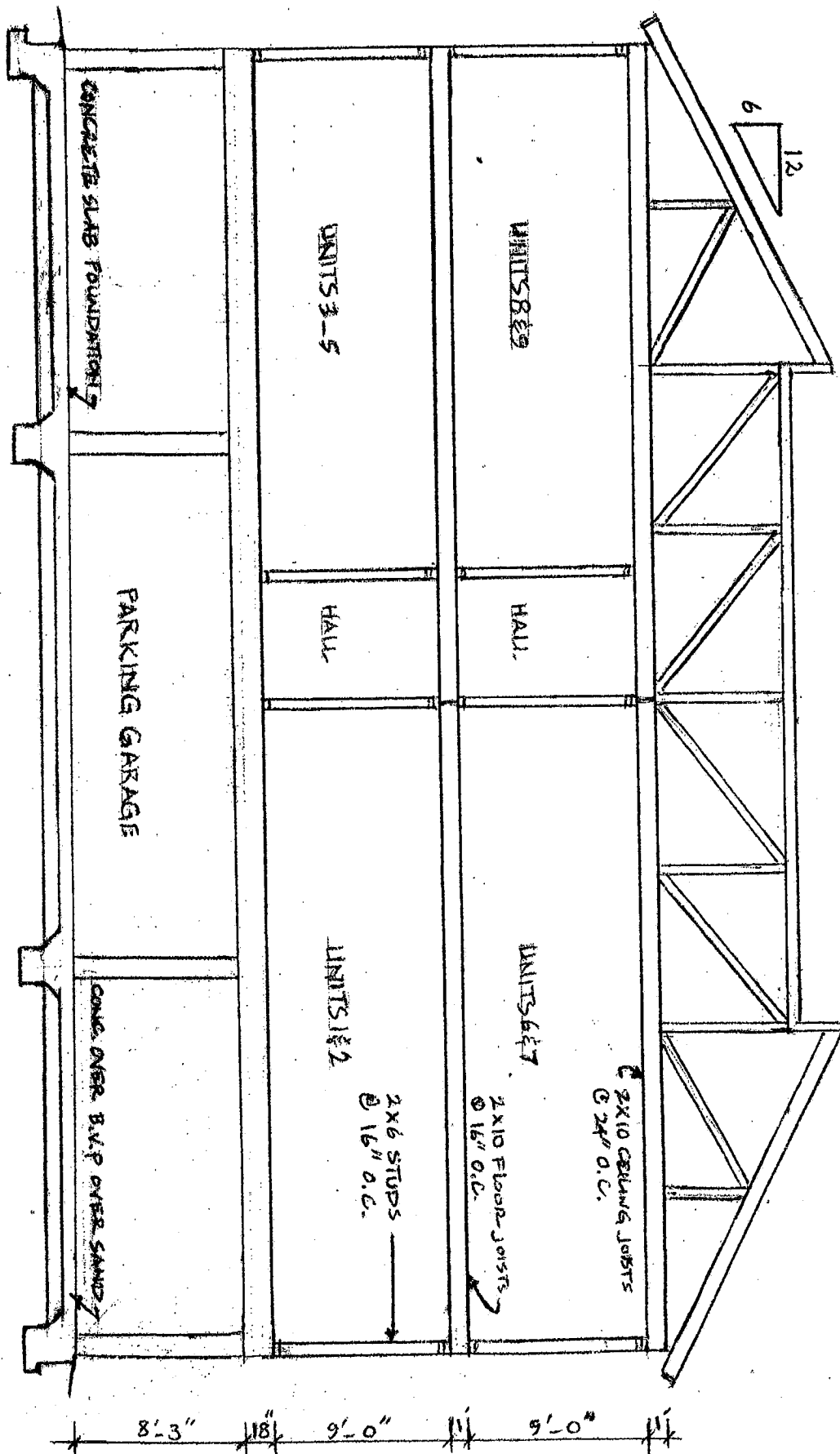
Paint: Bead Premium Plus • Semi Gloss

PROJECT:
OCEAN VIEW TERRACE
CONDOMINIUMS,
AVENUE CABRILLO

CONTRACTOR:
TERRACE HOMES
926 WOODSIDE ROAD
REDWOOD CITY, CA

ELEVATIONS
SCALE: 1/8" = 1'-0"

MORTAZAVI CONSULTING
PLANNING & BUILDING DESIGN
(916) 834-0791, mortazavi@earthlink.net



San Mateo County Planning Commission's Meeting

SECTION
SCALE: 1/8" = 1'-0"

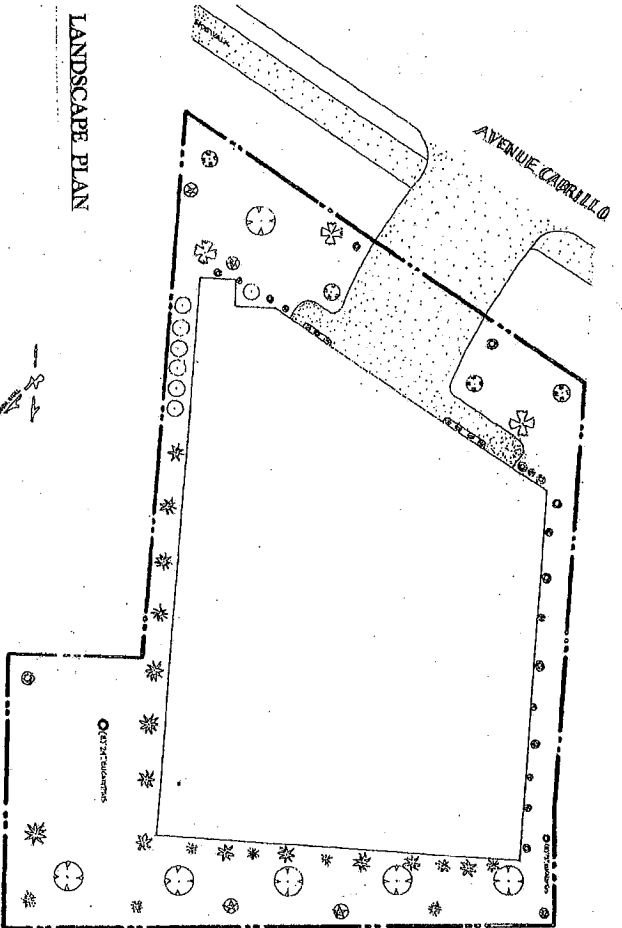
Owner/Applicant: Jim Irizarry
File Numbers: PLN 2008-00218

Attachment: G

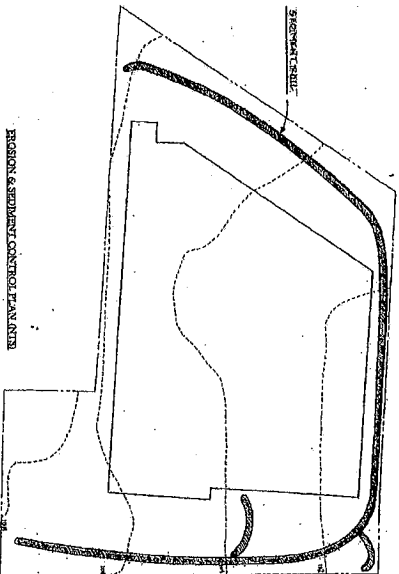
PLANTLIST

LEGEND # TREE SPECIES SIZE HEIGHT SPECIES

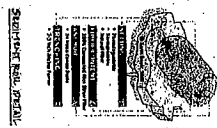
7	Italian Cypress	15 ft.	30-35 ft.	Narrowly columnar with dark green, glossy foliage and very fine scale leaves. Instant of dry conditions.
6	Red Maple	15 ft.	35-40 ft.	Shade tree with smooth bark and brilliant deep red leaves in autumn.
6	Japanese Maple	5 ft.	15 ft.	Compact slow tree with ferny foliage and red autumn coloring of rich gold to deep red requiring shade and shelter.
3	Starbuck Tree	5 ft.	15 ft.	Shade tree with white and pinkish flowers. Grows in autumn along with orange and red foliage. Requires shelter and shade.
4	Cherry Plum	15 ft.	20 ft.	Shade tree with pink and white flowers. Grows in autumn along with orange and red foliage. Requires shelter and shade.
4	Lemon Bunchbush	5 ft.	8-10 ft.	Evergreen shrub with white flowers. Grows in autumn along with orange and red foliage. Requires shelter and shade.
12	Juniper	5 ft.	5-10 ft.	Groundcover with dark green, dense and very fragrant and very white flowers in summer and autumn. Grows in autumn along with orange and red foliage. Requires shelter and shade.
14	Canella	1 ft.	15 ft.	Evergreen shrub with red, white or pink flowers in early autumn to early winter. Many problems with it.
15	Bougainvillea	1-2 ft.	8 ft.	Thorny shrub with green, yellow and red, pink, purple or orange leaves. Grows in autumn along with orange and red foliage. Requires shelter and shade.



LANDSCAPE PLAN



LANDSCAPE PLAN



LANDSCAPE PLAN

LANDSCAPE PLAN

PROJECT: TERRACE HOMES
CONDOMINIUMS
926 WOODSIDE ROAD
REDWOOD CITY, CA

CONTRACTOR: MORTALAZAY CONSULTING

DATE: 10/10/07

SCALE: 1" = 10'-0"

BUILDING DESIGN & PLANNING

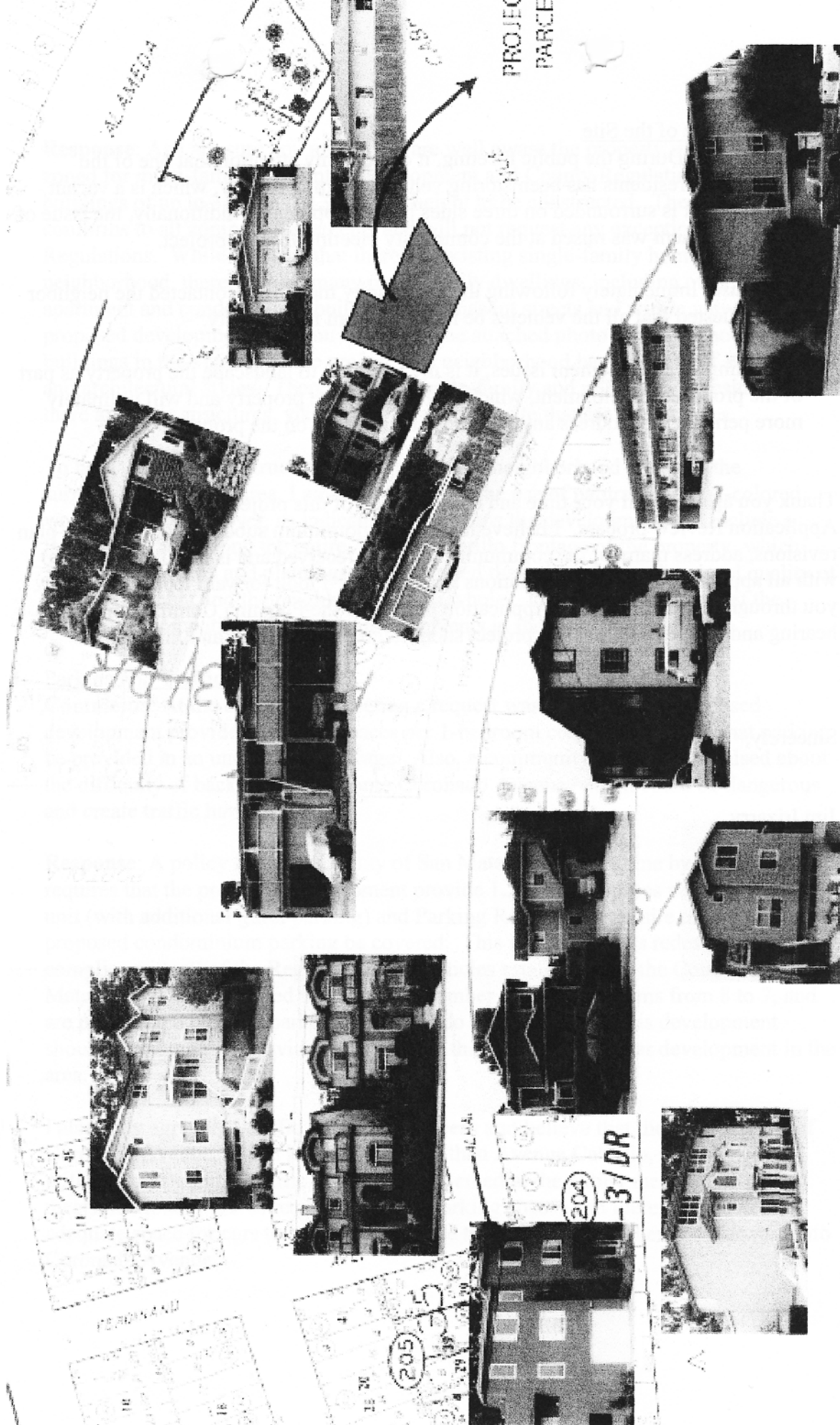
1010 15th Ave, Redwood City, CA 94061

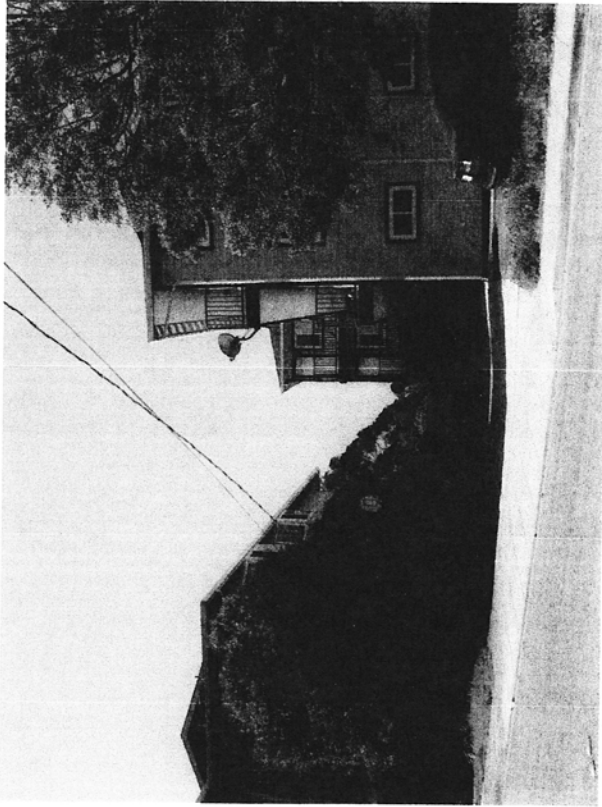
San Mateo County Planning Commission's Meeting

Owner/Applicant: Jim Irizarry

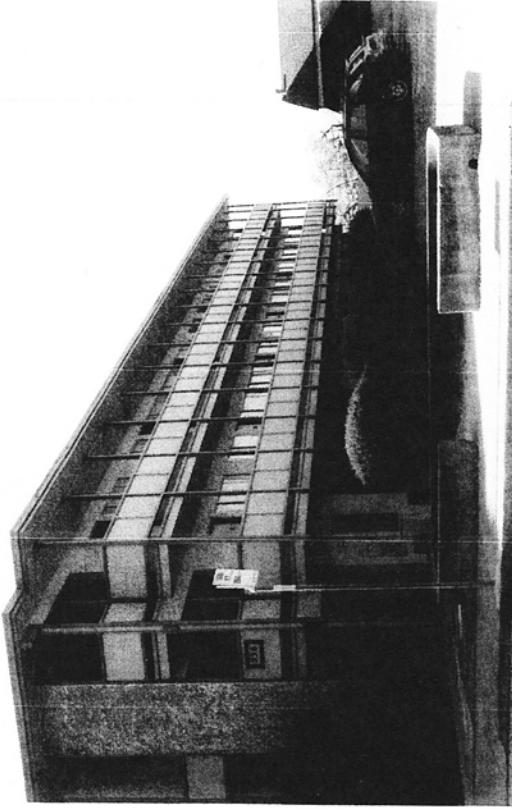
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File Numbers: PLN 2008-00218

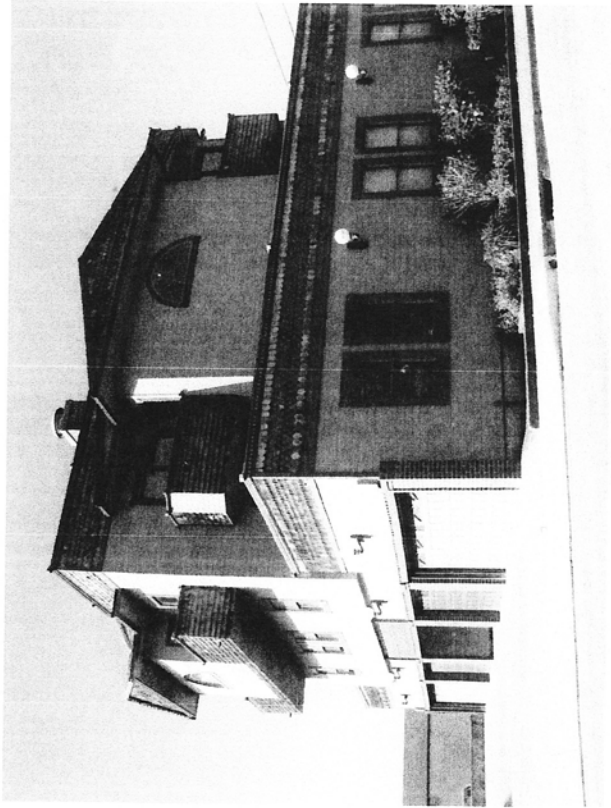




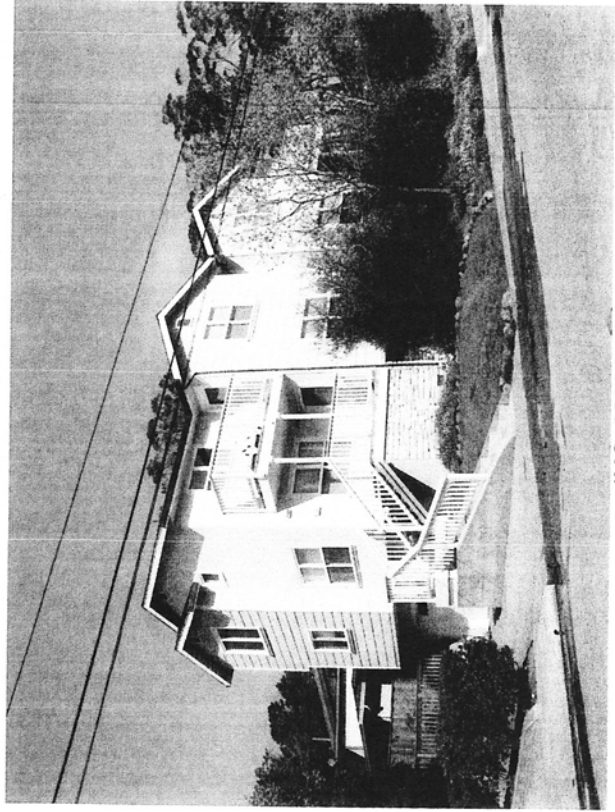
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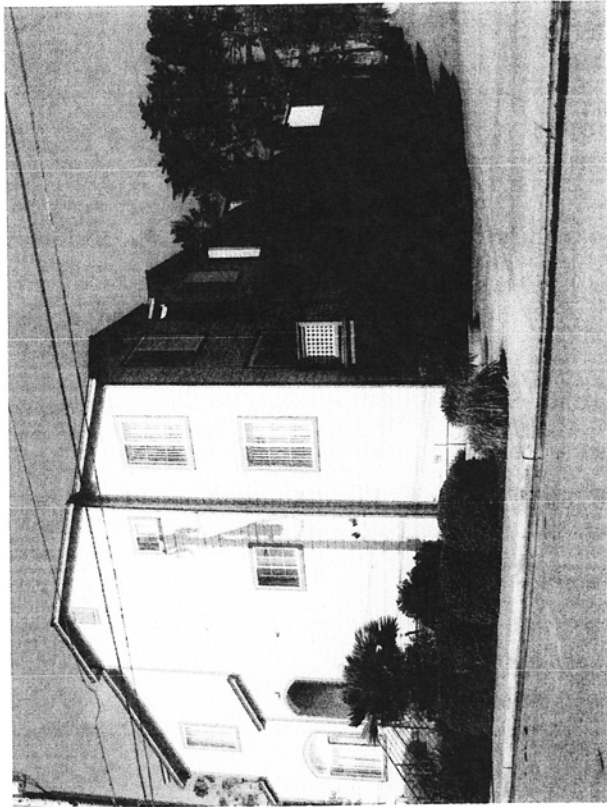
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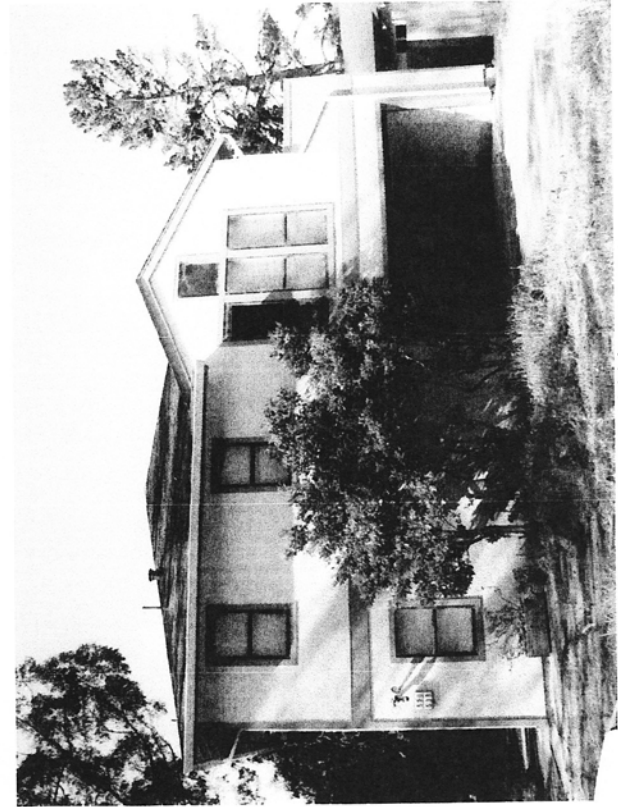
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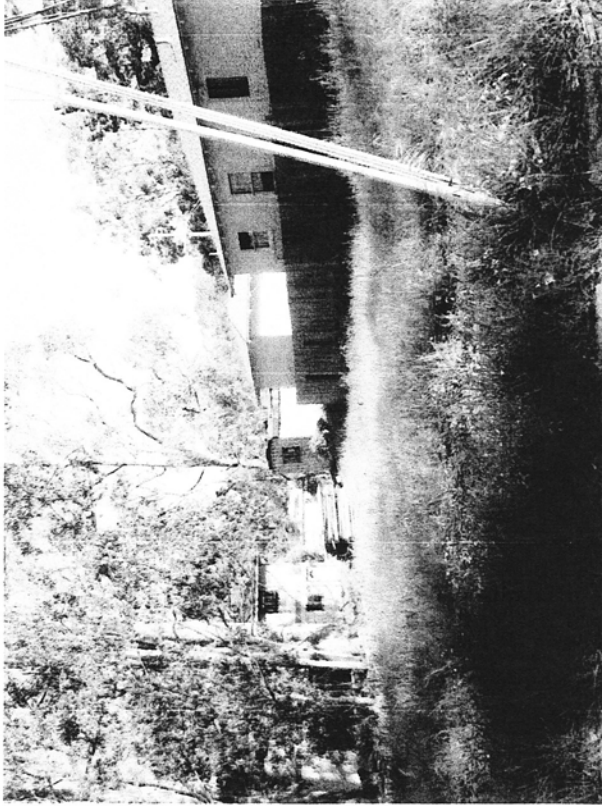
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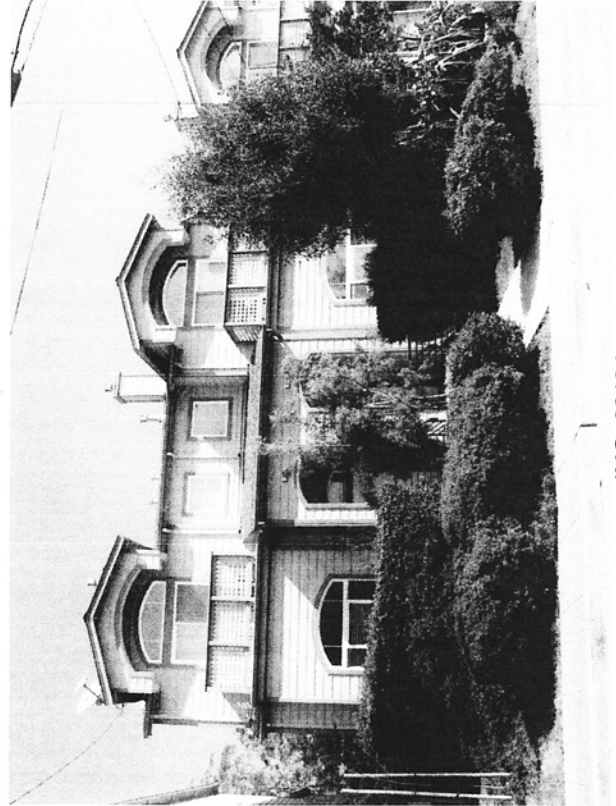
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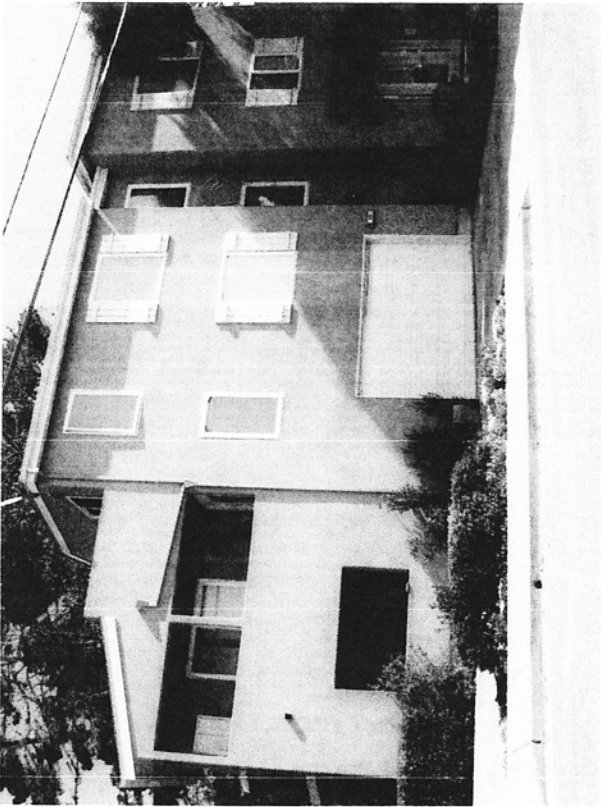
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IMG_0015.jpg



IMG_0018.jpg



IMG_0019.jpg



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Applicable San Mateo County LCP and Coastal Act Policies

Location of New Development

LCP Policy 1.18 (Location of New Development) states, in part:

- a. Direct new development to existing urban areas and rural service centers in order to: (1) discourage urban sprawl, (2) maximize the efficiency of public facilities, services, and utilities, (3) minimize energy consumption, (4) encourage the orderly formation and development of local governmental agencies, (5) protect and enhance the natural environment, and (6) revitalize existing developed areas.*
- b. Concentrate new development in urban areas and rural service centers by requiring the “infilling” of existing residential subdivisions and commercial areas.*

[....]

Public Works Policies

LCP Policy 2.48 (Capacity Limits) states:

- a. Limit expansion of roadways to capacity which does not exceed that needed to accommodate commuter peak period traffic when buildout of the Land Use Plan occurs.*
- b. Use the requirements of commuter peak period traffic as the basis for determining appropriate increases in capacity.*

LCP Policy 2.49 (Desired Level of Service) states:

In assessing the need for road expansion, consider Service Level D acceptable during commuter peak periods and Service Level E acceptable during recreation peak periods.

LCP Policy 2.57 (Protecting Road Capacity for Visitors Through Transportation System) states, in part:

[...]

- c. Monitor the peak recreation period traffic to determine whether the above techniques are successful and whether new residential development is consuming road capacity needed for visitors.*

Housing Policies

LCP Policy 3.19 (Grant Density Bonuses for the Development of Affordable Housing) states:

In accordance with State Government Code Section 65915, or any successor statute, grant a density bonus of 25% and other incentive(s) for the development of new housing in the urban area if a developer agrees to construct: (a) 10% of the housing units for very low-income households, or (b) 20% of the housing units for lower-income households, or (c) 50% of the housing units for senior households. Also, grant a supplemental density bonus if a development exceeds the minimum requirements stated above, or provides a percentage of the total units for large families or disabled households.

LCP Policy 3.20 (Establish an Inclusionary Requirement for Affordable Housing) states:

Establish an inclusionary requirement for affordable housing whereby residential developments, including land divisions in urban areas will be required to either (a) reserve a percentage of the units constructed as affordable housing, OR (b) pay a fee in lieu of constructing the required affordable housing units. Assure continued affordability of reserved affordable housing units through appropriate deed restrictions.

Visual Resources Policies

LCP Policy 8.5 (Location of Development) states, in part:

a. Require that new development be located on a portion of a parcel where the development

(1) is least visible from State and County Scenic Roads,

(2) is least likely to significantly impact views from public viewpoints, and

(3) is consistent with all other LCP requirements, best preserves the visual and open space qualities of the parcel overall. Where conflicts in complying with this requirement occur, resolve them in a manner which on balance most protects significant coastal resources on the parcel, consistent with Coastal Act Section 30007.5.

Public viewpoints include, but are not limited to, coastal roads, roadside rests and vista points, recreation areas, trails, coastal accessways, and beaches.

This provision does not apply to enlargement of existing structures, provided that the size of the structure after enlargement does not exceed 150% of the pre-existing floor area, or 2,000 sq. ft., whichever is greater.

[....]

LCP Policy 8.9 (Trees) states:

- a. Locate and design new development to minimize tree removal.*
- b. Employ the regulations of the Significant Tree Ordinance to protect significant trees (38 inches or more in circumference) which are located in urban areas zoned Design Review (DR).*
- c. Employ the regulations of the Heritage Tree Ordinance to protect unique trees which meet specific size and locational requirements.*
- d. Protect trees specifically selected for their visual prominence and their important scenic or scientific qualities.*
- e. Prohibit the removal of trees in scenic corridors except by selective harvesting which protects the existing visual resource from harmful impacts or by other cutting methods necessary for development approved in compliance with LCP policies and for opening up the display of important views from public places, i.e., vista points, roadways, trails, etc.*
- f. Prohibit the removal of living trees in the Coastal Zone with a trunk circumference of more than 55 inches measured 4 1/2 feet above the average surface of the ground, except as may be permitted for development under the regulations of the LCP, or permitted under the Timber Harvesting Ordinance, or for reason of danger to life or property.*
- g. Allow the removal of trees which are a threat to public health, safety, and welfare.*

LCP Policy 8.12 (General Regulations) states:

- a. Apply the Design Review (DR) Zoning District to urbanized areas of the Coastal Zone.*
- b. Employ the design criteria set forth in the Community Design Manual for all new development in urban areas.*
- c. Locate and design new development and landscaping so that ocean views are not blocked from public viewing points such as public roads and publicly-owned lands.*

LCP Policy 8.13 (Special Design Guidelines for Coastal Communities) states, in part:

The following special design guidelines supplement the design criteria in the Community Design Manual:

a. Montara-Moss Beach-El Granada

- (1) Design structures which fit the topography of the site and do not require extensive cutting, grading, or filling for construction.*
- (2) Employ the use of natural materials and colors which blend with the vegetative cover of the site.*
- (3) Use pitched, rather than flat, roofs which are surfaced with nonreflective materials except for the employment of solar energy devices.*

(4) Design structures which are in scale with the character of their setting and blend rather than dominate or distract from the overall view of the urban landscape.

(5) To the extent feasible, design development to minimize the blocking of views to or along the ocean shoreline from Highway 1 and other public viewpoints between Highway 1 and the sea. Public viewpoints include coastal roads, roadside rests and vista points, recreation areas, trails, coastal accessways, and beaches. This provision shall not apply in areas west of Denniston Creek zoned either Coastside Commercial Recreation or Waterfront.

(6) In areas east of Denniston Creek zoned Coastside Commercial Recreation, the height of development may not exceed 28 feet from the natural or finished grade, whichever is lower.

[...]

LCP Policy 10.30 (Requirement of Minimum Access as a Condition of Granting Development Permits) states, in part:

[...]

(3) For large agricultural and non-agricultural developments (i.e., developments of more than one single-family house, major subdivisions, commercial and industrial developments, and large greenhouses and agricultural processing plants), require the property owner to provide, improve, and maintain shoreline access consistent with the policies of this component.

[...]

San Mateo County Significant Tree Ordinance (Part of the LCP per Policy 8.9(b))

SECTION 12,000. FINDINGS.

The Board of Supervisors finds and declares that the existing and future trees and tree communities located within the County of San Mateo are a valuable and distinctive natural resource. The trees and tree communities of the County augment the economic base through provision of resources for forest products, encouragement of tourism, and enhancement of the living environment. These resources are a major component of both the highly-localized and area-wide environment. The following environmental consequences are among those which could result from the indiscriminate removal or destruction of trees and tree communities in San Mateo County:

(a) Modification of microclimates.

(b) Change or elimination of animal habitat, possibly including habitats of endangered species.

- (c) Change in soil conditions, resulting in modified biological activity and erosion of soils.*
- (d) Creation of increased susceptibility of flood hazards.*
- (e) Increased risk of landslides.*
- (f) Increased cost of construction and maintenance of drainage system through increased flow and diversion of surface waters.*
- (g) Degradation of the human habitat.*
- (h) Loss of environmental benefits of trees in neighborhoods, such as noise reduction, oxygen replacement, carbon dioxide reduction, interception of particulates, aesthetic qualities.*
- (i) Potential for irreparable wind damage to adjacent trees.*

SECTION 12,012.

“SIGNIFICANT TREE” shall mean any live woody plant rising above the ground with a single stem or trunk of a circumference of thirty-eight inches (38") or more measured at four and one half feet (4 1/2') vertically above the ground or immediately below the lowest branch, whichever is lower, and having the inherent capacity of naturally producing one main axis continuing to grow more vigorously than the lateral axes.

SECTION 12,021. PERMIT APPLICATIONS.

Any person desiring to cut down, remove, destroy or cause to be removed any tree regulated herein shall apply to the San Mateo County Planning Division for a Tree Cutting Permit on forms provided. Said application shall be accompanied by such drawings, written material, photographs and other information as are necessary to provide data concerning trees within the affected area, which shall include:

- (a) The diameter and height of the tree.*
- (b) The type of trees (e.g., coniferous, evergreen hardwood and deciduous hardwood).*
- (c) A map or accurate sketch of location and trees proposed to be cut (show other significant trees, shrubs, buildings or proposed buildings within 25 feet of any trees proposed to be cut including any off the parcel; photographs may be used to show the area).*
- (d) Method for marking the tree proposed to be trimmed, cut down, removed or destroyed.*
- (e) Description of method to be used in removing or trimming the tree.*
- (f) Description of tree planting or replacement program, including detailed plans for an irrigation program, if required.*
- (g) Reasons for proposing removal or trimming of the tree.*
- (h) Street address where tree is located.*
- (i) General health of tree to be trimmed, cut down or removed, as documented by a licensed tree surgeon or arborist.*
- (j) Other pertinent information which the Planning Director may require.*

SECTION 12,023. CRITERIA FOR PERMIT APPROVAL.

The Planning Director or any other person or body charged with determining whether to grant, conditionally grant or deny a Tree Cutting or Trimming Permit may approve a permit only if one or more of the following findings are made:

(a) The tree: (1) is diseased; (2) could adversely affect the general health and safety; (3) could cause substantial damage; (4) is a public nuisance; (5) is in danger of falling; (6) is too closely located to existing or proposed structures consistent with LCP Policy 8.9(a); (7) meets standards for tree removal of Chapter 28.1 (Design Review District) of the San Mateo County zoning regulations; (8) substantially detracts from the value of the property; (9) interferes with utility services consistent with San Mateo County Local Coastal Program (LCP) Policy 8.9(a); (10) acts as a host for a plant which is parasitic to another species of tree which is in danger of being infested or exterminated by the parasite; (11) is a substantial fire hazard; or (12) will be replaced by plantings approved by the Planning Director or Design Review Administrator, unless special conditions indicate otherwise.

(b) The required action is necessary (1) to utilize the property in a manner which is of greater public value than any environmental degradation caused by the action; or (2) to allow reasonable economic or other enjoyment of the property. These findings cannot be made for any property in the Coastal Zone.