

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

DATE: May 27, 2020

TO: Planning Commission

FROM: Planning Staff

SUBJECT: EXECUTIVE SUMMARY: Consideration of a Coastal Development Permit, Planned Agricultural Development Permit, and Grading Permit, pursuant to the Zoning Regulation Sections 6328, and 6350, and Section 9280 of the County Ordinance Code, and adoption of a Mitigated Negative Declaration pursuant to the California Environmental Quality Act, for the construction of a single-family residence, attached three-car garage, and 4,334 cubic yards of grading on a 7.85-acre legal parcel. No trees are proposed for removal. The project is located off of La Honda Road (Highway 84) Road in the unincorporated San Gregorio area of San Mateo County. The project is not appealable to the California Coastal Commission.

County File Number: PLN 2018-00401 (Verdura)

PROPOSAL

The applicant has applied for a Coastal Development Permit, Planned Agricultural District Permit, and Grading Permit to construct a new 4,504 sq. ft., two-story single-family residence with an attached 947 sq. ft. three-car garage, a fire truck turnaround, and a 500-foot long driveway on an undeveloped 7.85-acre parcel. The project also includes 4,334 cubic yards (c.y.) of grading, most of which is associated with the construction of the driveway.

RECOMMENDATION

That the Planning Commission certify the Initial Study and Mitigated Negative Declaration and approve the Coastal Development Permit, Planned Agricultural District Permit, and Grading Permit by making the required findings and adopting the recommended conditions of approval as listed in Attachment A of this staff report.

SUMMARY

The project parcel is located in the La Honda Road County Scenic Corridor. The undeveloped parcel is located between two parcels developed with single-family residences, does not abut La Honda Road itself, and is accessed via a shared access

road off of La Honda Road. An unnamed intermittent creek that flows into San Gregorio Creek is located off-site, adjacent to the rear boundary line. Though dominated by non-native grasslands, an oak woodland is located along the rear boundary line. However, construction is located outside of this area (approximately 90 feet from the oak woodland) and no trees are proposed for removal. The parcel sits above the elevation of La Honda Road and slopes downward in a north to south direction.

The applicant proposes to construct a two-story 4,504 sq. ft. single-family residence, 947 sq. ft. three-car garage, 500 linear foot driveway, fire turnaround, and associated septic system on a vacant 7.85-acre parcel (legality confirmed via subdivision SMN76-16). The project also proposes to convert an existing agricultural well to a domestic well. Compared to the size of the parcel, the development area (including the residence, driveway and fire truck turnaround) comprises 8% of the overall parcel. The majority of the parcel will be left undeveloped with the flattest 2.5 acres at the front of the parcel reserved for future agricultural activities (i.e., dry hay farming) in line with the parcel's Planned Agricultural District zoning designation.

Due to the sloping nature of the lot, 4,334 cubic yards (c.y.) of grading which includes 846 c.y. of cut, 2,167 c.y. of fill, and 1,321 c.y. of imported material is proposed with most of the grading associated with the construction of the driveway. While no trees are proposed for removal, the project will require the removal of approximately 0.03 acres of Baccharis scrub habitat. To mitigate the loss of habitat, the applicant has proposed to restore .09 acres (3,920 sq. ft.) of habitat and included an associated 5-year monitoring program.

An Initial Study/Mitigated Negative Declaration (IS/MND) was prepared for this project and circulated from April 1, 2020 to April 21, 2020. Mitigation measures from the IS/MND have been included as conditions of approval. No comments were received in response to the IS/MND.

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SUBJECT: Consideration of a Coastal Development Permit, Planned Agricultural District Permit, and Grading Permit, pursuant to Zoning Regulation Sections 6328, and 6350, and Section 9280 of the County Ordinance Code, and adoption of a Mitigated Negative Declaration pursuant to the California Environmental Quality Act, for the construction of a new single-family residence, attached three-car garage, and 4,334 cubic yards of grading on a 7.85-acre legal parcel. No trees are proposed for removal. The project is located off of La Honda Road in the unincorporated San Gregorio area of San Mateo County. The project is not appealable to the California Coastal Commission.

County File Number: PLN 2018-00401 (Verdura)

PROPOSAL

The applicant is proposing to construct a new 4,504 sq. ft., two-story single-family residence with an attached 947 sq. ft. 3-car garage on an undeveloped 7.85-acre parcel. The project includes 4,334 cubic yards (c.y.) of grading consisting of 846 c.y. of cut, 2,167 c.y. of fill, and 1,321 c.y. of import and the construction of a 500 linear foot (L.F.) driveway, firetruck turnaround, and associated septic system. The project also includes legalization of a domestic well approved by Environmental Health Services. Two and one-half acres of the parcel will be set aside for dry hay harvesting along the south and east sides of the parcel.

The vacant project parcel is dominated by native and non-native grasses. A small amount of oak woodland vegetation is located at the rear of the parcel and is associated with an off-site intermittent creek that flows into San Gregorio Creek. No trees are proposed for removal but a habitat restoration plan is proposed to mitigate the loss of Baccharis scrub habitat.

RECOMMENDATION

That the Planning Commission adopt the Mitigated Negative Declaration and approve the Coastal Development Permit, Planned Agricultural District Permit, and Grading

Permit, County File Number PLN 2018-00401, by adopting the required findings and conditions of approval listed in Attachment A of this staff report.

BACKGROUND

Report Prepared By: Laura Richstone, Project Planner, LRichstone@smcgov.org, 650/363-1829

Applicant/Owner: Jamie Verdura

Location: Vacant parcel on La Honda Road (west of La Honda Creek Open Space Preserve)

APN: 082-160-130

Size: 7.85 acres

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

General Plan Designation: Agriculture/Rural

Local Coastal Plan Designation: Agriculture

Sphere-of-Influence: N/A

Williamson Act: Not Contracted

Parcel Legality: Legal parcel confirmed via subdivision SMN76-16

Existing Land Use: Undeveloped/vacant parcel

Water Supply: As part of this project, the applicant is proposing to legalize a domestic water well on the property. The well has received approval from Environmental Health Services.

Sewage Disposal: Septic system (proposed to serve the project).

Flood Zone: Zone X (Area of Minimal Flooding); Community Panel No. 06081C0380E, effective date October 12, 2012.

Environmental Evaluation: An Initial Study and Mitigated Negative Declaration (IS/MND) was prepared for this project and circulated from April 1, 2020 through April 21, 2020.

Setting: The 7.85-acre vacant parcel sits between two rural residential developed parcels, is surrounded by rural residential developed parcels of similar size, and

receives access from an unnamed private driveway off of La Honda Road (Highway 84). The parcel has a slight slope in a north to south direction with a steep slope at the rear (westerly) portion of the parcel adjacent to an unnamed intermittent creek that flows into San Gregorio Creek. The parcel is dominated with non-native grasslands with disconnected patches of Baccharis scrub habitat located throughout. A native oak woodland habitat associated with the intermittent creek along with patches of coastal scrub habitat is located in the rear of the parcel. No riparian habitat was found on the parcel.

Chronology:

<u>Date</u>	<u>Action</u>
October 9, 2018	- Application submitted.
December 3, 2019	- Application deemed complete.
November 18, 2019	- Agricultural Advisory Committee public hearing.
April 1, 2020	- Initial Study and Mitigated Negative Declaration circulated.
April 21, 2020	- End of public review period for IS/MND.
May 27, 2020	- Planning Commission public hearing.

DISCUSSION

A. KEY ISSUES

1. Conformance with the General Plan

Upon review of the General Plan, staff has determined that the proposed project complies with all applicable General Plan Policies, specifically:

a. Vegetative, Water Fish, and Wildlife Resources

Policy 1.23 (*Regulate Development to Protect Vegetative, Water, Fish and Wildlife Resources*) and Policy 1.24 (*Regulate Location, Density and Design of Development to Protect Vegetative, Water, Fish and Wildlife Resources*) seek to regulate land uses and development activities including the location, use, density, and design of development to minimize significant adverse impacts to and encourage enhancement of vegetative, water, fish, and wildlife resources and to mitigate significant adverse impacts to these resources.

A biological assessment (Attachment D) conducted by Toyon Consultants evaluated the property for the presence of, and the potential to support, sensitive habitat, special status plant species, and special status animal species. The biotic assessment identified four distinct habitat areas on the parcel composed of Baccharis Scrub (0.31 acres), coastal scrub (0.28 acres), non-native grassland (6.38 acres), and oak woodland (0.99 acres) and the potential to support two special-status plant species (wollythread and chaparral ragwort¹) and nine special-status animal species (San Francisco dusky-footed woodrat (SFDFW)², California red-legged frog (CRLF), Cooper's hawk (CH), northern harrier (NH) bird, and white-tailed kite (WTK), pallid bat, Townsend's big-eared bat, horary bat, and monarch butterfly).

The project would involve the removal of approximately 0.03 acres of Baccharis scrub habitat and the removal of 0.47 acres of non-native grasslands. No work is proposed within the oak woodland located at the rear of the parcel. The woodland wollythreads plant and four of the identified animal species including the pallid bat, Townsend's big-eared bat, horary bat, and monarch butterfly are expected to occur exclusively within the oak woodland at the rear of the parcel. As the project is located approximately 100 feet away from the edge of the woodland, no impacts to these species are expected.

Within the work area, potential impacts to the SFDFW, CRLF, CH, NH, WTK could occur due to disturbance and the removal of potential foraging habitat. However due to the large amount of foraging habitat available on the site (5.9 acres) and within the immediate vicinity, the proposed 0.47 acres reduction in non-native grassland habitat is not expected to substantially effect these species. To address the removal of 0.03 acres of Baccharis scrub habitat, the applicant has proposed a five-year Habitat Restoration Plan (Attachment E) to replant 0.09 acres of Baccharis scrub habitat. Restoration activities will occur at the rear of the parcel adjacent to the oak woodland and coastal scrub habitat to provide habitat continuity. Replanting species include California Sage, Coyote Bush, Sticky Monkey Flower and California Blackberry.

Mitigation measures which include best management practices, avoidance measures, wildlife exclusion fencing, preconstruction surveys, environmental awareness training for construction workers, and performance measures for the habitat restoration plan to reduce

¹ The chaparral ragwort is considered to be absent from the parcel due to the parcel's lack of alkaline and rocky soil conditions.

² Toyon Consultants biologists observed seven woodrat middens within the oak woodland at the rear of the parcel.

impacts to identified species and habitats are included as mitigation measures in the Initial Study/Mitigated Negative Declaration and have been included as conditions of approval in Attachment A of this report.

b. Visual Resources

Policy 4.21 (*Scenic Corridors*) calls for the protection and enhancement of the visual quality of County and/or State scenic corridors by managing the location and appearance of structural development.

The subject property is located within the La Honda Road County Scenic Corridor. Due to the parcel's higher elevation and low-lying vegetative profile, the proposed dwelling would be partially visible from public views along La Honda Road while traveling in a westward direction and would not be easily visible while traveling eastwards unless a driver were to look behind and over their shoulder. Though visible from La Honda Road, the proposed residence is located over 600 feet away from the road and would be further buffered from public views by proposed screening landscaping. Additionally, a condition of approval has been added to require the proposed residence to utilize natural earth tone colors and materials which will aid in minimizing impacts to visual resources by blending the residence in which the natural environment.

c. Historical and Archaeological Resources

This project was referred to the California Historical Resources Northwest Information Center (NWIC) at Sonoma State University to determine the sites potential for cultural or archaeological resources. Upon review, the NWIC noted that no archaeological studies have been conducted within the project area and that no previously identified resources have been identified within 0.25 miles of the project site. However, in a response letter dated October 17, 2018, the NWIC noted that Native American resources in this part of San Mateo County have been found in areas near the coast, inland near intermittent and perennial watercourses, and on midslope benches and in valleys. As the project site is located on a terraced slope 50 meters east of an existing intermittent creek and approximately 250 meters north of the creek's confluence with San Gregorio Creek, the NWIC determined that there was a moderate potential for Native American resources to be present on site and recommended that an archaeological report be prepared.

An archaeological survey and report were prepared for this project by Archaeological Resource Management Consultants. Per the site visit

and subsequent report, no archaeological resources were identified on or near the project area. The report determined that the project site has a low potential for the presence of cultural and/or historical resources and recommended no further studies at this time. In addition, the archaeological report was forwarded to the NWIC and no further studies were requested. Though the potential for archaeological resources is low, mitigation measures from the Initial Study and Mitigated Negative Declaration addressing protocols to follow if such a resource is discovered have been included as conditions of approval listed in Attachment A of this report.

d. Soil Resources

Policy 2.20 (*Regulate Location and Design of Development in Areas with Productive Soil Resources*) calls for the regulation of both the location and design of development in order to ensure productive soil resources are protected.

The project site is zoned for agriculture and has been identified as having lands suitable for agriculture. The parcel does not contain prime soils or support agricultural activities. The project parcel contains soils which support vegetation suitable for grazing as identified by the General Plan Productive Soil Resources, Soils with Agricultural Capability Map. A basic evaluation of the parcel's carrying capacity to support grazing activities was completed by staff. Staff found that the parcel would be unlikely to support a commercially viable level of agriculture. For the purposes of grazing, this was based on the parcel's size and animal unit month which is a method used to estimate how much forage is needed to support 1-animal unit of cattle for 1-month. Staff determined that the parcel could support approximately 2-3 animal units of cattle for three months of the year. However, the carrying capacity is likely lower as this calculation does not take into consideration the presence of the oak woodland and other sensitive habitats. Therefore, the parcel is capable of only supporting small scale grazing activities. Instead, the applicant has proposed to set aside approximately 2.5-acres for a dry hay farming operation. As there are no plans to merge adjacent properties together to create larger grazing land, the proposed project would not significantly impact potential future grazing or agricultural activities on or adjacent to the parcel.

Policy 2.17 (*Regulate Development to Minimize Soil Erosion and Sedimentation*) Policy 2.23 (*Regulate Excavation, Grading, Filling, and Land Clearing Activities Against Accelerated Soil Erosion*) seek to minimize grading, prevent soil erosion and sedimentation, and protect and enhance natural plant communities and wildlife.

The project includes approximately 846 c.y. of cut, 2,167 c.y. of fill, and 1,321 c.y. of import for a total of 4,334 c.y. of earthwork. The proposed earthwork involves the creation of a 500-foot long driveway, firetruck turnaround, site preparation for the proposed structure, and installation of onsite drainage measures and septic system. The applicant has proposed to locate the structure in the relatively steeper northwestern portion of the parcel to preserve 2.5-acres of flat land along the east and south property lines for dry hay farming. The project does not require significant vegetation removal as the majority of vegetation on site consists of non-native grasslands. While the location of the residence requires more grading than would have otherwise been required if located in the flatter front portion of the parcel closer to the shared access road, the proposed location of the residence places the structure outside sensitive habitats at the rear of the parcel, does not require the removal of trees, preserves approximately 30% of the parcel for agricultural use, provides buffers from future agricultural activities, and leaves the majority of the parcel (60%) undeveloped.

Given the topography of the site there is a potential for erosion to occur if proper erosion control measures are not implemented. The applicant has developed an erosion control plan that includes straw wattles along the downhill perimeter of construction site, exclusionary fencing, and a stabilized construction entrance from the shared driveway, as well as other best management erosion control practices to ensure the project does not result in soil erosion and sedimentation during construction.

e. Wastewater Policies

Policy 11.10 (*Wastewater Management in Rural Areas*) considers individual sewage disposal systems as an appropriate method of wastewater management in rural areas.

The project site is located in a rural area with no public water or sewage system. The applicant has proposed to construct an on-site septic system to meet the project's needs. The proposed septic system's location, size, and design has been reviewed and conditionally approved by the County's Environmental Health Services.

f. Rural Land Use Policies

Policy 9.23 (*Land Use Compatibility in Rural Lands*) and Policy 9.30 (*Development Standards to Minimize Land Use Conflicts - Agriculture*)

encourages compatibility of land uses in order to promote the health, safety, and economy of rural lands, seeks to maintain the scenic and harmonious nature of rural lands, and seeks to: (1) promote land use compatibility by encouraging the location of new residential development immediately adjacent to existing developed areas, and (2) cluster development so that large parcels can be retained for the protection and use of vegetative, visual, agricultural, and other resources.

The vacant project parcel has a land use designation of “Agriculture”, is dominated by non-native grasslands, and is located in the County’s La Honda Road Scenic Corridor. As discussed above (Section A.1.b) the residence will have minimal impacts on views from La Honda Road due to its distance from the road itself, proposed screening vegetation, and utilization of natural colors and materials that will enable the residence to blend in with its surroundings. Compared to the size of the parcel, the residence is small and has been located to perverse the flattest portions of the parcel for future agricultural activity while leaving the remainder of the parcel undisturbed to preserve the rural nature/aesthetic of the parcel. Additionally, the rural residential use of this vacant parcel is compatible with the rural residential structures located on adjacent parcels.

2. Conformance with the Local Coastal Program

A Coastal Development Permit (CDP) is required pursuant to Section 6328.4 of the County Zoning Regulations for development within the Coastal Development (CD) District. If granted by the County, the CDP is not appealable to the Coastal Commission. The property is located within the La Honda Road County Scenic Corridor and adjoins an area of sensitive habitat associated with an unnamed intermittent creek adjacent to the rear of the property. Staff has determined that the project is in compliance with applicable Local Coastal Program (LCP) Policies, including the relevant components discussed below:

a. Land Use Component

Policy 1.8 (*Land Uses and Development Densities in Rural Areas*) states that new development in rural areas shall not: (1) have significant adverse impacts, either individually or cumulatively on coastal resources, or (2) diminish the ability to keep all prime agricultural land and other lands suitable for agriculture in agricultural production.

As discussed in Section A.1 above, the proposed residence, garage, driveway, fire truck turnaround, and associated utilities will have a

minimal impact on coastal resources including sensitive wildlife species, special habitats, and scenic views. The residence has also been located so as to avoid the woodland vegetation in the rear of the parcel and provide an appropriate buffer zone from the intermittent creek located off parcel at its rear as required by the Local Coastal Program. Furthermore, the project does not contain prime soil and can likely support only a small-scale agricultural or grazing operation due to physical constraints of the parcel (i.e. size and sloped topography). The proposed project does not significantly impact the parcel's ability to support agricultural activities as the development has been clustered together deeper into the lot in order to preserve the flatter front portion of the parcel for future agricultural activities.

The project parcel is a legal parcel created in the late 1970s by an approved subdivision and was allotted one density credit. The proposed residential development will consume the allowed density credit and is allowed with the issuance of a Coastal Development and Planned Agricultural District Permit.

b. Agriculture Component

Policy 5.10 (*Conversion of Land Suitable for Agriculture Designed as Agriculture*) prohibits the conversion of lands suitable for agriculture within a parcel to a conditionally permitted use unless the following can be demonstrated: (1) All agriculturally unsuitable lands on the parcel have been developed or determined to be undevelopable, (2) continued or renewed agricultural use of the soils is not feasible as defined by Section 30108 of the Coastal Act, (3) clearly defined buffer areas are developed between agricultural and non-agricultural uses, (4) the productivity of any adjacent agricultural lands is not diminished, and (5) public service and facility expansions and permitted uses do not impair agricultural viability. As further discussed in Section A.3.b below, while the existing vacant parcel does not currently support agricultural activities, the site's physical constraints (small size and sloped topography) project parcel would only be able to support small-scale agricultural grazing or farming activities. The proposed residence would be located in a steeper area of the parcel in order to preserve the flattest portions of the parcel for future agricultural activities and as such does not preclude the establishment of new agricultural uses on the property. The proposed development (to include the residence, driveway, turnaround, and backyard area) is small compared to the size of the parcel (8% of the parcel), limited to the project site, is located over 90 feet from any adjacent property line at its closest point, and has no potential to impact the productivity of any adjacent agricultural lands. While the project does involve onsite

improvements, public service or facility expansions which would impact agricultural viability are not required.

c. Sensitive Habitats Component

Policy 7.3 (*Protection of Sensitive Habitats*) and Policy 7.5 (*Permit Conditions*) calls for the prohibition of any land use or development which would have a significant adverse impact on sensitive habitat areas. The policy also requires that development in areas adjacent to sensitive habitats be sited and designed to prevent impacts that could significantly degrade the sensitive habitats and that all uses be compatible with the maintenance of biologic productivity of the habitats. In order to ensure compliance with these protections, the applicant is required to demonstrate that there will be no significant impact on sensitive habitats through a report prepared by a qualified professional (biologist) which provides mitigation measures to protect resources and a monitoring program for evaluating the effectiveness of those mitigation measures. As discussed previously (Section A.1), a biological report conducted by Toyon Consultants was prepared for this project.

The report noted the presence of an intermittent stream located an average of 43 feet off-site (230 feet from the proposed residence), identified four distinct habitats, and the presence or potential presence of protected animal and plant species to occur on site. Parcel habitats consist of disjointed small patches of Baccharis Scrub (0.31 acres) located throughout the parcel, patches of coastal scrub (0.28 acres), non-native grassland (6.38 acres), and an oak woodland (0.99 acres) located at the rear of the parcel. As the subject parcel is undeveloped, the proposed project will result in the removal of 0.03 acres of Baccharis scrub habitat and 0.47 acres of non-native grasslands. Potential biological impacts identified by the biological report include the removal of foraging habitat and encroachment into the oak woodlands where many sensitive species could be located. To mitigate the loss of Baccharis scrub habitat, the project includes a five-year Habitat Restoration and Monitoring Plan to replant 0.09 acres of Baccharis scrub habitat in the rear of the parcel adjacent to the existing oak woodland and patch of coastal scrub habitat to provide habitat continuity. The LCP also requires all development be located no closer than 30 feet from an intermittent stream. With the residence and its associated construction activities located 90 feet from the edges of the oak woodland and over 200 feet from intermittent stream no impacts are expected to occur.

d. Visual Resources Component

Policy 8.5 (*Location of Development*) requires that new development be located on a portion of a parcel where the development: (1) is least visible from State and County Scenic Roads, (2) is least likely to impact views from public viewpoints, and (3) best preserves the visual and open space qualities of the parcel overall.

As discussed in Section A.1.d, the project parcel is located with the La Honda Road County Scenic Corridor. The proposed project is located between two parcels developed rural residences. Similar to the adjacent residences, the project will be visible from La Honda Road due to the lack of natural screen vegetation and upward slope of the parcel (i.e. the parcel sits at a higher elevation than the road itself). The proposed residence will have a maximum height of 24'-10" where the maximum district height is 36 feet. Retaining walls ranging 1-4 feet in height will be constructed adjacent to the driveway and firetruck turnaround while retaining walls up to 9.5 feet in height are proposed along the south side of the residence due to the steeper slopes in the rear of the parcel. The residence will not significantly impact views from La Honda Road due to its distance from the road (over 600 feet away) and the proposed landscaping (i.e. trees) that will partially screen the bulk of the house once established. Mitigation measures requiring the residence employ earth tone colors and install dark sky compliant lights will further aide in minimizing visual impacts from La Honda Road.

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

a. Conformance with the PAD Development Standards

As shown in the table below, the project complies with Sections 6358, 6359, 6360, and 6361 of the San Mateo County Zoning Regulations, which regulate the height of structures, required setbacks, residential floor area for projects within the PAD District.

PAD Development Standards	Required	Proposed
Minimum Lot Size	N/A	7.85 acres (existing)
Maximum Height	36 ft.	24 ft. 10 in
Minimum Front Setback	50 ft.	585 ft.
Minimum Side Setbacks	20 ft.	91 ft. (right) 230 ft. (left)
Minimum Rear Setback	20 ft.	162 ft.

b. Conformance with the Criteria for Issuance of a PAD Permit

The project parcel does not contain prime soils but has been identified as containing “lands suitable for agriculture.” Section 6353.b of the PAD regulations states that a single-family residence is allowed on “lands suitable for agriculture and other lands” upon the issuance of a PAD permit. Section 6355 contains the substantive criteria for the issuance of a PAD permit. These criteria are discussed below:

(1) General Criteria

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

Though no prime soils exist on the project parcel, the parcel contains land suitable for grazing as identified by the San Mateo County Important Farmland Map, 2018. As the parcel is undeveloped, any proposed development would result in the conversion of lands suitable for agriculture to non-agricultural uses and greater overall site disturbance. However, given its relatively small size and slope, it is unlikely that the parcel could support a commercial grazing or row crop operation. Only small-scale grazing (2-3 cattle for 3 months of the year) or small scale agricultural activities are possible on site. Relative to the size of the parcel, the house (including backyard and firetruck turnaround), is relatively small and represents approximately 4.8% of the overall parcel. The remainder of the parcel is dedicated to agriculture (31.8%), undeveloped areas (60%), and the driveway (3.2%). Given its small footprint relative to the overall size of the parcel and location in a steeper part of the parcel, the applicant has been able to accommodate a small dry hay farming operation and project does not preclude the ability of the applicant to establish further future agricultural activities on site.

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

The proposed residence would be located in the steeper northwesterly portion of the parcel. This places the residence farther away from the front of the parcel and access road and will result in more grading to provide a level building pad and longer driveway. The applicant has elected to locate the structure in a steeper portion of the parcel to preserve the relatively flatter front portion of the

parcel for a dry hay farming operation. Though the residence will not be located adjacent to the access road, the proposed development consists of one structure surrounded by retaining walls that separate the residential area of the parcel from the surrounding undeveloped and farming areas. The location of the residence preserves the front of the parcel for future agricultural uses while still providing appropriate buffers from the woodland in the rear and from neighboring boundary lines and development.

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

The project has been reviewed under and found to comply with the Development Review Criteria in Chapter 20A.2 of the County Zoning Regulations. Specifically, the project complies with Site Design, Cultural, Scenic and Water Resources Criteria by not introducing noxious orders, chemical agents, or long-term noise levels, retains the rural nature of the parcel, and includes provisions to protect and/or avoid sensitive habitats, species, and potential resources. (See Mitigated Negative Declaration for further discussion).

(2) Water Supply Criteria

- (a) *The existing availability of water shall be demonstrated for all non-agricultural uses. Each existing parcel developed with non-agricultural uses shall demonstrate a safe and adequate well water source located on that parcel.*

The parcel contains a domestic water well. This well was converted from an agricultural well to a domestic well in 2015 without issuance of a Coastal Development Permit. The well is located near the left boundary line towards the rear of the parcel. As part of this application, the applicant is proposing to legalize the well conversion. Well water quality and quantity has been tested, reviewed, and conditionally approved by Environmental Health Services (EHS) to serve as a domestic water source.

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

Water beyond that required for the single-family residence is not required for this project. The dry hay farming operation will not require irrigation beyond that which is naturally supplied by the environment. As the existing well on site meets adequate quantity and quality standards to support a single-family residence, there is no proposal to utilize the creek adjacent to the rear property line to provide supplemental water to the project. There is no expectation that the occupation of a single-family residence and associated water demand would reduce water supplies needed for surrounding agricultural production or sensitive habitats.

(3) Criteria for the Conversion of Lands Suitable for Agriculture and Other Lands

The project site is located on lands designated “Suitable for Agriculture and Other Lands”. The PAD allows for the conversion of these lands when the following can be demonstrated:

- (a) *All agriculturally unsuitable lands on the parcel have been developed or determined to be undevelopable.*

There are no prime soils on site. The project parcel is comprised of “lands suitable for agriculture or other lands” and contains an oak woodland in its rear. As the project parcel is vacant, any development will result in the conversion of lands suitable for agricultural to non-agricultural uses (i.e. house/driveway etc.) The applicant has located the residence in a steeper portion of the property to preserve the flatter and more agriculturally suitable front portion of the parcel for agricultural use (dry hay farming) while also avoiding encroachment into the oak woodland and associated sensitive habitats/species.

- (b) *Continued or renewed agricultural use of the soils is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.*

The construction of the project is not expected to impact the productivity of the underlying soil. At 7.85-acres in size, the parcel is not large enough to support a commercial grazing and/or cattle rearing operation (see

Section A.1.d above for further discussion). Though the parcels surrounding the subject property also contain grasslands and lands suitable for grazing, they are also developed with single-family residences, relatively small in size (i.e. less than 40 acres), and are held under separate ownership. In order to establish a commercial grazing operation at this location, the applicant would have to acquire several of the adjacent properties to increase available grazing lands which is prohibitively expensive. Instead, the applicant has elected to reserve the flattest 2.5 acres of the parcel (adjacent to the north and east property lines) for dry hay farming and locate the residence in the steeper portion of the parcel where farming would be difficult.

- (c) *Clearly defined buffer areas are developed between agriculture and non-agricultural uses.*

While dry hay farming operations are planned at the front of the parcel, the residence has been located deeper into the parcel to provide appropriate distance from the future farming operations/fields and from the oak woodland and intermittent creek at the rear of the parcel. The proposed residence, backyard, and driveway will be surrounded by retaining walls ranging from 1 to 9.5 feet in height. These walls will clearly delineate developed and non-developed areas from one another. The residence is well buffered from the off-site creek and rear oak woodlands as the retaining walls for the house compound are located 220 feet from the creek and 80 feet from the edge of the oak woodland vegetation canopy line. Adequate buffers from future farming operations have also been provided. At its closest points, the hay field would be approximately 25 feet from the driveway/firetruck turnaround and 70 feet from the residence itself.

- (d) *The productivity of any adjacent agricultural lands is not diminished, including the ability of the land to sustain dry farming or animal grazing.*

The project parcel is located between two similarly sized parcels developed with single-family residences. The proposed residence would be located closer to the right (northerly) property line. At its closest point, the proposed residence would be located approximately 90 feet from the northern property line and 230 feet from the southern (left)

property line. There is no expectation that the construction and occupation of a single-family residence would impact the productivity of any agricultural activities that may occur on adjacent parcels.

- (e) *Public service and facility expansions and permitted uses do not impair agricultural viability either through increased assessment costs or degraded air and water quality.*

The proposed development will be served by a private well and septic system that are located onsite. The project does not involve the need for public service expansions. A preliminary review by the County’s Environmental Health Services found that the proposed plans are compliant with current health standards and thus pose no threat of degraded air or water quality. All new utility lines including power will be installed underground as required by the Zoning Regulations.

4. Conformance with the Grading Ordinance

The project proposes 4,334 cubic yards of grading (as outlined in the table below) to create a 500-foot long driveway and building pad for the proposed residence and firetruck turnaround. Given that the areas proposed for development are focused and contained, the project ensures that the majority of the parcel will remain in its natural state.

GRADING	CUT	FILL	TOTAL
Driveway/Turnaround	367 c.y.	1,976	2,343 c.y.
House	479 c.y.	191 c.y.	670 c.y.
Import Material	--	--	1,321 c.y.
		Total	4,334 c.y.

Planning and Geotechnical staff have reviewed the proposal against the required findings for the issuance of a grading permit and determined that the project conforms to the criteria for review contained in Section 9296 the Grading Ordinance as outlined below:

- a. **That the project will not have a significant adverse impact on the environment.**

The project will have a less than significant impact on the environment with the implementation of the mitigation measures proposed by the Mitigated Negative Declaration.

b. **That the project conforms to the criteria of the San Mateo County Grading Ordinance and General Plan.**

The project conforms to the criteria for review contained in the Grading Ordinance. As discussed, in previous sections, the proposed grading and site impacts with this project are consistent with the County General Plan policies regarding visual, cultural and scenic resources and rural land use compatibility. The project is located outside of the onsite oak woodland, preserves the front of the parcel for future agricultural activities, and provides buffers from structures located on adjacent properties and from the future onsite agricultural fields. The project is also consistent with the intent of the Grading Ordinance that calls for the preservation of trees/vegetation and minimization of alterations to the topography. Though located in a steeper portion of the parcel, the house compound (i.e., house, garage, backyard, front yard) is compact and clustered together reducing the need for more extensive grading. The proposed grading aids in blending the structure with the topography of the site and the project contains an erosion and sediment control plan, dust control measures, and replacement of removed vegetation including a Habitat Restoration and Monitoring Plan.

B. ENVIRONMENTAL REVIEW

An Initial Study and Mitigated Negative Declaration were prepared and circulated for this project in compliance with the California Environmental Quality Act (CEQA) on April 1, 2020 through April 21, 2020. No public comments were received during this period. Mitigation measures from the IS/MND have been included as conditions of approval in Attachment A of this staff report.

C. REVIEW BY THE AGRICULTURAL ADVISORY COMMITTEE

The project was reviewed at the November 19, 2019 Agricultural Advisory Committee's regular meeting during which the Committee recommended approval of the project to the Planning Commission.

D. REVIEW BY THE CALIFORNIA COASTAL COMMISSION

Staff referred the project to the California Coastal Commission and received comments on November 6, 2018 that included a recommendation for staff to discuss LCP policies regarding the development's potential impact to agricultural

resources, prime agricultural soils, and maximum density of development. Compliance with LCP policies are discussed in Section A.2 of this report.

E. REVIEWING AGENCIES

Building Inspection Section
Environmental Health Services
Geotechnical Section
Cal-Fire
California Coastal Commission
Sonoma State Northwest Information Center
Native American Heritage Commission

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
- B. Vicinity Map
- C. Project Plans
- D. Biological Impact Report by Toyon Consultants, dated February 9, 2018
- E. Habitat Restoration Plan by Toyon Consultants, dated January 16, 2019
- F. Geotechnical Report by Murray Engineers Inc., dated January 2015
- G. Coastal Commission Comment Letter, dated November 6, 2018
- H. Initial Study and Mitigated Negative Declaration

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