



Planning & Building Department Planning Commission

Kumkum Gupta, 1st District
Frederick Hansson, 2nd District
Lisa Ketcham, 3rd District
Manuel Ramirez, Jr., 4th District
Mario Santacruz, 5th District

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

ACTION MINUTES

Draft v2

MEETING NO. 1682
Wednesday, January 8, 2019

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

Chair Gupta called the meeting to order at 9:00 a.m.

Pledge of Allegiance: The Pledge of Allegiance was led by Chair **Gupta**

Roll Call: Commissioners Present: Hansson, Ketcham, Gupta, Ramirez, Santacruz
Staff Present: Monowitz, Fox

Legal Notice published in the San Mateo County Times on December 28, 2019 and the Half Moon Bay Review on January 1, 2019.

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

None

Consideration of the Minutes

Consideration of the Minutes of the Planning Commission meetings of November 13, 2019 and December 11, 2019.

Commissioner Ramirez moved, and Commissioner Hansson seconded, that the minutes be approved as revised. **Motion carried 5-0-0-0.**

2020 Planning Commission Election for Chair and Vice Chair

Commissioner Hansson was elected as the Planning Commission's Chair.
Commissioner Santacruz was elected as the Planning Commission's Vice Chair.

REGULAR AGENDA
9:00 a.m.

- 1. **Owner:** **Giusti Trust**
 Applicant: **Sean Smith**
 File Number: PLN2019-00242
 Location: N/A
 Assessor’s Parcel No: 066-270-030

Consideration of a Coastal Development Permit to allow the decommissioning of an abandoned oil well and the demolition and removal all above ground storage tanks, oil production piping, oil processing facilities and associated facilities and structures. The project also involves the removal of a hunting cabin and associated septic tank and the removal and disposal of 3,000 gallons of light crude oil. This project is appealable to the Coastal Commission. Application deemed complete December 2, 2019. Please direct any questions to Project Planner Kanoa Kelly 650/363-1873 or kkelly@smcgov.org.

SPEAKERS:

- 1. Jay Lin, Construction Manager

COMMISSION ACTION:

Commissioner Hansson moved to unanimously close the public hearing. **Motion carried 5-0-0-0.**

Commissioner Ketcham moved and Commissioner Ramirez seconded the motion. **Motion carried 5-0-0-0.**

Based on information provided by staff and evidence presented at the hearing, the Planning Commission approved the Coastal Development Permit, County File No. PLN 2019-00242, by adopting the required findings and conditions of approval as follows:

FINDINGS

Regarding the Environmental Review, Found:

- 1. That the project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15304(f) (*Minor Alterations to Land*), which exempts minor trenching and backfilling where the surface will be restored and Section 15330 for small or medium size cleanup actions to stabilize, mitigate, or prevent the release of hazardous waste as a cost of \$1,000,000 or less in valuation.

Regarding the Coastal Development Permit, Found:

- 2. That the project, as described in the application and accompanying materials required by Section 6328.7 of the San Mateo County Zoning Regulations and as conditioned in accordance with Section 6328.14 of the San Mateo County Zoning Regulations, conforms to the plans, policies, requirements and standards of the San Mateo County Local Coastal Program as described in Section A.2 of this staff report.
- 3. That the project conforms to the specific findings required by policies of the San Mateo County Local Coastal Program relating to Agriculture, Sensitive Habitats, Visual Resources components. The project incorporates conditions to protect sensitive habitats by requiring the applicant to conduct

extensive pre-disturbance surveys no more than 30 days prior to demolition and grading, operating outside of critical breeding seasons, keeping ground disturbance to a minimum, and restoring vegetation.

CONDITIONS OF APPROVAL

Current Planning Section

1. The approval applies only to the proposal as described in this report and materials submitted for review and approval by the Planning Commission on January 8, 2020. The Community Development Director may approve minor revisions or modifications to the project if they are found to be consistent with the intent of and in substantial conformance with this approval.
2. This permit shall be valid for two (2) years from the date of approval in which time the project shall be completed. Any extension of the permits shall require submittal of an application for permit extension and payment of applicable extension fees sixty (60) days prior to the expiration date.
3. Prior to any demolition or grading activities, the applicant shall implement erosion and sediment control methods as shown in the Remediation Work Plan shown in Attachment C. Photos of the installed measures shall be submitted to the Planning Department for review and approval. Erosion control measure deficiencies, as they occur, shall be immediately corrected.
4. Unless approved in writing, by the Community Development Director, no grading shall be allowed during the winter season (October 1 to April 30) to avoid potential soil erosion. The applicant shall submit a letter to the Planning Department, a minimum of two (2) weeks prior to commencement of grading, stating the date when grading will begin if grading is proposed during this time.
5. Prior to final approval of the demolition permit, photos of the revegetated areas (once seeds have sprouted) shall be submitted to the Planning Department for review and approval. Deficiencies, as they occur, shall be immediately corrected. The applicant shall provide specifications for the native seed mix used. All non-biodegradable erosion measures shall be removed.
6. Pre-disturbance training for all workers shall be provided by a qualified archaeologist. In the event that archaeological resources are inadvertently discovered, work in the immediate vicinity (within 25 feet) of the find must stop until a qualified archaeologist can evaluate the significance of the find. Construction activities may continue in other areas beyond the 25-foot stop work area. A qualified archaeologist is defined as someone who meets the Secretary of the Interior's Professional Qualifications Standards in archaeology. The Current Planning Section shall be notified of such findings, and no additional work shall be done in the stop work area until the archaeologist has recommended appropriate measures, and those measures have been approved by the Current Planning Section and implemented.
7. In the event that paleontological resources are inadvertently discovered, work in the immediate vicinity (within 25 feet) of the find must stop until a qualified paleontologist can evaluate the significant of the find. The Current Planning Section shall be notified of such findings, and no additional work shall be done in the stop work area until the paleontologist has recommended appropriate measures, and those measures have been approved by the Current Planning Section and implemented.
8. Should any human remains be discovered during construction, all ground disturbing work shall cease, and the County Coroner be immediately notified, pursuant to Section 7050.5 of the State of California Health and Safety Code. Work must stop until the County Coroner can make a determination of origin and disposition of the remains pursuant to California Public Resources Code Section 5097.98. If the County Coroner determines the remains to be Native American, the Native American Heritage

Commission shall be contacted within 24 hours. A qualified archaeologist, in consultation with the Native American Heritage Commission, shall recommend subsequent measures for disposition of the remains.

9. In the event the project scope is significantly modified, the applicant shall submit to the Planning and Building Department a revised historical and archaeological evaluation for review by the Planning Department.
10. This permit does not allow for the removal of any trees. Removal of any trees with a diameter greater than 12 inches as measured 4.5 feet above the ground shall require a separate tree removal permit.
11. The applicant is responsible for ensuring that all contractors minimize the transport and discharge of pollutants from the project site into water bodies by adhering to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," Items 11.a through 11.l, below. Additionally, the applicant shall apply for a National Pollutant Discharge Elimination System (NPDES) permit from the Central Coast Region State Water Resources Quality Control Board. A copy of this permit shall be submitted to the Planning Department and the Department of Public Works.
 - a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 1 and April 30. Stabilizing shall include both proactive measures, such as the placement of hay bales or coir netting, and passive measures, such as revegetating disturbed areas with plants propagated from seed collected in the immediate area.
 - b. Storing, handling, and disposing of construction materials and wastes properly, so as to prevent their contact with stormwater.
 - c. Controlling and preventing the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
 - d. Using sediment controls or filtration to remove sediment when dewatering site and obtaining all necessary permits.
 - e. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
 - f. Delineating with field markers clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses.
 - g. Protecting adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
 - h. Performing clearing and earth-moving activities only during dry weather.
 - i. Limiting and timing application 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 instruction to all employees and subcontractors regarding the construction best management practices.
12. Noise sources associated with demolition, construction, repair, remodeling, or grading of any real property shall be limited to the hours from 7:00 a.m. to 6:00 p.m. weekdays and 9:00 a.m. to 5:00 p.m. Saturdays. Said activities are prohibited on Sundays, Thanksgiving and Christmas (San Mateo Ordinance Code Section 4.88.360).

California Department of Fish and Wildlife (Avoidance Measures)

13. Pre-disturbance surveys shall be required for the following California National Diversity Database species: San Francisco garter snake, California red-legged frog, western pond turtles, and Santa Cruz black salamander. Subject to the approval of the California Department of Fish and Wildlife, species specific pre-disturbance training for all construction workers is required and species-specific biological monitors may be required during project activities based on the results of pre-disturbance surveys, proximity to past occurrence/habitat, and/or proposed methods.
14. Pre-disturbance surveys nesting bird are required beginning February 15 for raptors and beginning March 15 for smaller bird species; the survey period ends August 30. If active nests are found, species specific work buffers will be required until young have fully fledged.
15. Bat surveys shall take place during the roosting season from April 15 to August 31. If special status bats species bats are present demolition work shall be scheduled outside of this time period or may require a bat monitor or use of exclusion and/or acoustic deterrents installed prior to roosting season.
16. A pre-construction survey for dusky-footed woodrat nests shall be conducted by a qualified biologist within 30 days prior to the start of work. Any dusky-footed woodrat houses present in the work area, shall be dismantled by and under the supervision of a qualified biologist.
17. Removal of San Francisco dusky-footed woodrat nests shall not occur from April 1 to July 15 each year.
18. If burrowing owl burrows are detected, buffers (minimum of 656 feet) will be established and no work from February 1 to August 31 may occur within the area. Outside of this season passive owl relocation, monitoring, and mitigation (1:1 new burrow creation) will be required.
19. Work within and around Lobitos Creek and Purisima Creek which is critical habitat for steelhead, shall be limited to June 15 to October 31.
20. All vegetation removed and not used for revegetation or slash shall not be stockpiled on the ground and shall be placed directly into a disposal vehicle and removed from the site; vegetation shall not be piled on the ground unless it is later transferred, piece by piece, under the direct supervision of the biological monitor.
21. All vehicles parked on-site for more than 15 minutes shall be inspected by the biological monitor or trained staff monitor before being moved and the parking sites themselves shall be checked prior to moving the vehicles.
22. The applicant shall implement erosion control measures prior to the beginning of grading or construction operations. Revegetation of denuded areas shall begin immediately upon completion of grading/construction operations.

Building Inspection Section

23. A demolition permit shall be obtained prior to the removal of any structure.

Environmental Health Services

24. The applicant must properly destroy the septic system serving the planned demolition of the single-story 800 sq. ft. wood framed cabin with permits through Environmental Health Services. The applicant shall provide information as to the water supply servicing the structure(s). Any water supply well(s) shall be destroyed with permits through Environmental Health Services. If structures are serviced by the nearby creek, a creek alteration permit may be required by the California Department of Fish and Wildlife.
25. The applicant must obtain all necessary approvals from San Mateo County Certified Unified Program Agency (CUPA) for the removal of hazardous materials.

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2. Correspondence and Other Matters

Correspondence: Commissioner Ketcham addressed a letter dated October 23rd from the MCC in support of zoning amendments defining the direct method of building height measurement for consistency in the Midcoast.

3. Consideration of Study Session for Next Meeting

Director Monowitz suggested future study sessions will include Long Range Planning Projects, MidPen Open Space (land use organization).

4. Director's Report

Next meeting scheduled for January 22, 2010 at the Half Moon Bay Library starts at 6:00 p.m.

5. Commissioner Updates and Questions

In response to questions from Commissioner Ketcham, Director Monowitz described the 2-phase approval process for the Cypress Point affordable housing project.

Chair Hansson asked the group about a response regarding the upcoming Planning Commissioner meeting and who would be interested in attending. Secretary Lujan will re-send out the information and assist with registration for those who want to attend.

6. Adjournment

After the meeting, the Commission will attend a Holiday breakfast at Alana's Café at 1020 Main Street Middlefield Road, Redwood City, CA. We did not have any members of the public present. The meeting was adjourned at 11:22 a.m.