

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

DATE: September 3, 2015

TO: Zoning Hearing Officer

FROM: Steve Rosen, Planning Staff

SUBJECT: STAFF REPORT ADDENDUM: Consideration of a Use Permit, pursuant to Section 6500 of the San Mateo County Zoning Regulations, to allow the California Water Service Company to construct a 20,000-gallon steel water storage tank, 18.5 feet tall, to replace two 15,000-gallon redwood water tanks, demolished in 2008, and improvement of a parking area adjacent to Loma Court, in the unincorporated Palomar Park area of San Mateo County.

County File Number: PLN 2014-00076 (California Water Service Co.)

PROPOSAL

The applicant, California Water Service Company (Cal Water), is requesting a Use Permit to allow construction of a 20,000-gallon steel water storage tank, 18.5 feet tall, and painted non-reflective green to match the local foliage, to replace two 15,000-gallon redwood water tanks (demolished in 2008), and improvement of a parking area adjacent to Loma Court with stairs to access the tank. The tank would be served by machinery located in an existing pump house. There would be 75 cubic yards of excavation to create the parking area and to prepare the site. No significant trees are proposed to be removed, but there will be trimming associated with the project. The California Water Service Company is installing this tank to distribute water to the neighborhood.

RECOMMENDATION

That the Zoning Hearing Officer approve the Use Permit, County File Number PLN 2014-00076, based on and subject to the required findings and conditions of approval listed in Attachment A.

BACKGROUND

At the initial Zoning Hearing Officer's (ZHO) public hearing on February 19, 2015, the Planning Department presented a staff report analyzing the proposal. The Zoning Hearing Officer continued the public hearing to allow the public more time to review the file, to hold a public informational meeting, and to allow Cal Water to look into relocating the project. The public meeting was held on March 24, 2015.

PUBLIC COMMENT

Public comments received prior to the initial Zoning Hearing Officer's hearing, at the hearing, and at the public meeting held on March 24, 2015, raised the following concerns:

PROJECT NECESSITY

At the meeting held on March 24, 2015, the public questioned the necessity for the project. They pointed out that water service already exists, that the increase in water pressure at the hydrants would not raise the pressure to the minimum required, that redundancy is unnecessary, and disagreed with the Fire Marshal's assessment that the additional water storage would be useful in fighting fires in a disaster. The public also recommended that Cal Water reengineer its system to use a single, very large water tank at a much higher elevation.

Staff Response

The applicant explained why the project is necessary. The tank is part of a series of sets of pumps and tanks that send water uphill into the area. Water is pumped to this tank, from which it is pumped uphill to the next tank. This creates a second route for the water to be pumped uphill in the area. This creates redundancy in the system, allowing the continuation of service to the area if the other route were damaged or taken out of service for repairs. The local benefit of redundancy is that, if the water supply were interrupted, a significant amount of water would be available to the tank's immediate neighbors for household use and fire suppression.

The suggestion to reengineer the entire system for the area is out of proportion with the scope of work and overall purpose of the project. The proposal is to restore the existing system to its prior functionality and redundancy by replacing water storage tanks that were removed due to their decrepitude.

VISUAL IMPACTS

Hearing attendees stated that the facility would have an adverse visual impact, and requested that story poles be installed.

Staff Response

The story poles confirm that the new tank would not have more of a visual impact than the two redwood tanks it replaces. While the proposed tank would be larger than either of the two tanks it replaces, its volume would be 10,000 gallons less than the combined volume of the prior tanks. The tank would be 18.5 feet tall, 9.5 feet less than the maximum height allowed for houses in this zoning district and 0.5 feet less than the maximum height allowed for accessory structures in this zoning district. It covers an area of 189 square feet, which is less than the 1,000 allowed for accessory structures in

this area. The tank would be 15.5 feet in diameter. The tank will be 30 feet from the existing road surface.

The proposed design preserves a mature oak tree located between the tank and the road by installing a retaining wall at the end of the parking area. The proposed tank would also be painted non-reflective green in a shade to match the local foliage.

PUBLIC NOTIFICATION

Attendees of the Zoning Hearing Officer's February 19, 2015 hearing commented that the noticing was inadequate and that no notice was sent to the Palomar Park Property Owners Association. Attendees requested posters, story poles, and a public outreach meeting to be held after the adjacent neighbor returned from abroad.

Staff Response

To ensure that all interested parties would have adequate time to review the project file, the Planning Department published a notice of the Zoning Hearing Officer's February 19, 2015 public hearing in the San Mateo Times on February 7, 2015. This notification was also mailed to the owners of all lots within 300 feet of the project site on the same date. While the Palomar Park Property Owners Association was not on this mailing list, the project was referred to the Palomar Park Property Owners Association on March 25, 2014. No comment was received at that time.

The Vians, owners of the lot on which Cal Water's easement is located, hosted a public outreach meeting at their house. This meeting was scheduled by the Zoning Hearing Officer for March 24, 2015, at 6:00 p.m., to allow residents the opportunity to ask questions, share concerns, and discuss the proposed project with Cal Water. The Planning Department sent a notice to the Palomar Park Property Owners Association and to the owners of all lots within 300 feet of the site, which included all lots along the length of Loma Court. Prior to this meeting, the applicant installed story poles at the location of the water tank. Cal Water staff discussed the project, and neighbor Denise Enea presented her concerns. San Mateo County Fire Marshal Mark Mondragon was present to address the project's relation to water supply for fire suppression and its effect on road width and other access issues.

The file has been available to the public from the date of application.

SURFACE RUNOFF

The public was concerned about two aspects of surface runoff. The first was that the driveway in the original plans would increase the amount of impervious surface at the site, which would increase stormwater runoff. The second is that the tank could overflow or rupture, leading to a surge that could cause severe erosion or a slide. Neighbors cited an overflow event from the old tank.

Staff Response

The original proposal included a driveway leading up to the tank. The slope of this driveway would be 20%. Permeable pavements require a slope of less than 5% to function properly. The result of this design would be an increase of 500 square feet of impermeable surface, which would require the installation of an infiltration basin in conjunction with the project. In response to comments, Cal Water evaluated an alternative layout that minimizes impervious area and subsequent storm runoff. After review with the Department of Public Works, Cal Water redesigned the project to include a level parking area that can be given a permeable surface. This would eliminate 500 square feet of impermeable surface from the project, reducing the size of the infrastructure needed to accommodate stormwater runoff. The plans include a runoff infiltration system that has been reviewed and approved by the Department of Public Works. The Department of Public Works can only approve projects creating or replacing impermeable surface that do not increase the amount of runoff leaving the site.

The new tank will be safer and more reliable than the tanks that were removed. The station and tank level will be controlled and monitored by supervisory control and data acquisition industrial computer systems. There will be hydraulic control valves to prevent tank overflow. Alarms will be programmed to notify Cal Water employees should the tank be filled beyond capacity. Emergency personnel will be dispatched immediately to the site should the alarm be triggered. In the event of an unplanned discharge due to tank overflow, the flow will not exceed a 10-year (10% annual chance) storm event. Therefore, the proposed on-site stormwater improvements and the existing downstream stormwater infrastructure are adequate to convey unplanned overflow.

EFFECT ON LOMA COURT

Neighbors claimed that the road is a private road that Cal Water has no right to use to access its tank, citing a lawsuit pertaining to Loma Road. A neighbor claimed that the project would narrow the road to the point that it would violate the Fire Code or prevent the widening of Loma Court that would be required if owners of lots farther down Loma Court wished to improve or replace their houses.

Staff Response

Nachbaur vs. PALPAR, Inc. was a civil court case in which the Nachbaurs claimed to own a portion of Loma Road through adverse possession. The portion of Loma Road that was the subject of that case is a private road. The portion of Loma Court adjacent to Cal Water's easement is a publicly-maintained road. San Mateo County Counsel has determined this case to be irrelevant and that Cal Water may build improvements within the right-of-way upon issuance of an Encroachment Permit by the Department of Public Works. This portion of Loma Court is shown to be a County-Maintained Minor Road in the County of San Mateo's *Index of Roads and Road Numbers by Classification*,

adopted by the Board of Supervisors' Resolution No. 073100 on April 8, 2014. The recorded subdivision map contains the statement, "That the land delineated hereon as Loma Court...[is] intended and hereby offered for dedication to public use for street purposes." As for all development, Cal Water needs to build an access way to the site, which includes access of a width, length, and grade necessary to accommodate a service vehicle.

Three developed parcels are currently accessed via Loma Court (750, 754, and 760 Loma Court). Two undeveloped parcels could potentially be accessed via Loma Court.

The San Mateo County Fire Marshal, Mark Mondragon, has reviewed and approved the plans. He determined that the project maintains adequate passage for the present and future users of Loma Court. He recommends approval of the project in order to provide redundant and reliable water supply for fire suppression in the area.

GEOTECHNICAL REPORT

Prior to the public hearing, at the public hearing, and at the informational meeting, the public expressed disbelief that the project could be seismically sound, given the weight of 20,000 gallons of water and the high concentration of septic system effluent in the soil.

Staff Response

The structural engineering of the project is not subject to discretionary review. In its 2015 update to the 1999 study of the site and its surroundings, Cotton, Shires, and Associates concluded that construction of the proposed 20,000-gallon water storage tank should not adversely impact the stability of neighboring properties. Additionally, they did not observe any other geotechnical hazards that would be adversely impacted by the proposed tank construction. They also concluded that the site has not changed significantly from the conditions observed and investigated in 1999 and, consequently, concluded that the recommendations listed in that report are still accurate and appropriate, with five updates: (1) references updated to reflect updated Seismic Code requirements, (2) a requirement that any moisture barriers be 15-mm thick, (3) allowing the substitution of compacted on-site material for crushed rock, (4) recommendation that outflow water be directed to stormwater facilities, and (5) requirement that underground piping installed on slopes over 10% be equipped with trench plugs.

SCOPE OF WORK

Attendees at the hearing and public meeting want Cal Water to install the tank down the road, on land belonging to one of the attendees. Attendees also proposed that Cal Water use the money allocated for this project to replace water mains.

Staff Response

It is not within the power of the Planning Department to mandate that Cal Water change its proposal in this manner: to relocate the project to a different parcel they do not own, to propose an entirely different and unrelated project, or to mandate that they allocate their capital improvement funds differently. The Planning Department's task is to review the proposal as proposed and its conformance to the General Plan and County Regulations.

Cal Water dedicated additional time and resources to evaluate the site proposed by the neighbors. It determined that the site is not feasible due to increased costs, technical constraints, additional permitting and regulatory delays, and other considerations. It requested that the Zoning Hearing Officer review its proposal to build the replacement tank in the location originally proposed, on its existing easement where the necessary pipes and pumps already exist.

Substituting the replacement of Cal Water distribution lines for this proposal would not accomplish Cal Water's goals of increasing water storage in the Palomar Park area and improving reliability and redundancy in its supply and distribution. Moreover, it cannot use the money it has allocated for constructing this tank to do any other projects due to the California Public Utilities Commission's oversight of Cal Water's capital improvement budget and all other expenditures of ratepayer money.

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
- B. Construction Plans
- C. Site Photos
- D. February 19, 2015 Staff Report Packet:
 - Staff Report
 - Recommended Findings and Conditions of Approval
 - Vicinity Map
 - Project Plans

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County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2014-00076 Hearing Date: September 3, 2015

Prepared By: Steven Rosen
Project Planner

For Adoption By: Zoning Hearing Officer

RECOMMENDED FINDINGS

Regarding the Environmental Review, Find:

1. That the proposal is categorically exempt from environmental review pursuant to Section 15302 of the California Environmental Quality Act, which exempts the replacement of existing utility systems and/or facilities involving negligible or no expansion of capacity.

Regarding the Use Permit, Find:

2. That the establishment, maintenance and/or conducting of the use will be necessary for the public health, safety, convenience or welfare in that the tank will allow the California Water Service Company to maintain adequate water supply and pressure for domestic users and fire suppression in the area.
3. That the establishment, maintenance and/or conducting of the use will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in said neighborhood in that the facility will not emit any more noise or vibration with its replacement tank than it did with the original redwood tanks. The new tank will not have more of a visual impact than the two redwood tanks in that it will be a single tank where there were two before and in that it will have a non-reflective coating.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

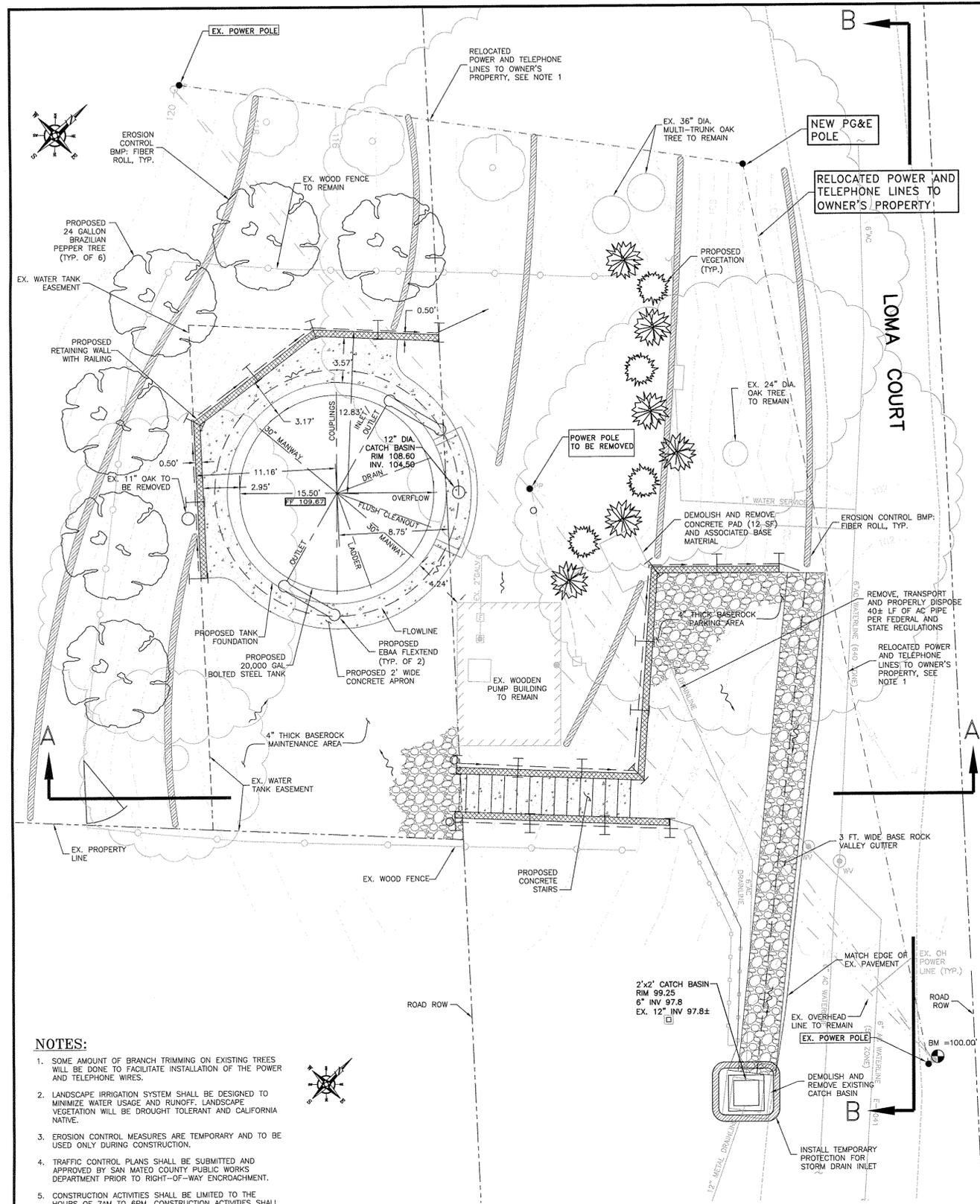
1. The project shall be constructed in compliance with the plans approved by the Zoning Hearing Officer on September 3, 2015. Minor adjustments to the project may be approved by the Community Development Director if they are consistent with the intent of and are in substantial conformance with this approval.

2. Any major modifications to use or intensity shall require an amendment to the use permit. Amendment to this use permit requires an application for amendment, payment of applicable fees, and consideration at a public hearing.
3. The applicant shall submit a Construction Erosion and Sediment Control Plan prior to construction. This plan shall identify the type and location of erosion control devices to be installed upon the commencement of construction in order to maintain the stability of the site and to prevent erosion and sedimentation off-site. It shall include an erosion control point of contact and phone number responsible for correcting failures of erosion control measures.
4. No tree removal is allowed. Tree trimming, as necessary, is authorized. The applicant shall submit a tree protection plan. The tree protection plan may be included on the Construction Erosion and Sediment Control Plan.
5. 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).
6. The tank shall be finished with a non-reflective coating in a green that matches the local foliage. Submit a sample to the Planning Department for approval prior to construction.

Department of Public Works

7. 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 issued. The applicant shall contact a Department of Public Works Inspector 48 hours prior to commencing work in the right-of-way. The driveway may be located in the right-of-way; however, all other facilities shall be removed from the right-of-way.

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LOT INFORMATION:

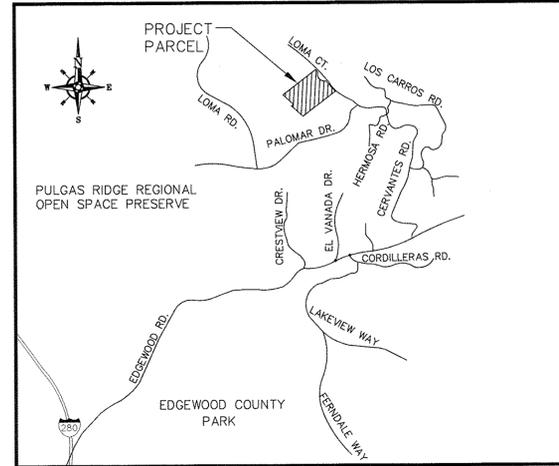
EASEMENT AREA	797 SF
AREA OF PROPOSED TANK	190 SF
EXISTING IMPERVIOUS AREA	520 SF
PROPOSED NEW IMPERVIOUS SURFACE	520 SF

PROPOSED TANK DATA

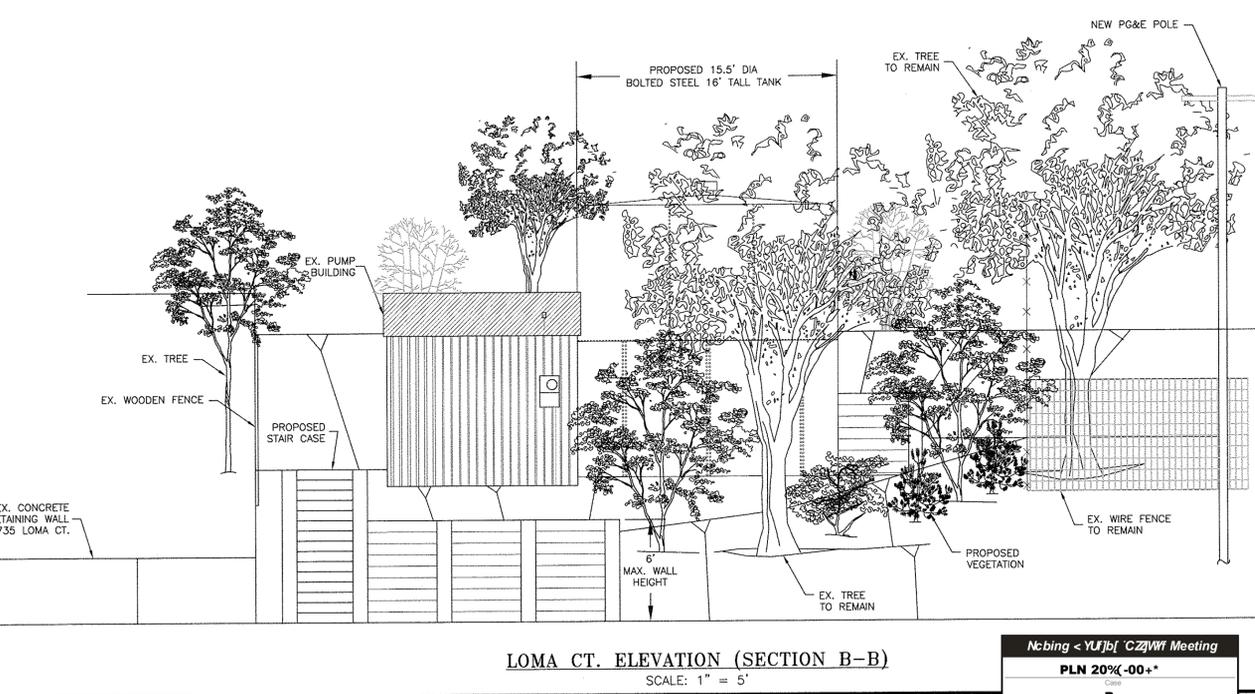
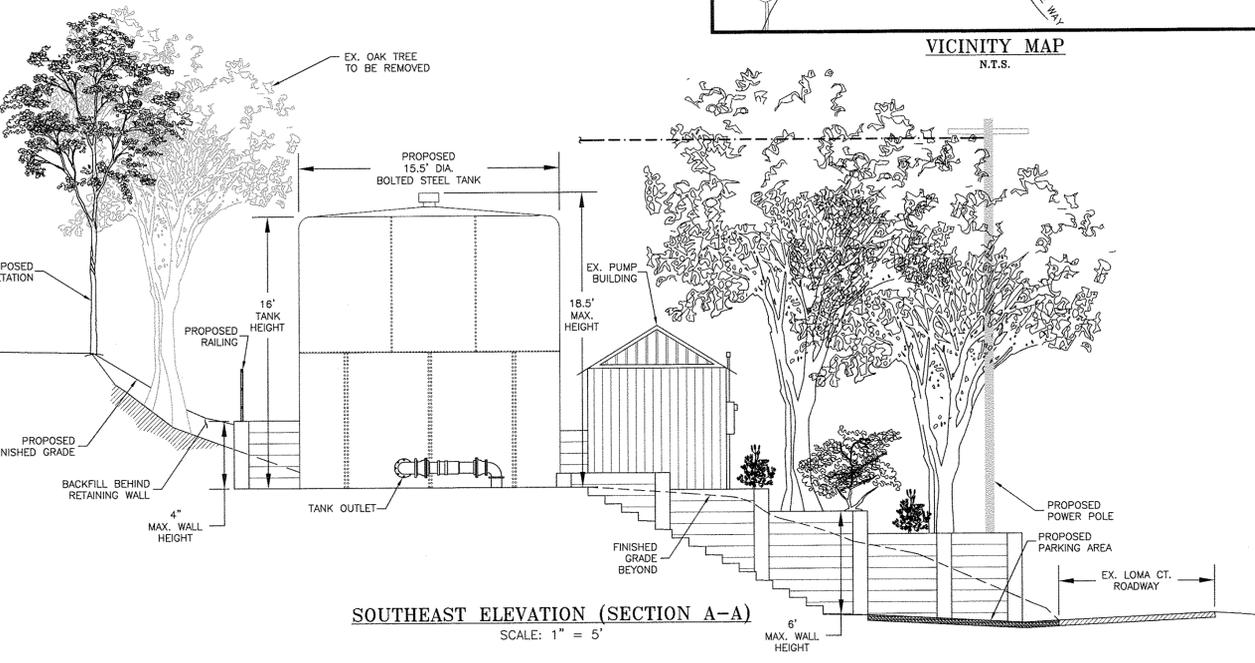
TANK:
 CAPACITY: 20,000 GALLONS
 TANK DIAMETER: 15'-6"
 TANK HEIGHT: 16'-0", 18'-6" MAX.
 HEIGHT TO OVERFLOW: 14'-0"
 FOUNDATION TYPE: CIRCULAR CONCRETE RING
 FOUNDATION MATERIAL: ASPHALT OVER BASE ROCK

LEGEND:

PG 360.40	PROPOSED FINISHED GRADE
FF 360.40	PROPOSED FINISHED FOUNDATION OR FLOOR
BM 100.00	TEMPORARY BENCHMARK
EL 360.40	EXISTING GRADE
(Symbol)	FINAL SURFACE DRAINAGE FLOW DIRECTION
TBM	TEMPORARY BENCHMARK
(Symbol)	EXISTING CONTOUR
(Symbol)	PROPOSED CONTOUR
(Symbol)	TEMPORARY EROSION CONTROL MEASURES



- EROSION CONTROL NOTES:**
- CONTRACTOR SHALL APPLY CALIFORNIA STORMWATER QUALITY ASSOCIATION (CASQA) BEST MANAGEMENT PRACTICES TO PREVENT WATER AND SEDIMENT FROM ENTERING NAVIGABLE WATERWAYS. THE CONTRACTOR IS RESPONSIBLE FOR IDENTIFYING AND INSTALLING THE APPLICABLE AND APPROPRIATE BMP'S IDENTIFIED IN THE CASQA - STORMWATER BEST MANAGEMENT PRACTICES HANDBOOK AVAILABLE ONLINE AT WWW.CASQAHANDBOOKS.COM. SOME OF THE REQUIRED PRACTICES MAY OR MAY NOT BE SHOWN ON THIS SITE PLAN.
 - CONSTRUCTION OPERATIONS SHALL BE DUST CONTROLLED YEAR-ROUND.



- NOTES:**
- SOME AMOUNT OF BRANCH TRIMMING ON EXISTING TREES WILL BE DONE TO FACILITATE INSTALLATION OF THE POWER AND TELEPHONE WIRES.
 - LANDSCAPE IRRIGATION SYSTEM SHALL BE DESIGNED TO MINIMIZE WATER USAGE AND RUNOFF. LANDSCAPE VEGETATION WILL BE DROUGHT TOLERANT AND CALIFORNIA NATIVE.
 - EROSION CONTROL MEASURES ARE TEMPORARY AND TO BE USED ONLY DURING CONSTRUCTION.
 - TRAFFIC CONTROL PLANS SHALL BE SUBMITTED AND APPROVED BY SAN MATEO COUNTY PUBLIC WORKS DEPARTMENT PRIOR TO RIGHT-OF-WAY ENCROACHMENT.
 - CONSTRUCTION ACTIVITIES SHALL BE LIMITED TO THE HOURS OF 7AM TO 6PM. CONSTRUCTION ACTIVITIES SHALL BE PROHIBITED ON WEEKENDS AND NATIONAL HOLIDAYS.

PLAN VIEW
SCALE: 1" = 5'

GRADING EARTHWORK QUANTITIES:

CUT: 75 CY
FILL: 0 CY

NOTE:
 EARTHWORK QUANTITIES ARE APPROXIMATE FOR PERMITTING PURPOSES ONLY. NO SHRINK OR SWELL FACTORS HAVE BEEN APPLIED TO THESE VALUES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL GRADING REQUIRED TO OBTAIN FINISH GRADES AS SHOWN.

GEOTECHNICAL INVESTIGATION:
 ALL GRADING ACTIVITIES AND SITE PREPARATION SHALL COMPLY WITH THE GEOTECHNICAL INVESTIGATION PREPARED BY COTTON, SHIRES AND ASSOCIATE INC. DATED MARCH 1999 AND THE INVESTIGATION REPORT UPDATE AND GEOTECHNICAL HAZARD EVALUATION DATED MARCH 18, 2015.

ENGINEERING
 CALIFORNIA WATER SERVICE CO.
DEPARTMENT

REVISIONS:
 R1 STAIR LAYOUT AT REMOVED DRIVEWAY

DATE: 5/19/2015

PLAT SHEET NO.: SC-28-24

SCALE: AS SHOWN

DRAWN BY: MM

DESIGNED BY: J PUCCINELLI

CHECKED BY: [Signature] DATE: 5/19/15

APPROVED BY: [Signature] DATE: 5/19/2015

REGISTERED PROFESSIONAL ENGINEER
 JOHN M. PUCCINELLI
 No. C78261
 CIVIL
 STATE OF CALIFORNIA

TITLE:
 STATION 122 TANK 3
 PLOT PLAN AND ELEVATION

DISTRICT: MPS

SAN CARLOS

DATE: 5/18/2015

PROJECT ID: 15999

DRAWING NO.: MPS-4883R1

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PLN 2014-00076

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Attachment



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Ncbing < YUf]b['CZ]Wf Meeting

PLN 2014-00076

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Attachment



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PLN 2014-00076

Case

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Attachment

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

DATE: February 19, 2015

TO: Zoning Hearing Officer

FROM: Planning Staff

SUBJECT: Consideration of a Use Permit pursuant to Section 6500 of the San Mateo County Zoning Regulations, to allow the California Water Service Company to construct a 20,000-gallon steel water storage tank, 18.5 feet tall, to replace two 15,000-gallon redwood water tanks, demolished in 2008, and improvement of a driveway from Loma Court to the tank, in the unincorporated Palomar Park area of San Mateo County.

County File Number: PLN 2014-00076 (California Water Service Co.)

PROPOSAL

The applicant, California Water Service Company, is requesting approval of a Use Permit to allow construction of a 20,000-gallon steel water storage tank, 18.5 feet tall, and painted non-reflective green to match the local foliage, to replace two 15,000-gallon redwood water tanks (demolished in 2008) and improvement of a driveway from Loma Court to the tank. The tank would be served by machinery located in an existing pump house. There would be 90 cubic yards of fill for the driveway improvement. No trees are proposed to be removed, but there will be trimming associated with the project. The California Water Service Company is installing this tank to distribute water to the neighborhood.

RECOMMENDATION

That the Zoning Hearing Officer approve the Use Permit, County File Number PLN 2014-00076, based on and subject to the required findings and conditions of approval listed in Attachment A.

BACKGROUND

Report Prepared By: Steven Rosen, Project Planner, Telephone 650/363-1814

Applicant/Easement Owner: California Water Service Company

Owner: Cory and Toni Vian

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PLN2014-00076

Case

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Attachment

Location: 24 Loma Road, Palomar Park

APN: 051-472-080

Parcel Size: 40,917 square feet

Existing Zoning: R-1/S-101/DR (Single-Family Residential District/Palomar Park Combining District with 20,000 sq. ft. minimum parcel size)

General Plan Designation: Low-Density Residential (Urban)

Sphere-of-Influence: San Carlos

Existing Land Use: The remnants of utility facilities demolished in 2008.

Water Supply: California Water Service Company

Sewage Disposal: Redwood City

Flood Zone: Flood Zone X (Areas of Minimal Flooding), FEMA Panel No. 06081C0282E, Effective Date: October 16, 2012.

Environmental Evaluation: The proposal is categorically exempt from environmental review pursuant to Section 15302 of the California Environmental Quality Act, which exempts the replacement of existing utility systems and/or facilities involving negligible or no expansion of capacity.

Setting: The site is located on an easement on a residential lot in a residential neighborhood in the unincorporated Palomar Park area. The easement is adjacent to Loma Court. It is accessed from Loma Court. There is a pump building on the site. The immediate area is well-vegetated with several trees. Until 2008, there were two 15,000-gallon water tanks on the site.

DISCUSSION

A. KEY ISSUES

1. Conformance with the County General Plan

Upon review of the applicable provisions of the General Plan, staff has determined that the project complies with all applicable General Plan Policies, including the following:

Visual Quality Policy 4.20 (*Utility Structures*) directs the County to minimize the adverse visual quality of utility structures. This project will build a tank amidst mature trees. This will reduce the visual prominence of the tank.

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Condition of Approval No. 5 requires that the tank be given a non-reflective green finish that matches the local foliage.

The project site is located in Palomar Park, which is designated as an Urban Neighborhood (*Land Use Policy 8.9*). Although this neighborhood area is predominantly a residential community, other uses, such as a school and other water tanks, are located in the area to serve the needs of the community.

Urban Land Use Policy 8.34 (*Uses*) allows uses in zoning districts that are consistent with the overall land use designation. The approval of a Use Permit will allow the construction of the replacement water tank, consistent with the Zoning Regulations' requirements for utility structures in residential zones.

Water Supply Policy 10.13 (*Water Systems in Unincorporated Areas*) directs the County to support efforts to improve water distribution and storage systems in unincorporated neighborhoods and communities. Approving this project would support Cal Water's storage and distribution system.

2. Conformance to Zoning Regulations

R-1 District and Use Permits

Section 6500 (*Use Permits*) of the Zoning Regulations allows the County government to issue use permits for public utility uses in any district when found to be necessary for the public health, safety, convenience or welfare. California Water Service Company, a privately-owned public utility, has applied for this use permit to replace two demolished 15,000-gallon storage tanks with a single 20,000-gallon storage tank to provide a reliable source of potable water for household use and fire suppression. The project is necessary for public health, safety, convenience, and welfare.

Development Standards

Utility structures allowed with the issuance of Use Permits are not subject to development standards for residential structures. However, it is useful to compare the structure to the standards for the area in order to assess its effect on the neighborhood's visual character. The site is in the R-1/S-101/DR District on the left front corner of a lot developed with a detached dwelling. Because the tank must be located in this easement and is not inhabited, the most appropriate standards to which this structure can be compared are the standards for structures that are accessory to single-family detached dwellings.

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Standards for Sections 6410 and 6411 (Detached Accessory Buildings)		
	Required	Proposed
Front Yard Setback (Section 6410)	110.25 ft. (rear half)	1-ft.
Rear Yard Setback (Section 6410)	3 ft.	227 ft.
Left Side Yard Setback (Section 6411(f))	5 ft.	19 ft.
Right Side Yard Setback (Section 6410)	3 ft.	137 ft.
Rear Yard Coverage (Section 6410)	30%	0%
Maximum Height (Section 6410)	19 ft.	18.5 ft.
Number of Stories (Section 6410)	1	Not Applicable
Floor Area (Section 6410)	1,000 sq. ft.	189 sq. ft.

Pursuant to Zoning Regulations Section 6500(b), use permits may be issued for public utilities. The Zoning Regulations and General Plan consider both privately-owned utility companies, such as the California Water Service Company, and publicly-owned utilities as public utilities. Utility infrastructure must be located such that it can serve its intended purpose. This facility is located on an elevated area to provide adequate water pressure to the area. This replacement tank is located where earlier tanks were demolished because the pipes and pump are already there. To reduce the visual impact of the replacement tank, staff is recommending that it be painted a non-reflective green to match surrounding vegetation (see Condition of Approval No. 5).

3. Conformance with Use Permit Findings

As previously mentioned in Section 2, public utility structures are allowed in the R-1 Zone subject to the approval of a Use Permit, pursuant to Zoning Regulations Section 6500. In the Zoning Regulations, “public” refers to the service, not the ownership of the organization.

Section 6500 of the Zoning Regulations allows the County government to issue use permits for public utility uses in any district when found to be necessary for the public health, safety, convenience or welfare. The California Water Service Company is installing this tank to distribute water to the neighborhood. In addition to providing additional water storage for domestic use, this tank will build resiliency into the water system, ensuring that water pressure will be adequate to serve fire hydrants in case of emergency.

Section 6503 of the Zoning Regulations requires that the following finding be made in order to approve a use permit: “That the establishment, maintenance and/or conducting of the use will not, under the circumstances of the

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PLN2014-00076

Case

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Attachment

particular case, be detrimental to the public welfare or injurious to property or improvements in said neighborhood.” The facility would not emit any more noise or vibration with its replacement tank than it did with the original redwood tanks. The new tank would not have more of a visual impact than the two redwood tanks it replaces. While the proposed tank would be larger than either of the two tanks it replaces, its volume would be 10,000 gallons less than the combined volume of the prior tanks. The proposed tank would also be painted non-reflective green in a shade to match the local foliage.

B. ENVIRONMENTAL REVIEW

The proposal is categorically exempt from environmental review pursuant to Section 15302 of the California Environmental Quality Act, which exempts the replacement of existing utility systems and/or facilities involving negligible or no expansion of capacity.

C. REVIEWING AGENCIES

Building Inspection Section
Cal-Fire
Department of Public Works
Geotechnical Staff

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
- B. Vicinity Map
- C. Project Plans

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PLN2014-00076
Case
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Attachment

County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2014-00076 Hearing Date: February 19, 2015

Prepared By: Steven Rosen
Project Planner

For Adoption By: Zoning Hearing Officer

RECOMMENDED FINDINGS

Regarding the Environmental Review, Find:

1. That the proposal is categorically exempt from environmental review pursuant to Section 15302 of the California Environmental Quality Act, which exempts the replacement of existing utility systems and/or facilities involving negligible or no expansion of capacity.

Regarding the Use Permit, Find:

2. That the establishment, maintenance and/or conducting of the use will be necessary for the public health, safety, convenience or welfare in that the tank will allow the California Water Service Company to maintain adequate water supply and pressure for domestic users and fire suppression in the area.
3. That the establishment, maintenance and/or conducting of the use will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in said neighborhood in that the facility will not emit any more noise or vibration with its replacement tank than it did with the original redwood tanks. The new tank will not have more of a visual impact than the two redwood tanks in that it will be a single tank where there were two before and in that it will have a non-reflective coating.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

1. The project shall be constructed in compliance with the plans approved by the Zoning Hearing Officer on February 19, 2015. Minor adjustments to the project may be approved by the Community Development Director if they are consistent with the intent of and are in substantial conformance with this approval.

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2. Any major modifications to use or intensity shall require an amendment to the use permit. Amendment to this use permit requires an application for amendment, payment of applicable fees, and consideration at a public hearing.
3. The applicant shall submit a Construction Erosion and Sediment Control Plan prior to construction. This plan shall identify the type and location of erosion control devices to be installed upon the commencement of construction in order to maintain the stability of the site and prevent erosion and sedimentation off-site. It shall include an erosion control point of contact and phone number responsible for correcting failures of erosion control measures.
4. Noise levels produced by the proposed construction activity shall not exceed the 80-dBA level at any one moment. Construction activities shall be limited to the hours from 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday. Construction operations shall be prohibited on Sunday and any national holiday.
5. The tank shall be finished with a non-reflective coating in a green that matches the local foliage. Submit a sample to the Planning Department for approval prior to construction.

Department of Public Works

6. 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 issued. Applicant shall contact a Department of Public Works Inspector 48 hours prior to commencing work in the right-of-way. The driveway may be located in the right-of-way; however, all other facilities shall be removed from the right of way.

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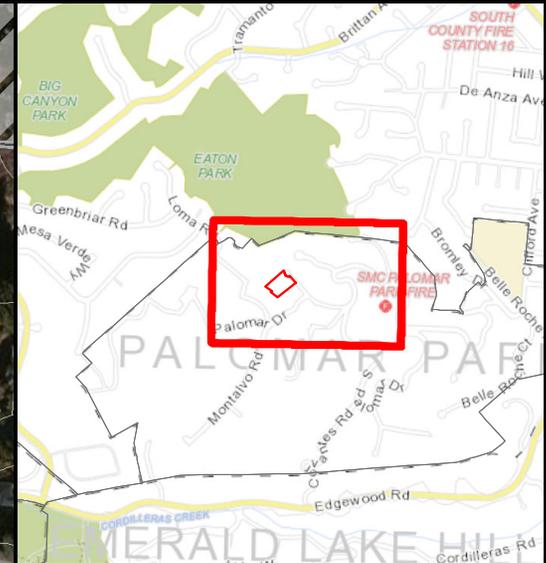
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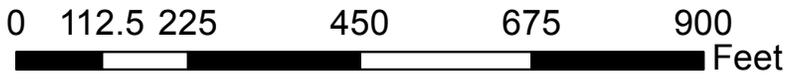
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- Zoning Boundary
- Subject Parcel



Vicinity Map

Source: Esri, DigitalGlobe, GeoEye, I-cubed, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

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