COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

DATE: September 18, 2014

TO: Zoning Hearing Officer

FROM: Planning Staff

SUBJECT: Consideration of an "After-the-fact" Coastal Development Permit and a Planned Agricultural District Permit, pursuant to Sections 6328.4 and 6353 of the County Zoning Regulations, to allow for the remodel and addition to an existing 2,081 sq. ft. single-family dwelling, and construction of an above-ground pool with deck and temporary tent structure located in the unincorporated La Honda area of San Mateo County. This project is appealable to the California Coastal Commission.

County File Number: PLN 2010-00101 (Morford)

PROPOSAL

The applicant is proposing to legalize after-the-fact remodel and addition to an existing 2,081 sq. ft. single-family dwelling, which includes removal of an existing permitted second floor exterior staircase, enlargement of roof above the entrance area, replacement of windows and wood siding, and the addition of 641 sq. ft. of new decking. The applicant is also requesting legalization of the construction of a 1,091 sq. ft. above-ground pool and deck with a 168 sq. ft. temporary tent pool house structure located in the rear yard.

RECOMMENDATION

That the Zoning Hearing Officer approve the "After-the-fact" Coastal Development Permit and Planned Agricultural District Permit, County File PLN 2010-00101, by making the required findings and adopting the conditions of approval as listed in Attachment A.

BACKGROUND

Report Prepared By: James A. Castañeda, AICP, Telephone 650/363-1853

Applicant: Farhad Mortazavi

Owners: Joseph and Katie Morford

Location: 4180 La Honda Road, La Honda

APN: 082-120-150

Size: 4.11 acres

Existing Zoning: PAD/CD (Planned Agricultural District/Coastal District)

General Plan Designation: Agriculture

Williamson Act: This parcel is not under a Williamson Act Contract.

Parcel Legality: The existing single-family dwelling (excluding the improvements that were not permitted and the subject of this request) was legally permitted in 1982 with the lot in the same configuration.

Existing Land Use: Rural Residential, existing dwelling, accessory structures, grass lawn landscaping.

Water Supply: Existing domestic well

Sewage Disposal: Existing septic system

Flood Zone: The subject parcel is partially located in Flood Zone A as defined by FEMA (Community Panel Number 06081C0380E, dated October, 16, 2012), which is an area of 1% annual chance of flooding, specifically in the area closest to San Gregorio Creek, which runs along the southern portion of the parcel. The existing dwelling is located within the flood zone, and the pool structure and associated tent structure are outside of it.

Environmental Evaluation: The improvements and pool with associated decking and tent structure are considered Categorically Exempt under the California Environmental Quality Act (CEQA). Section 15301, Existing Facilities, allows for additions to existing structures less than 2,500 sq. ft., and Section 15303, New Construction or Conversion of Small Structures, allows the construction of accessory structures.

Setting: The parcel is located on a relatively flat area which slopes down from La Honda Road and is obscured by heavy brush and vegetation on the northern end, with the southern property line following the approximate centerline of San Gregorio Creek, which forms an oxbow bend. Another area of heavy brush and vegetation sits between the existing developed area of the property and the creek along the top of the bank. The existing development on the property includes a single-family home, the pool with deck and tent structure, and play area equipment. Surrounding properties along La Honda Road are similar to the subject property and consist of larger agricultural parcels zoned PAD and developed with agricultural and/or residential structures.

DISCUSSION

A. KEY ISSUES

1. Conformance with the General Plan

Staff has reviewed the project for conformance with all applicable General Plan Policies. The policies applicable to this project include the following:

Policy 2.20 (*Regulate Location and Design of Development in Areas with Productive Soil Resources*) calls for the regulation in both location and design of development in order to ensure it is most protective of productive soil resources. Approximately more than half (approximately 51%) of the subject parcel contains "Prime Agricultural" soils, particularly in the level area in the southeast corner of the parcel adjacent to San Gregorio Creek. Soils on the rest of the parcel, the area on the northwestern portion of the lot adjacent to La Honda Road, are characterized as "Lands Suitable for Agriculture," although this area is sloped and heavily vegetated along the northern boundary. The existing dwelling, approved under a Use Permit and Coastal Development Permit in 1982 (CDP 81-70/UP 81-32), which found that the conversion of prime agricultural land to allow construction of the single-family residence where no alternative building site exists, was consistent with the requirements of the Planned Agricultural District.

The unpermitted improvements to the existing permitted single-family dwelling, which consist of removal of an existing and permitted second floor exterior staircase, enlargement of the roof above the entrance area, replacement of windows and wood siding, and the addition of 641 sq. ft. of new decking, are in keeping with the policy since they do not significantly increase the existing footprint of the dwelling on converted prime soil. The pool with deck and tent structure are also consistent with the policy even though they are located within the prime soil area since suitable locations for development on the parcel are limited to the vicinity of the existing dwelling.

Policy 4.24 (*Location of Structures*) calls for the regulation of development in rural areas to ensure that development conforms to the natural vegetation, landforms, and topography of the site. The modifications to the existing dwelling do not change the location of the existing dwelling or significantly expand its footprint, and the pool with deck and tent structure are located below La Honda Road, where it is screened by a significant amount of vegetation.

Policies 4.28 and 4.29 (*Trees and Vegetation/Landscaping and Screening*) call for the preservation of trees and natural vegetation and to replace vegetation and trees removed during construction with native vegetation in a method that provides a smooth transition between development and undisturbed areas. The improvements to the existing dwelling and pool with

deck and tent structure did not involve the removal of trees or vegetation, nor is any proposed.

Policy 4.68 (*Rural Scenic Corridor District*) calls for regulation of the architectural and site design of structures within the scenic corridors by using a consolidated set of design standards. As discussed previously, the legalization of the modifications to the existing dwelling and pool with deck and tent structures remain subordinate to the surrounding landscape, preserve agricultural lands, and preserve natural vegetation all in line with the Visual Quality Policies of the County's General Plan.

Policy 9.23 (*Land Use Compatibility in Rural Lands*) calls for the regulation of development to promote land use compatibility to promote health, safety, economy, and maintain the scenic nature of rural lands. As mentioned in the Setting Section, the subject parcel is currently developed with an existing dwelling. The location of the approved existing dwelling and pool structure to be legalized is within the prime soils area due to other constraints on the site (topography, riparian vegetation) that limit developable areas. The existing structures, both permitted and not permitted, preserve the scenic nature of the property in keeping with the compatibility with rural lands policy.

Policy 9.30 (*Development Standards to Minimize Land Use Conflicts with Agriculture*) sets forth development standards to minimize land use conflicts with agricultural lands. The project parcel currently has no ongoing agricultural activities and, at 4 acres, is not large enough to support significant agriculture. While the existing development is located within a prime soils area, there is no other developable area on the site and there is no disturbance to potential agricultural activities in the vicinity. No extension of public services, such as water or sewer, is proposed.

2. Conformance with the PAD (Planned Agricultural District) Regulations

a. Setbacks and Height Requirements

As shown in the table below, the existing house complies with Sections 6358 and 6359 of the San Mateo County Zoning Regulations, which regulate the height of structures and required setbacks.

PAD Development Standards	Required	Proposed
Minimum Lot Size	N/A	4.11 acres
Minimum Front Setback	50 feet	60 feet
Minimum Side Setback	20 feet	>20 feet (right) >20 feet (left)
Minimum Rear Setback	20 feet	>20 feet
Maximum Building Height	36 feet	26 feet

b. PAD Permit Requirements

While the subject parcel contains both prime soils and lands suitable for agriculture, the existing dwelling which is located on prime soils, was previously approved through a Use Permit and Coastal Development Permit, and the existing unpermitted pool structure is located on prime soils. Section 6355 contains the substantive criteria for the issuance of a PAD permit. A project must be found to be in compliance with these criteria before a permit can be issued.

(1) General Criteria

(a) *The encroachment of all development upon land which is suitable for agriculture shall be minimized*.

The existing dwelling is already constructed on lands that were deemed convertible from prime agricultural land in 1982 due to a lack of alternatives. While the legalization of the pool structure does convert an area of prime soil, it does allow for clustering while maintaining a reasonable distance from the riparian corridor along San Gregorio Creek. No additional areas of the parcel are proposed for development at this time.

(b) *All development permitted on-site shall be clustered*.

The existing permitted dwelling was constructed in its location due to lack of alternatives. The pool structure's current location, while not immediately adjacent to the existing dwelling, is still reasonably clustered given the size and the topography of the subject parcel.

(c) *Every project shall conform to the Development Review Criteria contained in Chapter 20A.2 of the San Mateo County Ordinance Code*.

This project has been reviewed under and found to comply with the Development Review Criteria cited within Chapter 20A.2 of the County Zoning Regulations. Specifically, the project complies with Section 6324.1, which addresses the potential for environmental impacts, as the project will not introduce noxious odors, chemical agents, or raise long-term noise levels, and will not extensively change existing vegetative cover. The project also complies with Sections 6324.2 and 6325.1, which address site design criteria and primary scenic resources areas, as the project is not proposing additional structures that may impact sensitive habitats, mature trees, or dominant vegetation. While the

project is located within the La Honda Road County Scenic Corridor, the subject parcel sits below the sight lines of La Honda Road, and a significant amount of vegetation provides a visual buffer from the scenic corridor.

(2) Water Supply Criteria

(a) *The existing availability of a potable and adequate on-site well water source for all non-agricultural uses is demonstrated*.

The existing development is served by an existing domestic well. No additional development is proposed at this time.

(b) *That adequate and sufficient water supplies needed for agricultural production and sensitive habitat protection in the watershed are not diminished*.

The addition/remodel to the home did not increase water usage for the home, since no bathrooms or bedrooms were added. The pool is a relatively small above-ground pool that, once filled, would not significantly increase ongoing water usage for the property and, consequently, would not impact water supplies needed for agricultural production and sensitive habitat protection.

(3) Criteria for the Conversion of Prime Agricultural Lands

(a) *General Criteria. Prime agricultural land within a parcel shall not be converted to uses permitted by a Planned Agricultural Permit unless it can be demonstrated that no alternative site exists on the parcel for the use; clearly defined buffer areas are provided between agricultural and non-agricultural uses; the productivity of adjacent agricultural land will not be diminished; and public service and facility expansions and permitted uses will not impair agricultural viability, including by increased assessment costs or degraded air and water quality*.

As previously mentioned, the existing development, both permitted and unpermitted, is located within the areas indicated as prime agricultural land. Due to the topography, alternatives for development are limited on the parcel and, as such, the existing dwelling was allowed to convert said prime agricultural land in 1982. The pool structure is also located within prime soils, but as a residential accessory use, it must be near the existing dwelling, and avoid the existing septic field location and

riparian vegetation. Due to the parcel's topography, size, and shape, potential for agricultural production on the parcel is limited.

3. Conformance with the Local Coastal Program (LCP)

Staff has reviewed the project and found it to be in compliance with the policies of the Local Coastal Program. The relevant policies are discussed below:

a. Locating and Planning New Development Component

The existing development is consistent with Policy 1.8a (*Land Uses and Development Densities in Rural Areas*) which allows development in rural areas only if it is demonstrated that it will not (1) have significant adverse impacts, either individually or cumulatively, on coastal resources, and (2) diminish the ability to keep all prime agricultural land and other land suitable for agriculture in agricultural production. While the existing dwelling did require that an area of prime soil be converted (allowed by a Use Permit and Coastal Development Permit as discussed in Section A2), there are no other developable areas on the site. The existing development does not have any other adverse impacts and is sited in the most reasonable location on the parcel.

b. Agriculture Component

LCP Policy 5.5 (*Permitted Uses on Prime Agricultural Lands*) allows a single-family residence as a conditionally permitted use. The pool is accessory to the existing dwelling, which was conditionally approved in 1982 through a Use Permit and Coastal Development Permit.

LCP Policy 5.8 (*Conversion of Prime Agricultural Land*) allows for the conversion of "Prime Agricultural Lands" when it can be shown that there are no other suitable locations on the site for the use and that there will not be impacts to adjacent agricultural uses. As explained previously, it was determined at the time the dwelling was permitted that no alternative locations for development were identified and approved by the Zoning Hearing Officer. The pool structure, which requires after-the-fact legalization through this project, is also located in areas of prime soils and also lacks alternative locations that do not involve visual impacts or impacts to natural resources.

c. Sensitive Habitats Component

Policy 7.3 (*Protection of Sensitive Habitats*) prohibits development that would have significant impacts to sensitive habitat areas, and requires that development in areas adjacent to sensitive habitats shall be sited

and designed to prevent impacts that could significantly degrade the sensitive habitats. A biological report was submitted that indicates that native habitat is present within the riparian vegetation along the San Gregorio Creek corridor south of the property. The dwelling is located approximately 51 feet from the edge of riparian vegetation, and the pool is approximately 150 feet away from the edge. It was concluded that habitat within the riparian corridor was not impacted during construction.

Policy 7.11 (*Establishment of Buffer Zones*) defines a buffer zone of 50 feet outward from the limit of riparian vegetation for perennial streams, where development or disturbance is discouraged. Both the existing dwelling and pool are located beyond the 50-foot buffer zone. Landscaping, including turf, a vegetable garden and a children's play structure are located within this buffer zone, but as they are not permanent structures, it is concluded in the biologist report that it was unlikely there was any disturbance to sensitive habitats within the riparian corridor.

d. Visual Resources Component

Policy 8.5 (*Location of Development*). This policy requires that all development be located on a portion of a parcel where the development is least visible from State and County Scenic Roads, and is least likely to significantly impact views from public viewpoints. The subject parcel sits below La Honda Road, where large amounts of vegetation also screen the development. The dwelling and the pool structure are sufficiently screened and are not visible from La Honda Road.

4. Agricultural Advisory Committee Recommendation

On September 8, 2014, the Agricultural Advisory Committee reviewed the project, and is recommending approval with no additional conditions.

B. ENVIRONMENTAL REVIEW

The improvements to the existing dwelling and pool with associated decking and tent structure are considered Categorically Exempt per the California Environmental Quality Act (CEQA). Section 15301, Existing Facilities, allows for additions to existing structures less than 2,500 sq. ft., and section 15303, New Construction or Conversion of Small Structures, allows the construction of accessory structures.

C. REVIEWING AGENCIES

Building Inspection Section
Cal-Fire
Department of Public Works
Environmental Health Division
Geotechnical Section

ATTACHMENTS

A. Recommended Findings and Conditions of Approval
B. Vicinity Maps
C. Site Plan
D. Elevation and Floor Plans
E. Soils/Flood Map
F. Photos
G. Biological Report

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Attachment A

County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2010-00101 Hearing Date: September 18, 2014

Prepared By: James A. Castañeda, AICP For Adoption By: Zoning Hearing Officer

RECOMMENDED FINDINGS

Regarding the Environmental Review, Find:

1. That this project is exempt from CEQA, under Sections 15301 and 15303 of the CEQA Guidelines, minor alteration to an existing use and new construction of small structures.

Regarding the Planned Agricultural Permit, Find:

A. General Criteria

1. That the encroachment of all development upon land, which is suitable for agricultural use, is minimized. No agricultural activities are occurring on the subject parcel, and the existing development does not impact agricultural uses on adjacent parcels.

2. That all development permitted on a site shall be clustered. The pool is clustered near to the existing dwelling on the subject parcel.

3. That the project conforms to the Development Review Criteria contained in Chapter 20A.2 of the San Mateo County Ordinance Code. The project complies with Sections 6324.1 and 6324.4, which respectively address the potential for environmental impacts and water resources, as the project will not introduce noxious odors, chemical agents, or raise long-term noise levels. While the project is located within the scenic corridor, its low-profile design and the existing topography and vegetation reduce the visual impact to a less than significant level.

B. Water Supply Criteria

1. That the availability of a potable and adequate on-site well water source for all proposed non-agricultural uses is demonstrated through an existing domestic well.

2. That adequate and sufficient water supplies needed for agricultural production and sensitive habitat protection in the watershed are not diminished. The addition/remodel to the home did not increase water usage for the home, since no bathrooms or bedrooms were added. The pool is a relatively small above-ground pool that, once filled, would not significantly increase ongoing water usage for the property and, consequently, would not impact water supplies needed for agricultural production and sensitive habitat protection.

D. Criteria for the Conversion of Prime Agricultural Lands

1. That no alternative site exists on the parcel for the use. Due to topography and riparian corridor, subject site provides limited opportunity to develop on areas outside of the areas of prime soils.

2. That clearly defined buffer areas are provided between agricultural and non-agricultural uses. The project parcel currently has no ongoing agricultural activities and, at 4 acres, is not large enough to support significant agriculture.

3. That the productivity of adjacent agricultural land will not be diminished. The existing structures on the subject parcel are sufficiently buffered from adjacent parcels and agricultural operations.

4. That public service and facility expansion and permitted uses will not impair agricultural viability, including by increased assessment costs or degraded air and water quality. The existing structures do not require expansion of services.

Regarding the Coastal Development Permit, Find:

1. That the project, as described in the application and accompanying materials required by Section 6328.7 and as conditioned in accordance with Section 6328.14, conforms to the plans, policies, requirements and standards of the San Mateo County Local Coastal Program as described in Section A.3 of the Staff Report dated September 18, 2014.

2. That the project conforms to the findings required by policies of the San Mateo County Local Coastal Program specifically in regard to the Locating and Planning New Development, Agriculture, Visual Resources, and Sensitive Habitats Components. The project is located near existing development on a relatively small parcel that is constrained by topography and the San Gregorio Creek Riparian Corridor. The project is not visible from scenic roadways or corridors and does not result in a significant change to natural landforms.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

General Conditions

1. The approval applies only to the project as described in this report and materials submitted for review and approval by the Zoning Hearing Officer on September 18, 2014. 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. These permits shall be valid for two (2) years from the date of approval in which time a building permit shall be issued for legalization of unpermitted structures. 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 the issuance of a building permit, the applicant shall submit color samples for all the modifications and structures to be legalized. All structures shall be painted in natural colors to match the existing landscape in the vicinity. Paint colors shall be subject to the review and approval of the Current Planning Section. Color verification by the Current Planning Section shall occur in the field after the applicant has painted the structures the approved color, but before the applicant schedules a final inspection.

4. 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.

5. The applicant is responsible for ensuring that all contractors minimize the transport and discharge of pollutants from the project site into local storm drain systems and water bodies by adhering to the San Mateo Countywide Stormwater Pollution Prevention Program and General Construction and Site Supervision Guidelines, including:

    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 applications of pesticides and fertilizers to prevent polluted runoff.

j. Limiting construction access routes and stabilizing designated access points.

k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.

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

Department of Public works

6. The applicant shall have prepared, by a registered civil engineer, a drainage analysis of the project and submit it to the Department of Public Works for review and approval. The drainage analysis shall consist of a written narrative and a plan. The flow of the stormwater onto, over, and off of the property shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the pattern of flow. The analysis shall detail the measures necessary to certify adequate drainage. Post-development flows and velocities shall not exceed those that existed in the pre-developed state. Recommended measures shall be designed and included and submitted to the Department of Public Works for review and approval.

Cal-Fire

7. This project is located in a wildland urban interface area. All roofing, attic ventilation, exterior walls, windows, exterior doors, decking, floors, and under-floor protections are required to meet CRC R327 or CBC Chapter 7A requirements.

Additional information can be obtained at the Office of the State Marshal's website at http://www.fire.ca.gov/fire_prevention/ fire_prevention_wildland.php and click the new products link to view the "WUI Products Handbook." This condition to be met at the building permit phase of the project.

8. Fire Department access shall be to within 150 feet of all exterior portions of the facility and all portions of the exterior walls of the first story of the buildings as measured by an approved access route around the exterior of the building or facility. Access shall be 20 feet wide, all weather surface, and able to support a fire apparatus weighing 75,000 lbs. Where a fire hydrant is located in the access, a minimum of 26 feet is required for a minimum of 20 feet on each side of the hydrant. This access shall be provided from a publicly maintained road to the property. Grades over 15% shall be paved and no grade shall be over 20%. When gravel roads are used, it shall be Class 2 base or equivalent compacted to 95%. Gravel road access shall be certified by an engineer as to the compaction and weight it will support.

9. Any chimney or woodstove outlet shall have installed onto the opening thereof an approved (galvanized), spark arrestor of a mesh with an opening no larger than 1/2 inch in size, or an approved spark arresting device.

10. Maintain around and adjacent to such buildings or structures a fuelbreak/firebreak made by removing and cleaning away flammable vegetation for a distance of not less than 30 feet and up to 100 feet around the perimeter of all structures or to the property line, if the property line is less than 30 feet from any structure. This is neither a requirement nor an authorization for the removal of live trees. Remove that flammable portion of any tree which extends within 10 feet of the outlet of any chimney or stovepipe, or within 5 feet of any portion of any building or structures.

11. Remove that dead or dying portion of any tree which extends over the roof line of any structure.

12. Fire pits shall have a minimum of 25 ft. of clearance from all flammable vegetation.

13. All buildings that have a street address shall have the number of that address on the building, mailbox, or other type of sign at the driveway entrance in such a manner that the number is easily and clearly visible from either direction of travel from the street. New residential buildings shall have internally illuminated address numbers contrasting with the background so as to be seen from the public way fronting the building. Residential address numbers shall be at least 6 feet above the finished surface of the driveway. An address sign shall be placed at each break of the road where deemed applicable by the Coastside Fire Protection District. Numerals shall be internally illuminated and shall be no less than 4 inches in height, and have a minimum 3/4-inch stroke.

14. Smoke detectors are required to be installed in accordance with the California Building and Residential Codes. This includes the requirement for hardwired,

interconnected detectors equipped with battery backup and placement in each sleeping room in addition to the corridors and on each level of the residence.

15. A Wet Draft Hydrant with a 4 1/2" National Hose Thread outlet with a valve shall be mounted not less than 2 feet above ground level and within 5 feet of the main access road or driveway, and not less than 50 feet from any portion of any building, nor more than 150 feet from the main residence or building.

16. The water storage tank(s) shall be so located as to provide gravity flow to a standpipe/hydrant. Plans and specifications shall be submitted to the San Mateo County Building Inspection Section for review and approval by the Coastside Fire Protection District.

17. All roof assemblies in Very High Fire Hazard Severity Zones shall have a minimum CLASS-A fire resistive rating and be installed in accordance with the manufacturer's specifications and current California Building and Fire Codes.

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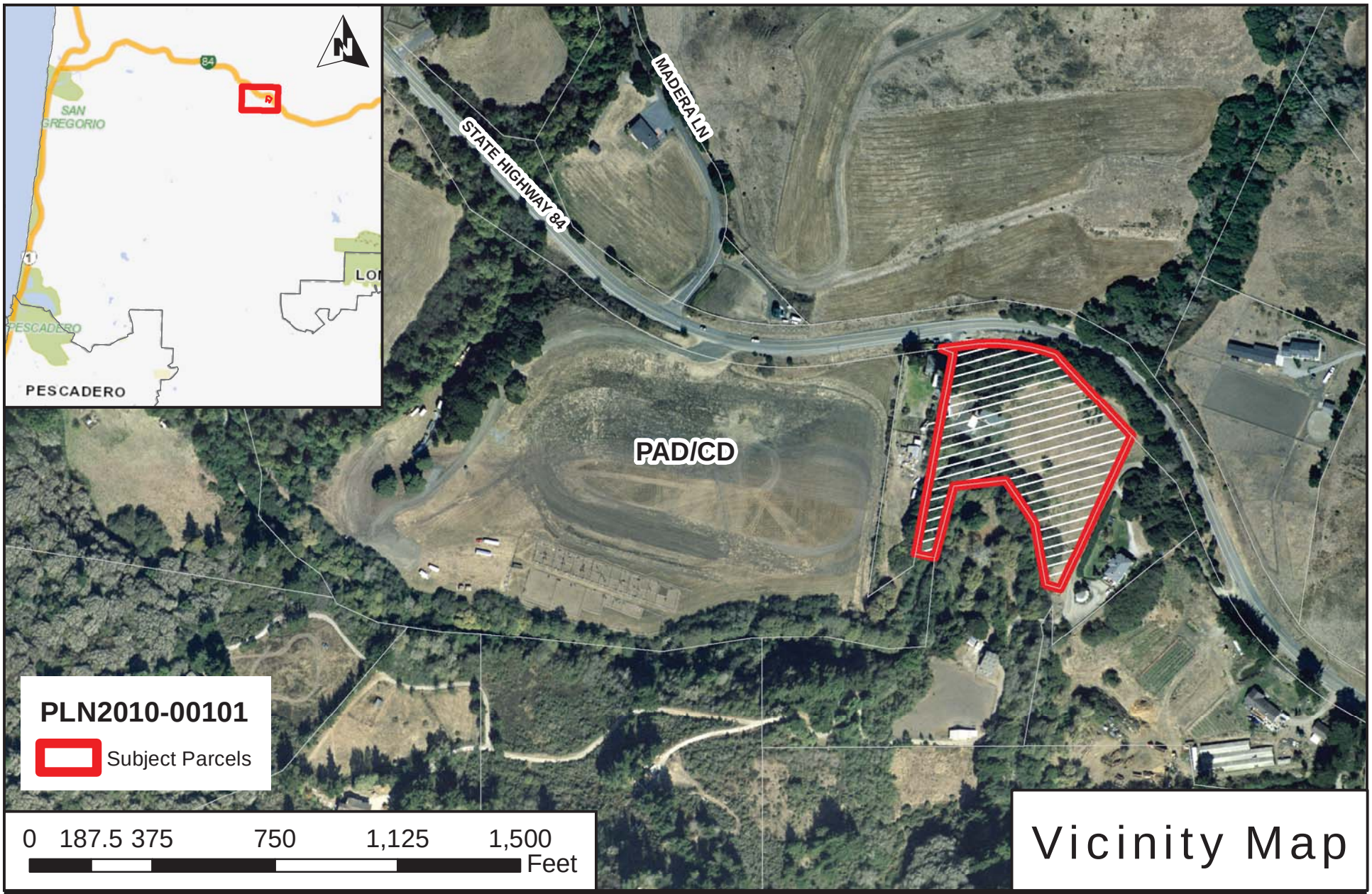

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San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant: MORFORD

Attachment: B

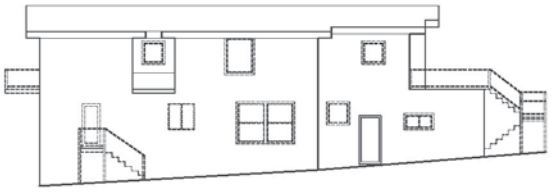
File Numbers: PLN2010-00101

San Mateo County Zoning Hearing Officer Meeting

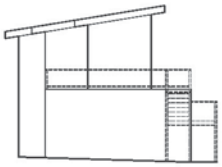
Owner/Applicant: MORFORD

Attachment: C

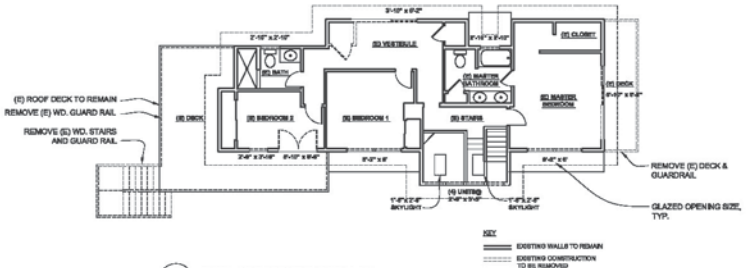
File Numbers: PLN2010-00101



6 A-1.1 (E) REAR ELEVATION 1/8" = 1'-0"

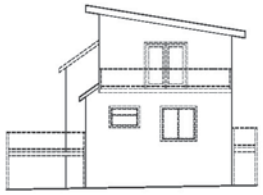


5 A-1.1 (E) SIDE ELEVATION 1/8" = 1'-0"

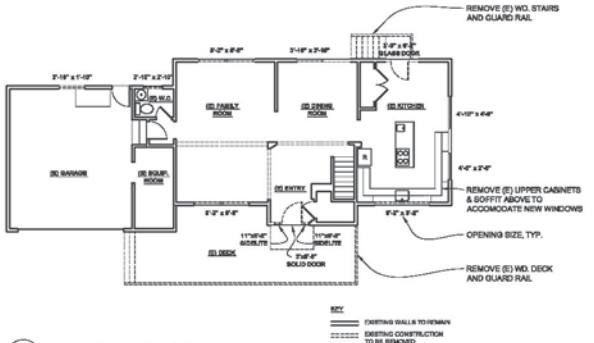


4 A1.1 EXISTING SECOND FLOOR PLAN 1/8" = 1'-0"

3 A-1.1 (E) FRONT ELEVATION 1/8" = 1'-0"



2 A-1.1 (E) SIDE ELEVATION 1/8" = 1'-0"

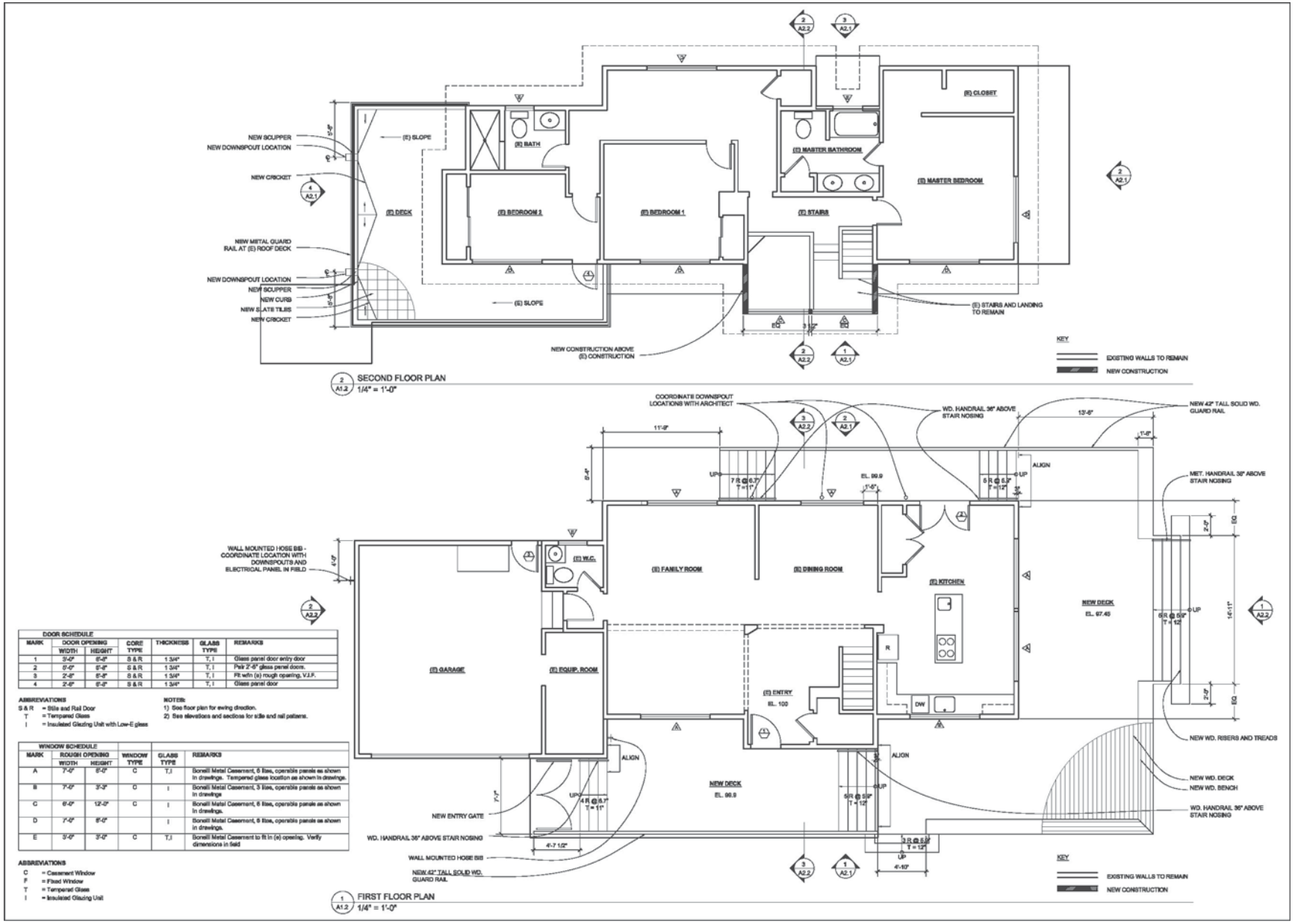


1 A1.1 EXISTING FIRST FLOOR PLAN 1/8" = 1'-0"

San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant: MORFORD Attachment: D

File Numbers: PLN2010-00101

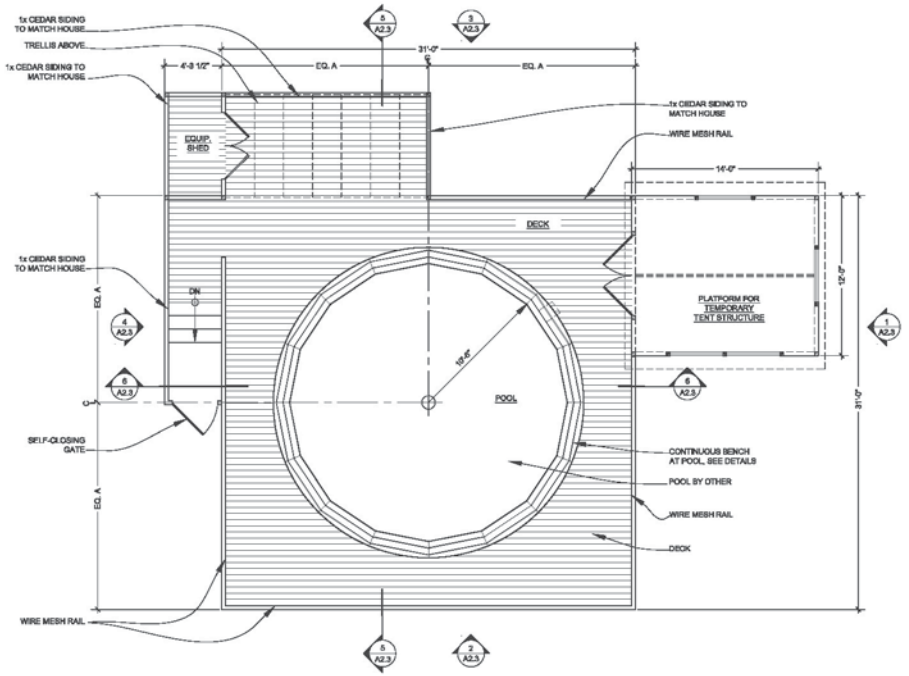


San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant: MORFORD

Attachment: D

File Numbers: PLN2010-00101

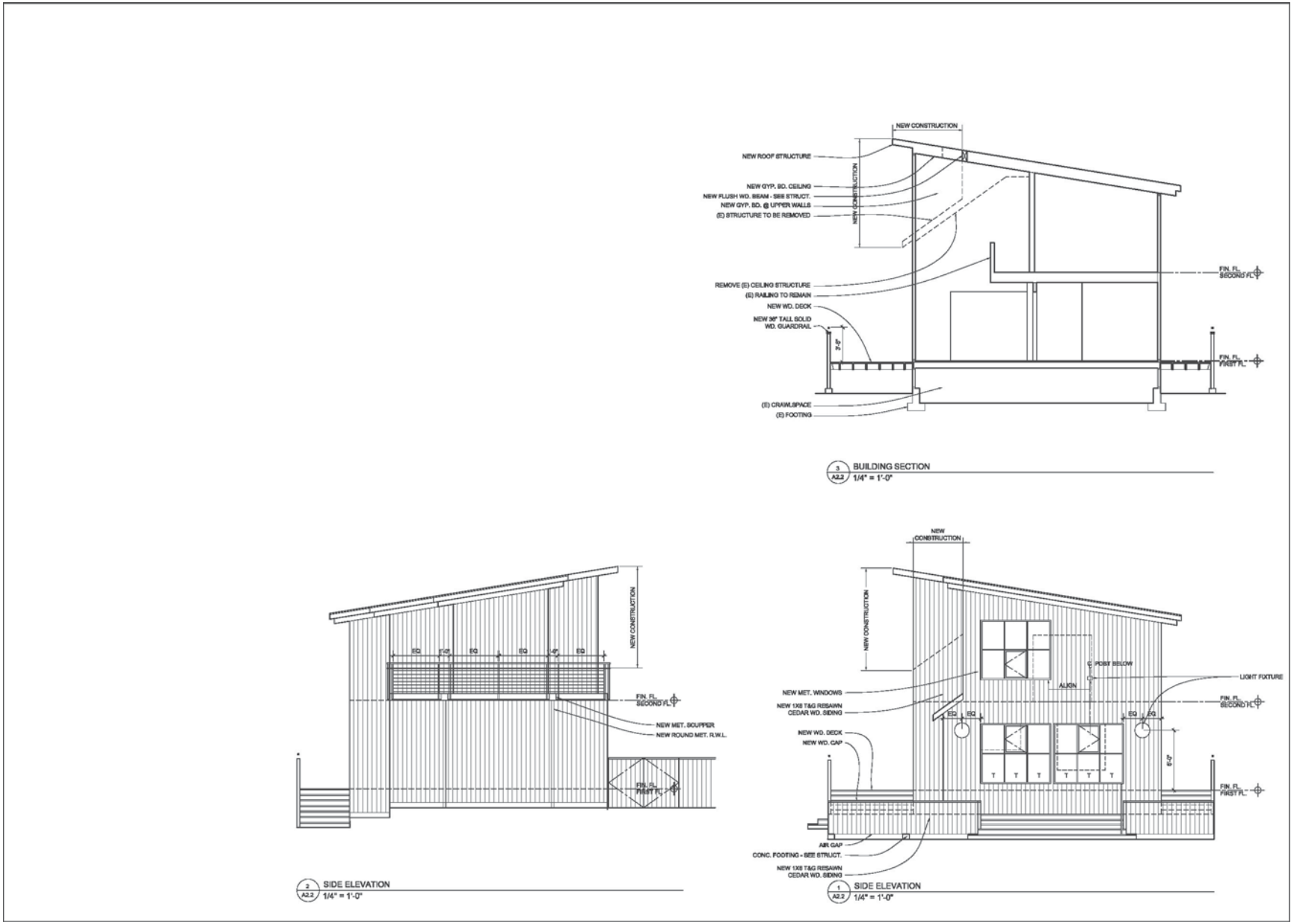


San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant: MORFORD

Attachment: D

File Numbers: PLN2010-00101

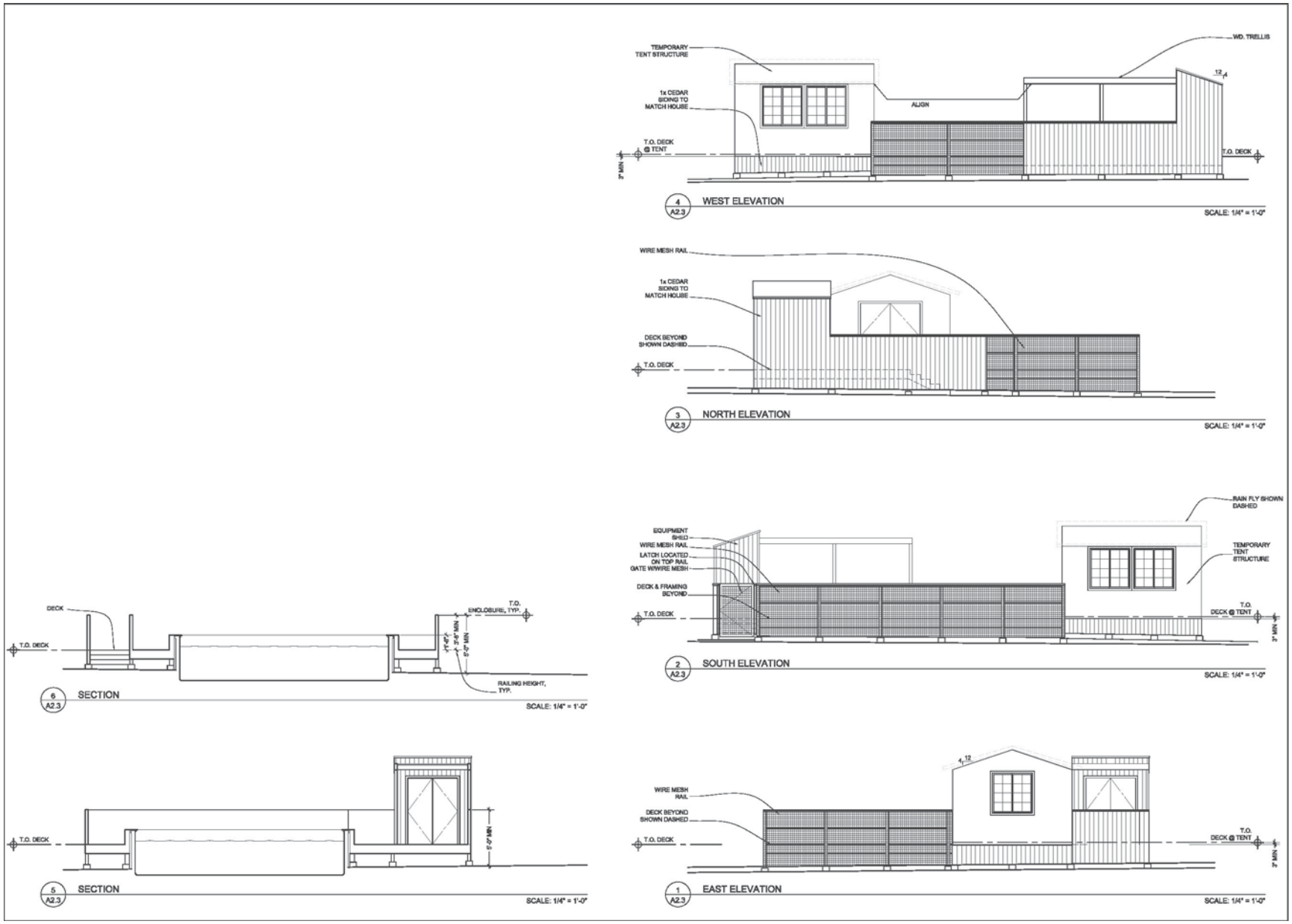


San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant: MORFORD

Attachment: D

File Numbers: PLN2010-00101

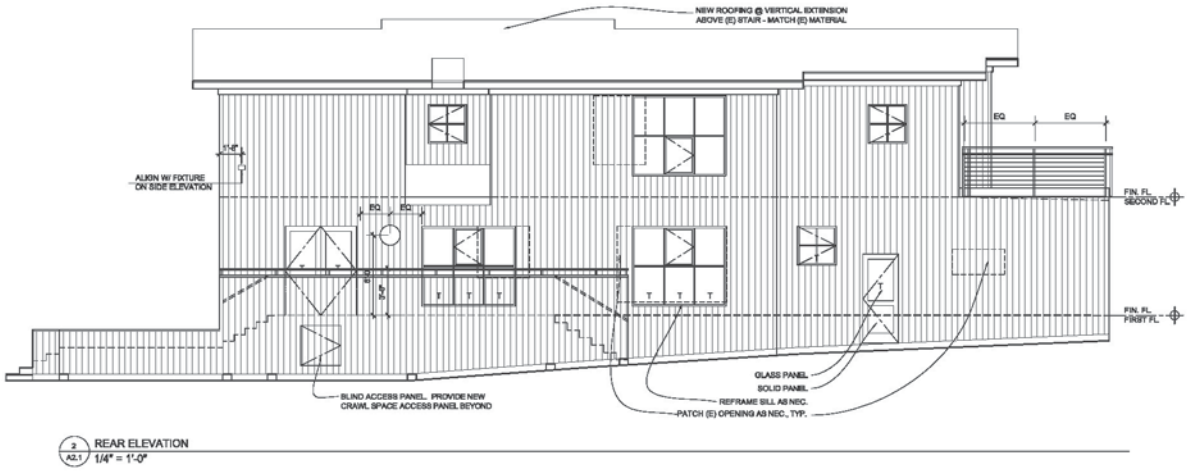


San Mateo County Zoning Hearing Officer Meeting

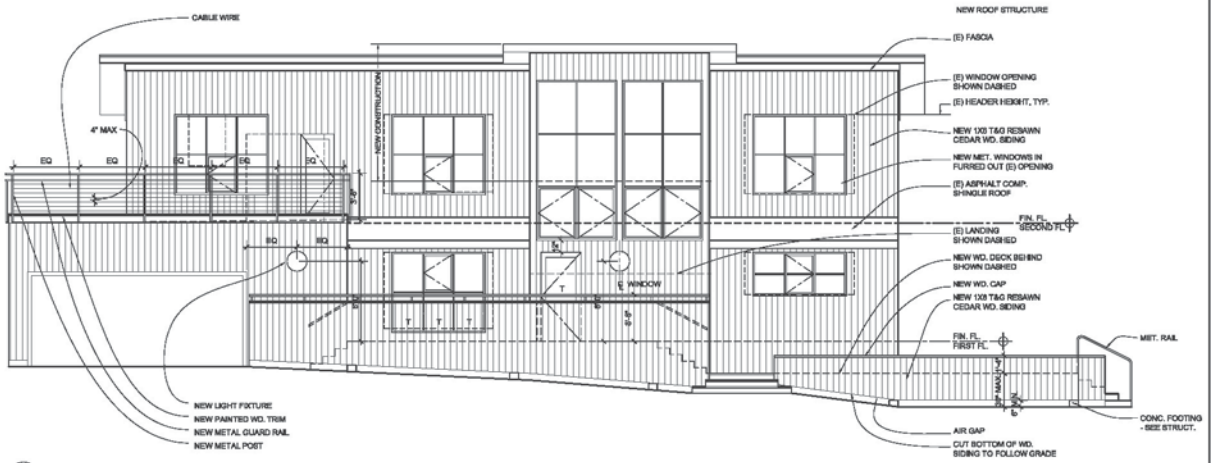
Owner/Applicant: MORFORD

Attachment: D

File Numbers: PLN2010-00101



2 A2.1 REAR ELEVATION
1/4" = 1'-0"



1 A2.1 FRONT ELEVATION
1/4" = 1'-0"

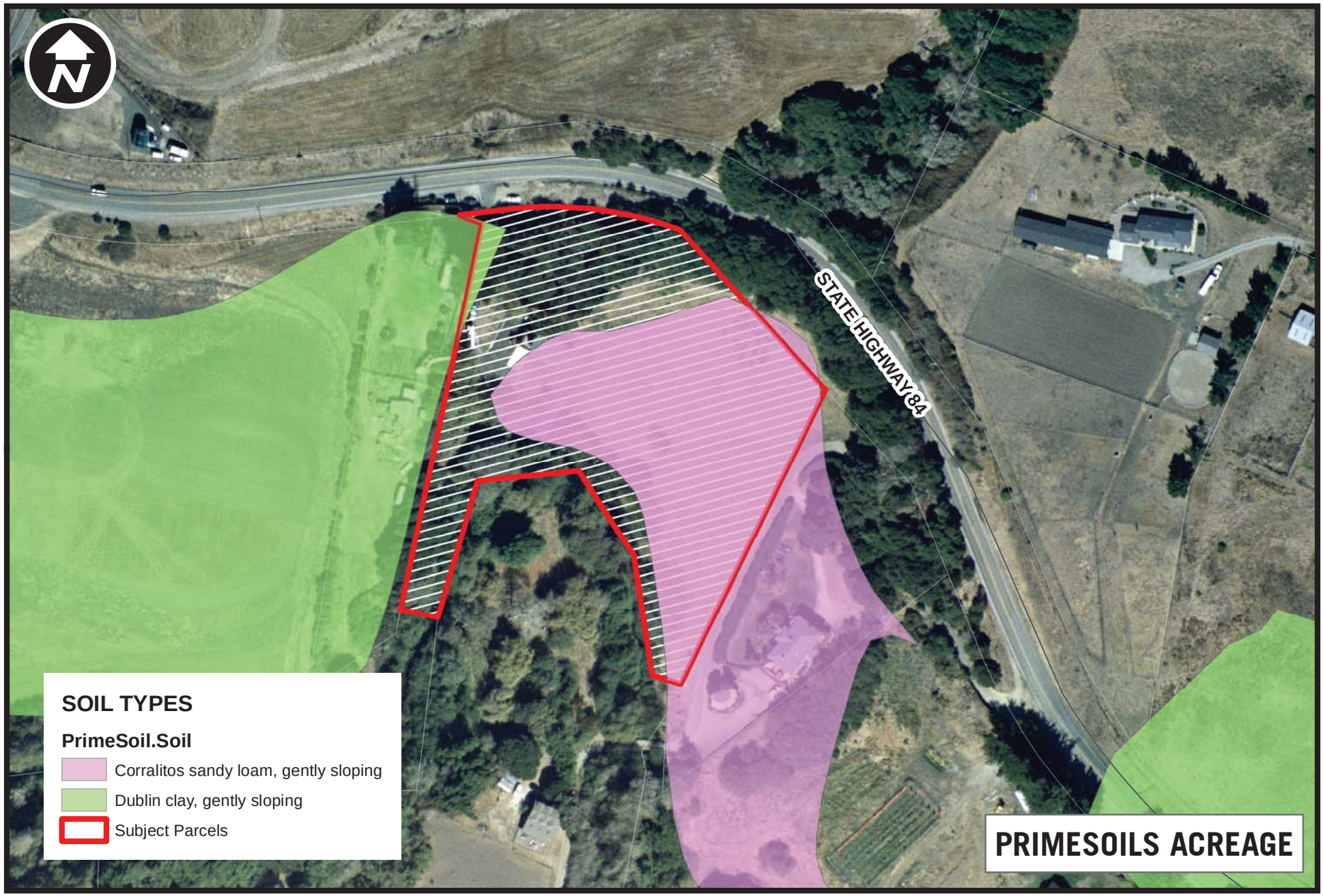
San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant: MORFORD

Attachment: D

File Numbers: PLN2010-00101

PARCEL: 082-120-150 (4.11 ac)
PRIME SOILS: 2.1 ac (Corralitos sandy loam, gently sloping)
.05 ac (Dublin clay, gently sloping)



L:_PlanningLayer\GIS\Prime Soil\pln2010-00101ps.mxd BA

0 85 170 340 510 680
Feet

ATTACHMENT E

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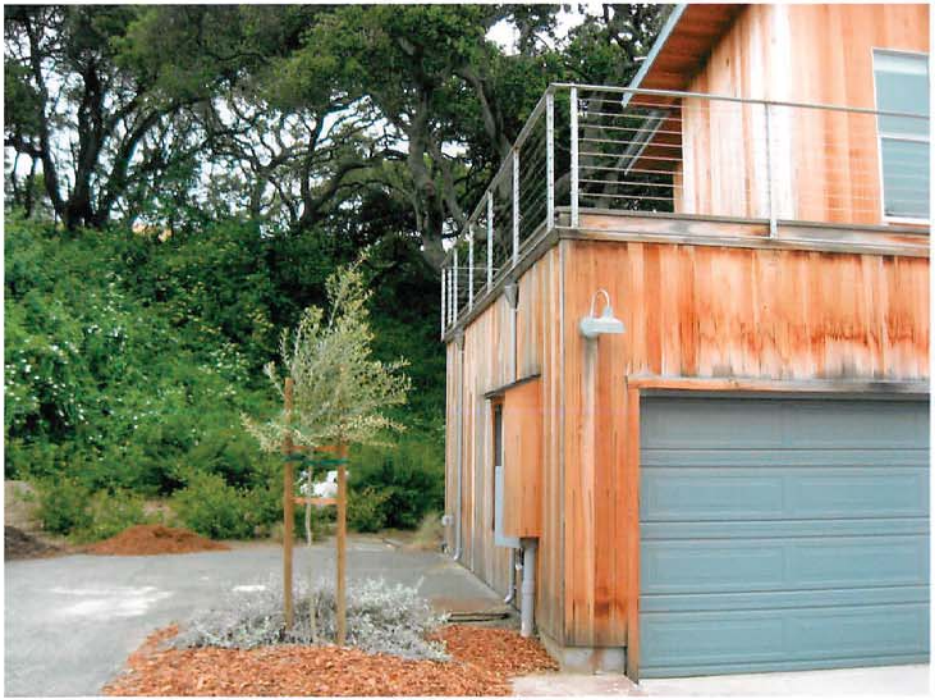

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ATTACHMENT G

Biological Impact Report
for the
Morford Property
San Gregorio, San Mateo County

For compliance with
San Mateo County
Local Coastal Program Policies

Prepared for:
Katie Morford
122 Whitney Street
San Francisco, CA 94131
(650) 747 9924

Prepared by:
TRA Environmental Sciences
545 Middlefield Road, Suite 200
Menlo Park, CA 94025
(650) 327-0429

November, 2009

Owner/Applicant: Katie Morford
Address: 122 Whitney Street, San Francisco, CA 94131
Phone: Office: (650) 747 9924, Cell: (415) 431-8601
Fax: (415) 285-9206

Project location
The property is located at 4180 La Honda Boulevard in San Gregorio, San Mateo County (Figures 1 and 2). San Gregorio Creek lies just to the south of the property and can be accessed from the property. The property is approximately 4 miles east of the Pacific Ocean and is in the La Honda 7.5 minute USGS quad, section 18, in township 7S and range 4W.

Assessor's Parcel Number and any applicable Planning Permit numbers
APN: unknown

Principal Investigators
This report was prepared by Autumn Meisel, Senior Biologist of TRA Environmental Sciences. See Appendix A for a qualification summary.

Report summary (briefly state the results of the report, habitat type, rare, endangered, or unique species present, anticipated impacts, and proposed mitigation measures.)

This is an after-the-fact report. A deck addition to an existing house was constructed in July 2006, and a new above-ground pool, its deck, and an attached pool room/tent cabin, were constructed in August and November 2008. A Biological Impact Report was not prepared at that time, and the County of San Mateo has requested that the report now be submitted.

The property is developed with a single family home and landscaping. Native habitat is present as riparian vegetation along the San Gregorio Creek corridor, located just south of the property. Riparian vegetation is dominated by arroyo willow (*Salix lasiolepis*), forming a thick canopy over the creek banks. San Gregorio Creek is a perennial creek, and therefore the Local Coastal Program (LCP) setback/buffer is 50 feet from the edge of riparian vegetation as defined in LCP Policy 7.11.

The house deck is at its nearest point, 51 feet from the edge of riparian vegetation, and thus just outside of the setback. Landscaping, including turf, a vegetable garden, and a children's play structure, is within the setback. The pool and its associated features are approximately 150 feet from the edge of riparian vegetation. Existing riparian vegetation maintains expected distribution and stature and does not show evidence of having been cut or pruned.

Special-status species with potential to occur in San Gregorio Creek include California red-legged frog (*Rana draytonii*), San Francisco garter snake (*Thamnophis sirtalis tetrataenia*) and steelhead (*Oncorhynchus mykiss*). The confinement of deck and pool construction within the existing footprint of the landscaping/turf, the lack of suitable habitat or cover for these species in this area, and the very limited amount of ground disturbance for the construction of these features makes it extremely unlikely that these species were impacted by construction.

As this is an after-the-fact report, the tabulation of impacts and mitigation is not applicable.

Figure 1. Property Location

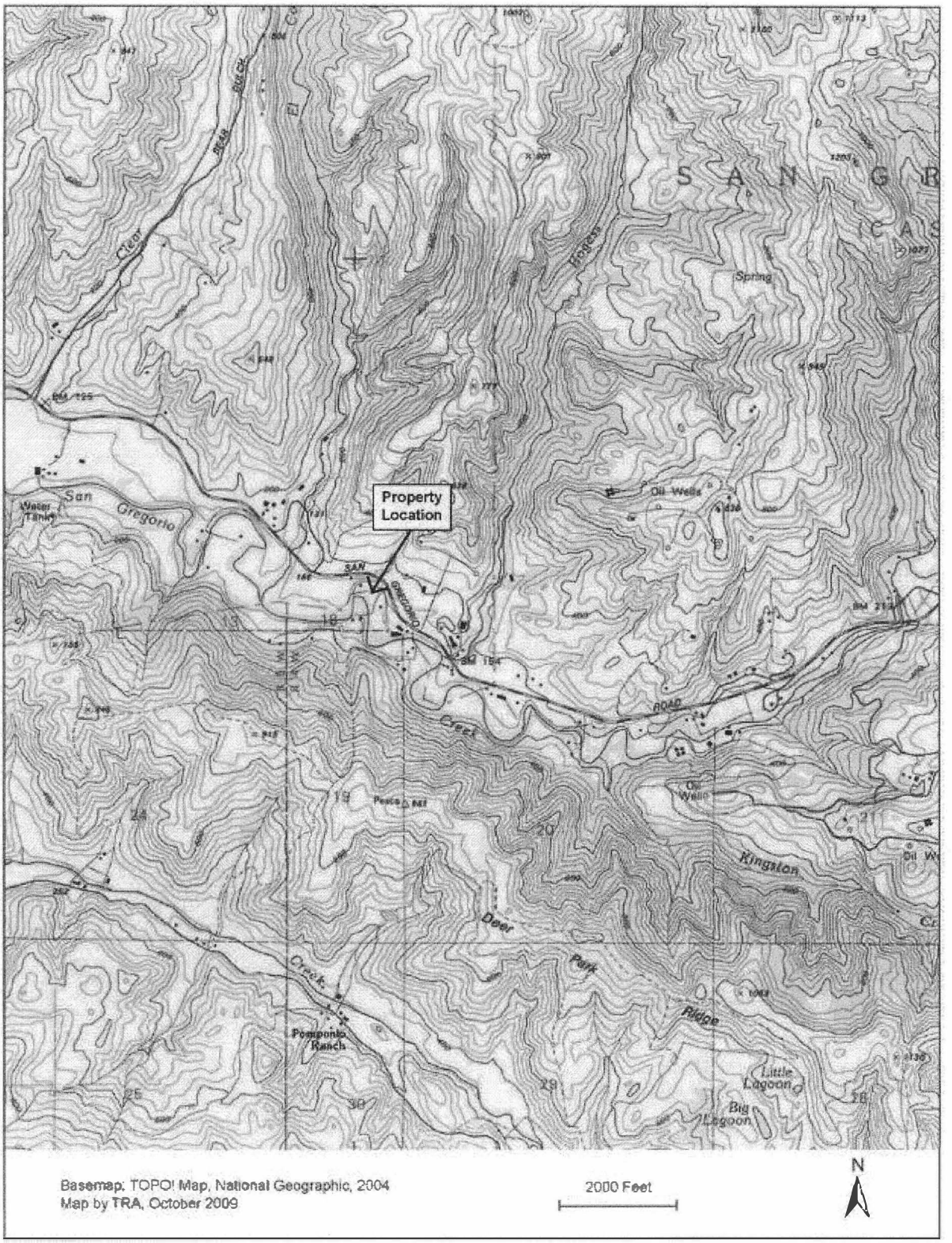


Figure 2. Aerial View of Property Location
Image from 2007

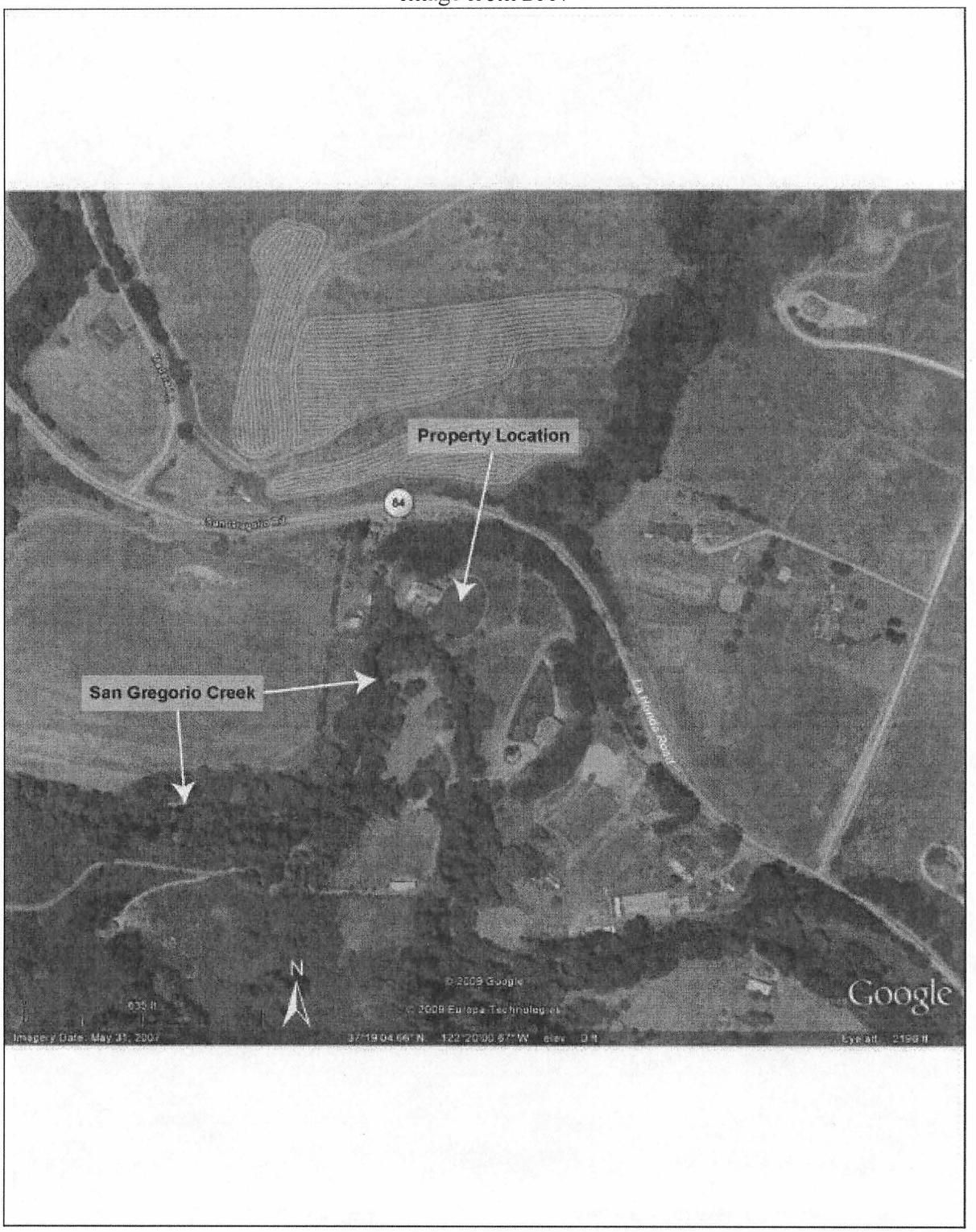
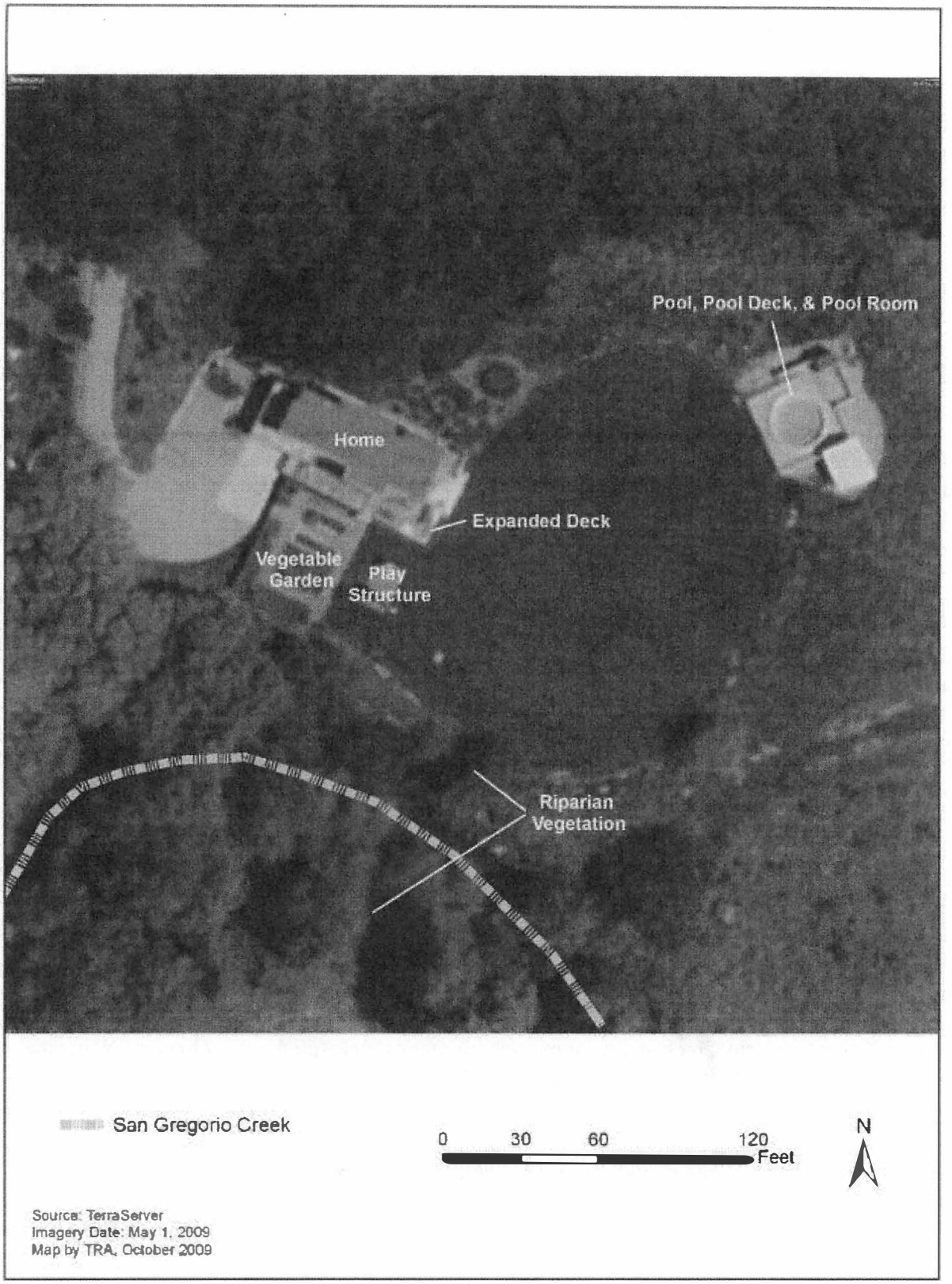


Figure 3. Detailed View of Property
Image from 2009



1. Project and property description (describe the proposed project and property, including the size, topographic characteristics, water resources, soil types, and land uses on the property and in the vicinity up to a radius of one-quarter mile. Include a map of the area from the USGS 7.5-minute quadrangle series.)

Project

This is an after-the-fact report. A deck addition to an existing house was constructed in July 2006, and a new above-ground pool, its deck, and an attached pool room/tent cabin, were constructed in August and November 2008. A Biological Impact Report was not prepared at that time, and the County of San Mateo has requested that the report now be submitted.

The Morford property is 4.1 acres in size and includes a single family home, garden, yard/turf, play structure, wood deck, paved driveway and parking area, above-ground pool and pool room (Figure 3). The property is primarily flat, with landscaping (primarily turf) extending toward the edge of the property. The property is situated below La Honda Road, and the driveway to the house is on a grade of approximately 15 percent. To the immediate south of the property lies San Gregorio Creek with associated creek banks and riparian vegetation.

The existing wooden deck located on the east side of the house was enlarged. In addition, an above-ground pool was installed away from the house in the northeast corner of the yard, approximately 150 feet from the edge of riparian vegetation. A deck was built around the pool with an adjoined pool house/tent cabin. No ground significant ground disturbance was required for expansion of the home's deck or pool. There was a slight modification to the east side of the house to insure positive drainage away from the house toward the lawn when the deck was expanded. The grade was cut down at the lawn side by approximately 4 to 6 inches. Construction of the pool and pool deck involved very little soil work. There was no change to the soil grade, and the only soil that we generated was to pour post bases for the deck structure.

Photos of the site are provided in Appendix B.

Land use

Land use on the property includes single-family residential. Land use in the vicinity of the subject property up to a radius of one quarter mile includes rural residential and agriculture. See Figure 2 for an aerial view of surrounding land use.

Water Resources

San Gregorio Creek is located along the south side of the property, and riparian vegetation associated with the creek is immediately adjacent to the property. San Gregorio Creek is a perennial creek that flows to the Pacific Ocean, located approximately 4 miles west of the property. San Gregorio Creek and its numerous tributaries make up the San Gregorio Watershed, one of three major watersheds within coastal San Mateo County.

Soils

Soils within the project site include Corralitos sandy loam, gently sloping and Mixed Alluvial Land (NRCS 2009). The parent material of both of these soil types is alluvium.

2. Methodology (briefly describe the survey methods used in preparing the report and show on an appropriately scaled map the location of sample points, transects, and any additional areas surveyed in the vicinity of the project.)

The site was surveyed for biological resources by TRA Senior Biologist Autumn Meisel on August 18, 2009. The distance from the newly constructed features to the edge of riparian vegetation was measured on the ground with a 100-foot fiberglass measuring tape. The riparian habitat was inspected and plant species noted. The creek was accessed from the property and visually inspected. The weather was sunny and clear during the survey, with temperatures in the mid seventies and wind speed approximately 2 miles per hour.

3. Results (at length, describe the botanical and zoological resources of the project site). To the extent possible, describe the food chain of the habitat and how the proposed project will impact those resources.

The majority of the property is developed and landscaped and therefore lacks natural habitats. Landscaping includes a large area of turf, fruit trees, a vegetable garden, and ornamental herbaceous species. Broad-leaf forest dominated by coast live oak (*Quercus agrifolia*) is found to the north of the house, between the house and La Honda Road. Native riparian habitat is found along the San Gregorio Creek riparian corridor, to the south of the property. The San Gregorio Creek riparian corridor in the vicinity of the property is dominated by mature arroyo willow (*Salix lasiolepis*). Red alder (*Alnus rubra*) is also present. The understory is relatively sparse along the creek banks due to the dominance of willows. At the edge of the riparian vegetation and above the top of bank, the understory thickens with weedy species including cape ivy (*Delairea odorata*), Italian thistle (*Carduus pycnocephalus*) and bristly ox-tongue (*Picris echiodes*). Existing riparian vegetation maintains expected distribution and stature and does not show evidence of having been cut or pruned.

The creek and its associated riparian corridor provide habitat for a variety of wildlife. Common birds that may be found on site include black phoebe (*Sayornis nigricans*), lesser goldfinch (*Carduelis psaltria*), California towhee (*Pipilo crissalis*), spotted towhee (*Pipilo maculatus*), golden-crowned sparrow (*Zonotrichia atricapilla*), ruby-crowned kinglet (*Regulus calendula*), chestnut-backed chickadee (*Poecile rufescens*), Pacific sloped flycatcher (*Empidonax difficilis*), Anna's hummingbird (*Caypte anna*), and bushtit (*Psaltriparus minimus*), among others. Raptors such as Cooper's hawk (*Accipiter cooperii*), great horned owl (*Bubo virginianus*), and red-shouldered hawk (*Buteo lineatus*) are likely to forage in the vicinity of the property. Pacific chorus frogs (*Hyla regilla*) are expected to occur in the creek, and various salamanders (arboreal salamander (*Aneides lugubris*) and coast range newt (*Taricha torosa torosa*) for example) and snakes (such as Santa Cruz garter snake (*Thamnophis atratus*)) may utilize the creek corridor. Mammals common in the vicinity of the property are various, and may include raccoon (*Procyon lotor*), coyote (*Canis latrans*) and several species of rodents and bats. No woodrat nests were seen along the creek corridor in the vicinity of the property.

Per San Mateo County Local Coastal Program Policy 7.11 guideline, a 50-foot setback from the edge of the San Gregorio Creek riparian corridor is required. The edge of the riparian corridor was measured from the edge of the woody canopy, which was primarily comprised of arroyo willow. The extended deck off of the house is at its nearest point, 51 feet from the edge of

riparian vegetation. The pool and associated features were measured to be approximately 150 feet from the edge of riparian vegetation.

While the San Gregorio Creek corridor is a significant movement corridor for wildlife and a significant food chain resource, the subject property itself provides little habitat value and therefore is not a significant movement or foraging resource. The addition of the extended deck and other features is not expected to have impacted wildlife movement or significant food chain resources.

4. List all direct and indirect impacts of the proposed project on the habitat. Include within the discussion an evaluation of the perceived cumulative biological impacts associated with the project.

No direct impacts to habitat are expected to have resulted from the construction of the deck and pool features as these were installed within areas already landscaped as part of the existing home. The pool and pool room are at the north side of the property and approximately 150 feet from the edge of the San Gregorio Creek riparian corridor, to the property's south. The closest the edge of the home's extended deck comes to the edge of riparian vegetation is 51 feet, thus placing the deck just outside the County's LCP 50 foot setback from riparian vegetation of a perennial stream. Landscaping, including ornamental plants, vegetable garden, fruit trees and turf as well as a child's play structure are within the 50-foot riparian buffer.

No cumulative impacts to habitat are expected to have occurred from the construction of the deck and pool features.

5. List and discuss all probable impacts to threatened, rare, endangered or unique species either listed or proposed by the Local Coastal Program, a Federal or State agency, or the California Native Plant Society, both on-site and within an area of one-quarter mile radius from the project location.

As the extension of the home's deck, installation of the above-ground pool, and creation of the pool room and deck occurred within the existing developed property boundary which is landscaped, impacts to native and rare plants are not expected to have resulted from the construction of these features.

Special-status wildlife with potential to occur in the project area are associated with San Gregorio Creek and include California red-legged frog (*Rana draytonii*, federal threatened), San Francisco garter snake (*Thamnophis sirtalis tetrataenia*, federal and state endangered) and steelhead (*Oncorhynchus mykiss*, federal threatened). These species are described in detail below.

California Red-legged Frog

The California red-legged frog (CRF) is a federally listed Threatened species and a California Species of Special Concern. CRF are known to occur in freshwater ponds and marshes, grasslands, riparian woodlands, oak woodlands, and coniferous forests. The species is most frequently found in freshwater ponds, slow-flowing streams, and marshes with heavily vegetated shores for breeding. CRF typically are found within shoreline areas of aquatic habitats within

'one leaping distance' of water. Seasonal bodies of fresh or slightly brackish water provide important breeding habitat for the species, and are critical for CRF survival. CRF can disperse over 1 mile from breeding habitats during autumn, winter, and spring rains. CRF can move through a broad range of upland habitat types when dispersing to and from aquatic breeding habitats. Juveniles use the wet periods to expand outward from their pond of origin and adults may move between aquatic areas. It is speculated that CRF may lie dormant during dry periods of the year or during drought, sometimes within upland habitats. CRF will utilize rodent burrows, debris piles and other man-made structures for shelter during overland movements.

Suitable foraging and breeding habitat is found in San Gregorio Creek in the vicinity of the subject property. The species has been recorded in San Gregorio Creek (CNDDB 2009). The property itself does not support suitable upland habitat as the property is landscaped with non-native plants and turf is and regularly maintained by a gardener. No herbicides or pesticides are used in the landscaping or vegetable garden (Morford, personal communication). There is a very slim chance that a frog could wander onto the property from the adjacent creek.

San Francisco Garter Snake

San Francisco garter snake (SFGS) is listed as both a state and federal Endangered species. Preferred habitat for the snake includes a densely vegetated pond near open, upland habitat supporting rodent burrows. Temporary ponds and other seasonal freshwater bodies are also used. The snakes avoid brackish marsh areas because their preferred prey (California red-legged frogs) cannot survive in saline water. Emergent and bankside vegetation such as cattails (*Typha spp.*), bulrushes (*Scirpus spp.*) and spike rushes (*Juncus spp.* and *Eleocharis spp.*) apparently are preferred and used for cover. Adult snakes sometimes aestivate in rodent burrows during summer months when ponds dry. On the coast, snakes hibernate during the winter, but further inland, if the weather is suitable, snakes may be active year-round. Snakes may move over several hundred yards away from wetlands to hibernate in upland small mammal burrows (USFWS 2009).

San Gregorio Creek in the vicinity of the subject property does not provide optimal habitat for SFGS. The creek here is open and moves more rapidly that steams that typify SFGS habitat. SFGS has been recorded in the La Honda 7.5 minute quad, although location information in the California Natural Diversity Database is suppressed (CNDDB 2009).

Steelhead

The Steelhead Central Coast Distinct Population Segment is bound by the Russian River in the north and to, but not including, the Pajaro River in the south. Populations of steelhead require cool perennial streams of good water quality and moderately complex habitat, with unimpeded access to the ocean during winter and spring months of the year. Steelhead spawn during late winter and spring and typically begin their migration from the ocean during the first high flows of the fall or winter and in most cases attempt to return to their natal stream. It is not unusual for them to return to the same point in the stream from which they emerged as fry. Successful steelhead spawning requires areas of clean gravel with moving water (riffles). Eggs typically hatch in about four weeks (dependent upon water temperature). Pools and lagoons low in the watershed can also provide important rearing habitat.

Juvenile steelhead require low velocity stream margins for initial rearing and then riffles and pools for feeding and cover. Juvenile steelhead will spend one to three years in freshwater, often slowly migrating downstream, before becoming smolts and entering the ocean. In general, the larger the smolt at the time of emigration to the ocean, the greater the chances are that it will return as an adult to spawn. Steelhead typically spend one or two years in the ocean before returning to spawn. Only a small percentage of juvenile steelhead typically survive to maturity. Unlike salmon, steelhead usually do not die after spawning and can return to the ocean to repeat their spawning migration again in subsequent years.

Steelhead have been recorded in San Gregorio Creek and could be present in the creek in the vicinity of the property. The property itself does not include any portion of the creek or its tributaries.

Impacts to CRF, SFGS or steelhead are extremely unlikely to have occurred as a result of the construction of the home's extended deck or pool features. As fish, steelhead are restricted to the creek and therefore construction would not have resulted in adverse impact to steelhead. SFGS are unlikely to occur in the creek in the vicinity of the property and it is even more unlikely that a snake would travel onto the open, landscaped property that lacks cover. There is a low chance that CRF could wander onto the property, but it is highly unlikely that expansion of the existing deck and creation of the pool and associated features resulted in impact to CRF. Construction required minimal ground disturbance within areas that were landscaped and that did not provide suitable upland habitat for CRF.

No cumulative effects to threatened, rare, endangered or unique species are expected to have resulted from this project.

6. Tabulate by significant impact all feasible mitigation measures proposed to reduce the level of impact and explain how such measures will be successful.

As this is an after-the-fact report, the tabulation of impacts and mitigation is not applicable.

7. <u>Certification</u>. I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this biological evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Autumn Meisel, Senior Biologist
TRA Environmental Sciences
(650) 327-0429 x 86 phone
(650) 327-4024 fax
Meisel@traenviro.com

November 2009

REFERENCES

California Natural Diversity Database (CNDDB). Updated September, 2009. California Department of Fish and Game. Sacramento.

San Mateo County. 1998. Local Coastal Program Policies. Section 7.11.

United States Fish and Wildlife Service (USFWS). 2009. Species Account webpage: http://www.fws.gov/sacramento/es/animal_spp_acct/sf_garter_snake.htm. Viewed on August 28.

Appendix A. Principle Investigator Qualifications

Autumn Meisel, Senior Biologist. Autumn Meisel is an ecologist specialized in habitat assessment and management, with a focus on sensitive species conservation. She earned a Master's degree in conservation ecology from San Francisco State University in 2002, and joined TRA as a staff biologist in 2005. She is competent in overall site and habitat assessment, biological monitoring, Endangered Species Act consultation, and landscape level planning and management.

Ms. Meisel has worked for a variety of clients and on projects ranging from small, single-family home developments, to the creation and implementation of Habitat Conservation Plans. She brings expertise in an understanding of the laws protecting special-status species and communities, and of the ecology, life-history and conservation and management needs of protected species. Ms. Meisel has a working relationship with the regulatory agencies and provides clients with guidance in regulatory compliance. She excels in her ability to creatively find solutions to complex issues while ensuring that regulations are met and sensitive resources are protected.

At TRA, Ms. Meisel has worked as a project manager on a variety of projects. She has worked with numerous local, public municipalities, providing biological consultation services for improvement projects such as roads, pipelines, and levees, park management plans, habitat restoration, and developments. Documents she has provided senior review on include Biological Assessments, Biotic Surveys, Constraints Analysis, Habitat Conservation Plan Activity Reports, Clean Water Act permitting, and the biology section of CEQA/NEPA documents. She has worked in both conservation and land development settings and is familiar with various issues and concerns that may arise.

In the field, Ms. Meisel has experience in plant and wildlife identification, reconnaissance-level site surveys, wetland delineations, construction monitoring, mitigation monitoring, and vegetation and wildlife monitoring. Ms. Meisel has experience surveying for and providing management recommendations for a variety of special-status species, including California red-legged frog, mission blue butterfly, Callippe silverspot butterfly, burrowing owl, western pond turtle, and San Francisco dusky-footed wood rat, among others. Ms. Meisel has a background in fire ecology and has worked with CalFire on vegetation management planning and has received training for and provided services to supervise CalFire work crews (through the California Correctional Institution).

Ms. Meisel also has expertise in habitat restoration at degraded sites and has overseen invasive weed control efforts, native out-planting, and plant establishment maintenance. She has lead volunteer groups in restoration work and provided education to others about ecology and resource management. Ms. Meisel has aided in prioritizing restoration needs when resources were limited and has designed experimental vegetation management methods to better understand how to best meet desired goals so that resources may be put to the greatest use.

Educational Background

M.A. Conservation Ecology, San Francisco State University
B.S. Ecology, U.C. San Diego

Appendix B. Representative Photos of the Site

Photo 1. The deck with the small hedges and umbrella on the right side of the photo was expanded from its original size. The edge of the deck at its nearest distance to the edge of riparian vegetation (seen as trees on the left side of the photo) is 51 feet.

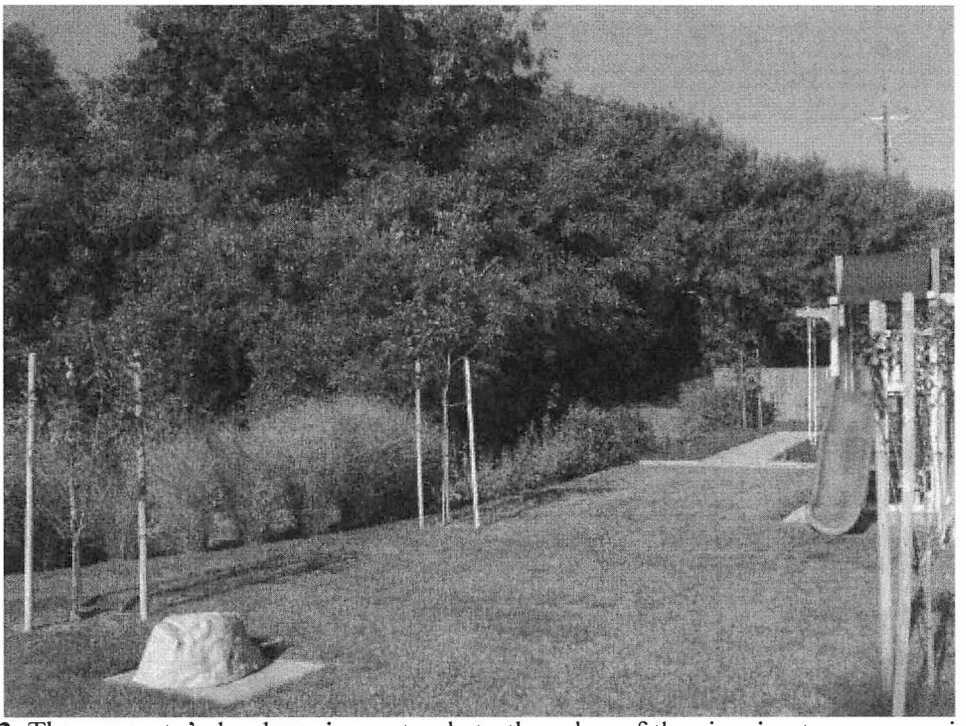


Photo 2. The property's landscaping extends to the edge of the riparian tree canopy in some locations. The property's open landscaping style provides little refuge for species of concern.