

COUNTY OF SAN MATEO, PLANNING AND BUILDING DEPARTMENT

**NOTICE OF INTENT TO ADOPT  
MITIGATED 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: Patterson Single-Family Residence (Cedar Street, Montara), when adopted and implemented, will not have a significant impact on the environment.

FILE NO.: PLN2019-00362

APPLICANT/OWNER: Tim Patterson, 3550 Carter Drive, Unit 32, South San Francisco, CA 94080

CONTACT PERSON: Camille Leung, Project Planner, 650/363-1826, [cleung@smcgov.org](mailto:cleung@smcgov.org)

ASSESSOR'S PARCEL NO.: APN 036-132-210 (6,975 sq. ft.); portion of the Caltrans-owned Devil's Slide Bypass Lands immediately east of the project site

LOCATION: Cedar Street at Drake Street, Montara, and a portion of the Caltrans-owned Devil's Slide Bypass Lands immediately east of the project site

PROJECT DESCRIPTION

Construction of a 2,429 sq. ft., two-story single-family residence with an attached two-car, 471 sq. ft. garage on a 6,975 sq. ft. undeveloped, legal parcel (PLN2016-00222), associated with a staff-level Resource Management (RM) Permit, Coastal Development Permit (CDP) and a Variance, due to the triangular shape of the parcel. The CDP is not appealable to the CA Coastal Commission. The project includes minor grading, the proposed removal of 2 protected trees, and an easement over Caltrans right-of-way for access. The underlying lot of record was truncated when the State of California acquired the Devil's Slide Bypass Lands in the 1960s. Because of the resulting shape of the project parcel, the applicant is requesting a variance to obtain relief from the required setbacks of the RM-CZ zoning district as shown below:

<b>Setback</b>	<b>Required</b>	<b>Proposed</b>
<b>Front:</b>	50 feet	46 feet
<b>Right Side:</b>	20 feet	9 feet
<b>Left Side:</b>	20 feet	12 feet
<i>Note: Proposed rear setback conforms to the required 20 feet minimum setback</i>		

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, as mitigated, 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, as mitigated, will not have adverse impacts on traffic or land use.
5. In addition, the project, as mitigated, will not:
  - a. Create impacts which have the potential to degrade the quality of the environment.
  - b. Create impacts which achieve short-term environmental goals 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 and identified by the Lead Agency to avoid potentially significant effects:

**Mitigation Measure 1**: Upon the start of excavation activities and through to the completion of the project, the applicant shall be responsible for ensuring that the following dust control guidelines are implemented:

- a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- d. All vehicle speeds on unpaved roads shall be limited to 15 mph.
- e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

- f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- h. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
- i. Construction-related activities shall not involve simultaneous occurrence of more than two construction phases (e.g., paving and building construction would occur simultaneously).

**Mitigation Measure 2:** Tightly woven fiber netting or similar material shall be used for erosion control or other purposes to ensure amphibian and reptile species do not get trapped. Plastic monofilament netting (erosion control matting) or similar material shall not be used. The applicant shall demonstrate compliance with this requirement in plans submitted at the time of building permit application.

**Mitigation Measure 3:** A pre-construction survey of protected species (e.g., dusky-footed woodrat, San Francisco garter snake, migratory bird nesting) shall be conducted prior to any proposed grading- or construction-related activities. If, for any reason, grading/construction activities do not commence within 10 days of completion of the survey, the survey shall be repeated and results reported to the County. If active migratory bird nests or other evidence of other special species are discovered, no construction-related activities, including grading and tree removal, are allowed until the applicant has consulted a biologist, recommended measures to protect such species have been shared with County staff, and recommended measures have been fully implemented, to the satisfaction of the project biologist and Community Development Director.

**Mitigation Measure 4:** Although no cultural resources were found on the subject property, previously unknown archaeological materials may be encountered during grading or construction. In the event that cultural, paleontological, or archeological resources are encountered during site grading or other site work, such work shall immediately be halted in the area of discovery and the project sponsor shall immediately notify the Community Development Director of the discovery. The applicant shall be required to retain the services of a qualified archeologist for the purpose of recording, protecting, or curating the discovery as appropriate. The cost of the qualified archeologist and any recording, protecting, or curating shall be borne solely by the project sponsor. The archeologist shall be required to submit to the Community Development Director for review and approval a report of the findings and methods of curation or protection of the resources. No further grading or site work within the area of discovery shall be allowed until the preceding has occurred. Disposition of Native American remains shall comply with CEQA Guidelines Section 15064.5(e).

**Mitigation Measure 5:** Any inadvertently discovered tribal cultural resources shall be treated with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resource, including, but not limited to, protecting the cultural character and integrity of the resource, protecting the traditional use of the resource, and protecting the confidentiality of the resource.

**Mitigation Measure 6:** The applicant shall adhere to the San Mateo County-wide Stormwater Pollution Prevention Program “General Construction and Site Supervision Guidelines,” including, but not limited to, the following:

- a. Delineation with field markers clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses within the vicinity of areas to be disturbed by construction and/or grading.
- b. Protection of adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
- c. Performing clearing and earth moving activities only during dry weather.
- d. Stabilization of all denuded areas and maintenance of erosion control measures continuously between October 1 and April 30. Stabilization shall include both proactive measures, such as the placement of hay bales or coir netting, and passive measures, such as re-vegetating disturbed areas with plants propagated from seed collected in the immediate area.
- e. Storage, handling, and disposal of construction materials and wastes properly, so as to prevent their contact with stormwater.
- f. Control and prevention of 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.
- g. Use of sediment controls or filtration to remove sediment when dewatering site and obtain all necessary permits.
- h. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
- i. Limiting and timing applications of pesticides and fertilizers to prevent polluted runoff.
- j. Limiting construction access routes and stabilization of designated access points.
- k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
- l. Training and providing instruction to all employees and subcontractors regarding the Watershed Protection Maintenance Standards and construction Best Management Practices.
- m. Additional Best Management Practices in addition to those shown on the plans may be required by the Building Inspector to maintain effective stormwater management during construction activities. Any water leaving site shall be clear and running slowly at all times.

**Mitigation Measure 7:** Erosion and Sediment Control Measures and Tree Protection Measures (for on-site trees and off-site trees adjoining the site), as approved by the County, shall be installed prior to beginning any site work and maintained throughout

the term of grading and construction, until all disturbed areas are stabilized. Failure to install or maintain these measures will result in stoppage of construction until corrections have been made and fees paid for staff enforcement time. Revisions to the approved erosion control plan shall be prepared and signed by the engineer and submitted to the Building Inspection Section.

**Mitigation Measure 8:** At the time of building permit application, the applicant shall demonstrate compliance with the measures indicated on the applicant-completed EECAP Development Checklist or equivalent measures, as well as Best Management Practices (BMPs) to reduce GHG emissions during construction, to the extent feasible, including, but are not limited to: using alternative fueled (e.g., biodiesel, electric) construction vehicles/equipment of at least 15 percent of the fleet; using local building materials of at least 10 percent; and recycling or reusing at least 50 percent of construction waste or demolition materials. Such measures shall be shown on building plans.

**RESPONSIBLE AGENCY:** Caltrans

**REVIEW PERIOD:** Tuesday, November 29, 2022 – Thursday, December 29, 2022.

All comments regarding the correctness, completeness, or adequacy of this Negative Declaration must be received by the contact person listed here, no later than **5:00 p.m., on Thursday, December 29, 2022.**

**SCHEDULED PUBLIC MEETING OR HEARING:**

Not Applicable. Project Decision will be at the staff-level.

**ADDRESS OF AVAILABLE DOCUMENTS FOR REVIEW:** Documents are available at County of San Mateo Planning and Building Department, 455 County Center, Second Floor, Redwood City, CA 94063. Please contact the Project Planner to view the documents. The Mitigated Negative Declaration and all documents incorporated by reference are available at: <https://planning.smcgov.org/ceqa-docs>