



**Planning & Building Department  
Planning Commission**

Kumkum Gupta, 1<sup>st</sup> District  
Frederick Hansson, 2<sup>nd</sup> District  
Lisa Ketcham, 3<sup>rd</sup> District  
Manuel Ramirez, Jr., 4<sup>th</sup> District  
Vacant, 5<sup>th</sup> District

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

**ACTION MINUTES- DRAFT**

MEETING NO. 1722  
Wednesday May 25, 2022  
VIDEOCONFERENCE ONLY

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

**Pledge of Allegiance:** The Pledge of Allegiance was led by Chair Ramirez.

**Roll Call:** Commissioners Present: Gupta, Hansson, Ketcham, Ramirez  
Commissioners Absent: None  
Staff Present: Monowitz, Fox, Montes

Legal notice has been published in San Mateo Times on Times on May 14, 2022 and the Half Moon Bay Review on May 18, 2022

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

None

**CONSENT AGENDA**  
**9:00 a.m.**

1. **Consideration of the Minutes of the Planning Commission Hearing for April 27, 2022 and May 11, 2022**
2. **Resolution to Make Findings that, as a Result of the Continuing Covid-19 Pandemic State of Emergency Declared by Governor Newsom, Meeting in Person for Meetings of the Planning Commission Would Present Imminent Risks to the Health or Safety of Attendees.**
3. **Owner: California Department of Transportation**  
**Applicant: Greg Davis**  
File Number: PLN2021-00242  
Location: Caltrans right of way within Vista Point  
Assessor's Parcel No: 093-090-140

Consideration of a Use Permit, RM Permit, and Architectural Review to legalize an existing wireless telecommunication facility, located at Vista Point II, along Interstate 280 and west of North Crestview Park, in North Skyline area. Application deemed complete on March 23, 2022. Please direct questions to Project Planner Kanoa Kelley at [kkelley@smcgov.org](mailto:kkelley@smcgov.org).

**COMMISSION ACTION:**

Commissioner Ketcham moved, and Commissioner Hansson seconded, to postpone consideration of the minutes and approve the consent agenda. **Motion carried 4-0-0-0.**

That the Planning Commission approve the Use Permit, Resource Management (RM) Permit, and Architectural Review Permit, County File Number PLN 2021-00242, by adopting the required findings and conditions of approval as follows:

**FINDINGS:**For the Environmental Review, Found:

1. The project is categorically exempt under the provisions of Class 3, Section 15303, of the California Environmental Quality Act (CEQA) Guidelines for the construction of new small facilities or structures. While the project is located in the Junipero Serra State Scenic Corridor, staff has determined that its existing location does not generate any impacts on environmental resources of hazardous or critical concern, including impacts to visual resources.

For the Use Permit, Found:

2. That the establishment, maintenance, and/or conducting of the use will not, under the circumstances of this particular case, be detrimental to the public welfare or injurious to the property or improvements in said neighborhood because the project meets current Federal Communications Commission (FCC) standards as shown in the radio frequency report and has been conditioned to maintain valid FCC and California Public Utilities Commission (CPUC) licenses. Additionally, the project conforms to the Visual Quality polices of the County General Plan, as discussed in Section A.1 of the staff report.
3. That this telecommunication facility is necessary for the public health, safety, convenience, or welfare of the community in that this cellular facility at this location provides increased and improved cellular coverage in the area for residents, commuters, and emergency personnel.

For the Resource Management Permit, Found:

4. That the project, as proposed and conditioned, is consistent with the goals, objectives, and regulations of the Resource Management Development Standards for setbacks and height limits and Development Review Criteria as stipulated in Chapter 20A of the San Mateo County Zoning Regulations. Specifically, the project complies with the following criteria:
5. Section 6324.1 (Environmental Review Criteria) seeks to cluster development, minimize grading, and prohibit the generation of long-term noise levels. The equipment enclosure will be located at the end of a Caltrans access road that terminates at the cellular enclosure and will be clustered around existing cellular facilities. No tree removal and minimal ground disturbance is required, as the facilities are already built. The noise from the replacement of the antennae will be temporary.
6. Section 6324.2 (Site Design Criteria) seeks to ensure that development is sited and designed to be subordinate to the existing natural characteristics of the site, avoids substantially detracting from the scenic and visual quality of the County, and employs colors and materials that blend with the surrounding natural environment. The project area is at the outermost extent of the scenic corridor. As previously mentioned, the project will incorporate matte green colors, will not

exceed 17 feet in height, and is further shielded by existing mature trees to avoid detracting from the visual quality of the area.

7. Section 6324.3 (Utilities) seeks to minimize the bulk, height and appearance of utility structures. The project has all utility lines installed underground from an existing on-site utility pole in the project area.
8. Section 6325.1 (Primary Scenic Resources Areas Criteria) seeks to prohibit development to significantly obscure, detract from, or negatively affect the quality of public views within and from scenic corridors, require pathway pavements to blend in with the surrounding landscape, and utilize colors and materials that blend in with the natural surrounding environment. As previously mentioned, the project utilizes existing infrastructure maintained by Caltrans and the project will incorporate matte green colors and will not exceed 17 feet in height. Additionally, the Communications Facility will be shielded by existing mature trees to avoid detracting from the visual quality of the area.

For the Architectural Review Permit, Found:

9. That the proposed project complies with the architectural design standards for the Junipero Serra (I-280) State Scenic Corridor as evidenced by compliance with the applicable General Plan Visual Quality Policies. The project was designed to be minimally invasive as the telecommunications facility is located off an existing access road maintained by CalTrans. The height, colors, and natural landscape ensure the facility blends into the natural landscape and is minimally visually intrusive in the scenic corridor.

**CONDITIONS OF APPROVAL**

Current Planning Section

1. This approval applies only to the proposal, documents, and plans described in this report and submitted to and approved by the Planning Commission on May 25, 2022. Minor revisions or modifications may be approved by the Community Development Director if they are consistent with the intent of and in substantial conformance with this approval
2. Any change or change in intensity of use shall require an amendment to the Use Permit. Amendments to the Use Permit requires an application for amendment, payment of applicable fees, and consideration at a public hearing.
3. The Use Permit shall be valid for ten (10) years until May 25, 2032. If the applicant seeks to renew this permit, renewal shall be applied for six (6) months prior to expiration to the Planning and Building Department and shall be accompanied by the renewal application and fee applicable at that time.
4. The operator shall maintain the facility (including equipment and antennas) the approved non-reflective green color to blend into the natural surrounding environment. Any equipment modifications shall be painted non-reflective green to match the approved facility color.
5. At the time of use permit renewal, if staff has determined, based on a field inspection, that the color of the equipment and antennas or fencing is no longer in compliance with the approved color and condition, the applicant shall repaint the equipment and/or antennas with a like color and repair the fencing, as necessary.

6. This permit does not allow for the removal of any trees. Any tree removal will require a separate permit.
7. The applicant shall not enter into a contract with the landowner or lessee which reserves for one company exclusive use of structures on this site for telecommunication facilities.
8. The wireless telecommunication facility shall not be lighted or marked unless required by the Federal Communications Commission (FCC) or the Federal Aviation Administration (FAA).
9. The applicant shall maintain all necessary licenses and registrations from the Federal Communications Commission (FCC), the California Public Utilities Commission (CPUC), and any other applicable regulatory bodies for operation of this facility. The applicant shall supply the Planning and Building Department with evidence of each of these licenses and registrations upon request. If any required license is ever revoked, the applicant shall inform the Planning and Building Department of the revocation within ten (10) days of receiving notice of such revocation.
10. The wireless telecommunication facility and all equipment associated with it shall be removed in its entirety by the applicant within ninety (90) days if the FCC and/or CPUC licenses and registrations are revoked or if the facility is abandoned or no longer needed, and the site shall be restored to blend with the surrounding area. The owner and/or operator of the wireless telecommunication facility shall notify the Planning Department upon abandonment of the facility. Restoration shall be completed within two (2) months of the removal of the facility.
11. 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 County Ordinance Code Section 4.88.360).
12. RF warning signs are required to be posted at the antennas and/or on the pole below the antennas, readily visible from any angle of approach to persons who might need to work within the project area.

#### Building Inspection Section

13. The applicant shall comply with all Building Inspection Section requirements at the building permit stage of the application to legalize the approved facility.

#### Drainage Section

14. At the time of building permit submittal, the project will be required to comply with the County's "basic" drainage review requirements, dispersing rainwater to landscaping where feasible.

#### San Mateo County Fire Department

15. All new electrical conduit shall be separate.
16. A disconnect switch shall be mounted 10' above grade.
17. The existing private access road must be maintained. All potholes and any damaged roadway shall be filled and compacted to 95% and able to support fire apparatus weighing 75,000 lbs. Gravel road access shall be certified by an engineer as to the compaction and weight it will support.

- 18. A fuel break of defensible space is required around the perimeter of all structures, existing and new, to a distance of not less than 30 feet and may be required to a distance of 100 feet or to the property line. This is neither a requirement nor an authorization for the removal of living trees.
- 19. Trees located within the defensible space shall be pruned to remove dead and dying portions, and limbed up 6 feet above the ground. New trees planted in the defensible space shall be located no closer than 10' to adjacent trees when fully grown or at maturity.
- 20. A Knox padlock or key switch will be required if there is limited access to the property. CFC 506.1.
- 21. Any gates shall be a minimum of 2 feet wider than the access road/driveway they serve. Overhead gate structures shall have a minimum of 15 feet of vertical clearance. Locked gates shall be provided with a Knox Box or Knox Padlock. Electric gates shall have a Knox Key Switch. Electric gates shall automatically open during power failures. CFC 503.6, 506.

**END OF CONSENT AGENDA**

**REGULAR AGENDA**

**9:00 a.m.**

- 4      Owner/Applicant:**            **Peninsula Open Space Trust and  
Midpeninsula Regional Open Space District**
- File Number:                            PLN2021-00381
- Location:                                 Higgins Canyon Road, Unincorporated Half Moon Bay (District 3)
- Assessor's Parcel No:                064-370-200, 064-370-070, 065-210-240, 065-210-220; and 064-370-110

Consideration of a Coastal Development Permit, Planned Agricultural District Permit, and Certificates of Compliance (Type B) to confirm the separate legality of three parcels, a Lot Line Adjustment affecting those three and a fourth legal parcel, and a request to rescind Land Conservation (Williamson Act) and Farmland Security Zone Contracts and replace with same or with an Open Space Easement reconciling with the newly adjusted parcels. The project also includes the non-renewal of Land Conservation (Williamson Act) of two additional parcels. A decision to approve the CDP is appealable to the California Coastal Commission. Application deemed complete on February 1, 2022. Please direct questions to Project Planner Angela Chavez at [achavez@smcgov.org](mailto:achavez@smcgov.org).

**SPEAKERS:**

- 1. Mike Williams, MidPen
- 2. James Crowder, Farm Bureau
- 3. Lennie Roberts, Green Foothills
- 4. Zoe Kersteen-Tucker, MidPen Board of Directors
- 5. Ben Wright, POST

**COMMISSION ACTION:**

Commissioner Gupta moved, and Commissioner Hansson seconded, to close the public hearing, Motion approved **Motion 4-0-0-0**.

Commissioner Ketcham moved, and Commissioner Hansson seconded, to approve PLN2021-00381.

**Motion 4-0-0-0.**

Based on information provided by staff and evidence presented at the hearing that the Planning Commission approve the request, make the findings and adopt conditions of approval as follows:

**FINDINGS:**

For the Environmental Review, Found:

1. That the project is categorically exempt under provisions of Class 5, Section 15305 of the California Environmental Quality Act Guidelines (Minor Alterations to Land Use Limitations), which is applicable in areas with an average slope of less than 20% (the slopes of the areas of alterations is no more than 10%) which do not result in changes in land use or density (the parcel legalizations and boundary adjustments will not increase the number of parcels or allowable density).
2. That the project is categorically exempt under provisions of Class 17, Section 15317 of the California Environmentally Quality Act Guidelines (Open Space Contracts or Easements), which includes the making and reconfiguration of open space contracts under the Williamson Act.

For the Coastal Development Permit (CDP), Found:

Certificates of Compliance

3. 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 with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program (LCP), specifically with regard to Locating and Planning New Development Component of the Local Coastal Program.
4. That the project is not located between the nearest public road and the sea, or the shoreline of Pescadero Marsh, and therefore is not subject to conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Section 30200 of the Public Resources Code).
5. That the project conforms to specific findings required by policies of the San Mateo County LCP with regard to Legalizing Parcels and Coastal Development Permit Standards of Review for Legalizing Parcels as legalization of the parcels conforms with the Agricultural land use designation, the requirement for a Coastal Development Permit to legalize the parcel is being pursued under the *subject application, and as conditioned there is no evidence to suggest that legalization of the three parcels will have any adverse impact on coastal resources.*

For the Planned Agricultural District (PAD) Permit, Found:

6. *That the project complies with all applicable criteria for issuance of PAD permit contained in Section 6355 of the County Zoning Regulations, including:*

General Criteria

- a. *That the encroachment of all development upon land which is suitable for agricultural use is minimized since no development is presently proposed with this application. The project will consolidate lands currently utilized for agricultural activities and will protect both the agricultural parcels and non-agricultural parcels with Farmland Security Zone Contracts or Open Space Easements.*
- b. *That all development permit on the site is clustered. No development is proposed as part of this project.*
- c. *That every project shall conform to the Development Review Criteria contained in Chapter 20A.2 of the San Mateo County Zoning Regulations. No development or change of use is currently proposed as part of this project. Any future development will be subject to a determination of compliance with all applicable Development Review Criteria in Chapter 20A.2 including Section 6324.1 (Environmental Quality Criteria), Section 6324.2 (Site Design Criteria), Section 6324.3 (Utilities), Section 6324.4 (Water Resources Criteria), and Section 6324.6 (Hazards to Public Safety Criteria). Furthermore, approval of an adequate domestic water supply and sewage disposal system will be required by the Environmental Health Division at such time future development is proposed.*

Water Supply Criteria

*That any potential future development may be required to comply with all County Environmental Health Division's standards and regulations for a well and/or onsite wastewater treatment system to serve such development. Given the proposed parcel configuration and contract protections there is no expected impacts to diminish water supplies serving the existing agricultural crops.*

Criteria for the Division of Prime Agricultural Land

- a. *That Prime Agricultural Land which covers an entire parcel will not be divided. The project proposes to consolidate, rather than divide, parcels consisting of prime agricultural land in compliance with the agricultural criteria of the PAD. Each of the project parcels has portions of Prime Agricultural Land and supports productive agricultural crops. The parcel boundaries will be adjusted to limit useable Prime Agricultural Land to Parcels 1,3, and 4.*
  
- b. *That Prime Agricultural Land within a parcel will not be divided as the project proposes to consolidate, rather than divide, parcels consisting of prime agricultural land in compliance with the agricultural criteria of the PAD. While there are portions of prime agricultural land on Parcel 2 these are largely not farmable due to their relationship to Higgins Canyon Road (just at the road or within the right-of-way).*
  
- c. *That Prime Agricultural Land within a parcel will not be divided when the only building site would be on such Prime Agricultural Land. The project proposes to consolidate the current agriculture uses on three of the parcels which will all be covered by Farmland Security Zone contracts. The remaining parcel will largely consist of lands suitable for agriculture and other lands. These lands will be covered by an Open Space Easement.*

Procedural Criteria for Issuance of a Planned Agricultural Permit

- a. Master Land Division Plan

*That before any division of land, the applicant shall file a Master Land Division Plan demonstrating how the parcel will be ultimately divided according to maximum density of the development permitted and which parcels will be used of agricultural and non-agricultural uses. Previous density analysis determined that the project parcels resulted in approximately 7.6 density credits. While the project includes the issuance of three Certificates of Compliance (Type B), these parcels will be reconfigured to consolidate the prime agricultural lands. The project applicants also propose to record Farmland Security Zone Contracts and Open Space Easements over the reconfigured parcels. No future development is proposed as part of this project. All future development will be subject to further County review and approval if any should be proposed.*

- b. Easements on Agricultural Parcels

*That the applicant shall grant to the County an easement containing a covenant, running with the land in perpetuity, which limits the use of the land covered by the easement to agricultural uses, non-residential development customarily considered accessory to agricultural and farm labor housing. The applicant is proposing to cover the existing agricultural uses with a Farmland Security Zone contract and remaining area with an Open Space Easement to ensure continued long-term use of the land for agricultural production/resource protection.*

c. *Agricultural Land Management Plan*

*That for parcels 20 acres or more in size before division or conversion, the applicant shall file an agricultural land management plan demonstrating how, if applicable, the agricultural productivity of the land will be fostered and preserved. The subject agricultural lands have been acquired by POST in an effort to ensure that the agricultural land remains under productive agricultural use. The reconfigured boundaries of parcels 1, 3, and 4 will correspond with the existing ongoing agricultural activities and will be covered by Farmland Security Zone Contract with future plans to transfer these parcels to a long-term agricultural operator. Parcel 2 is planned to be transferred to Midpeninsula Regional Open Space District to serve as part of their trail network. While the areas of the proposed are of reconfigured parcel 2 is not currently being farmed there are no limitation to the future use of this parcel for agricultural related uses. Therefore, this project will foster and preserve the agriculture of the lands.*

*For the Conditional Certificates of Compliance (Type B), Found:*

7. *That the processing of the Certificate of Compliance (Type B) is in full conformance with the County Subdivision Regulations Section 7134 (Legalization of Parcels; Certificate of Compliance).*
8. *That the processing of the Certificate of Compliance (Type B) is in full conformance with Government Code section 66499, et seq.*

*For the Lot Line Adjustment (LLA), Found:*

9. *That the processing and conditions of approval of the lot line adjustment are in full conformance with Section 7124 of the San Mateo County Subdivision Regulations. This lot line adjustment is consistent with the criteria set forth in Section 7126.1 as the new parcels meet the minimum parcel size, emergency and routine access exists, have existing water entitlements, the site currently is not served by public sewage facilities but are of adequate size to support a septic system, the land taken from one parcel is added to an adjoining parcel, ensuring that no greater number of parcels than originally*

*existed is created, and the project will not result in impacts upon scenic corridors, wetlands, coastal resources, or authorized coastal development.*

*For the Williamson Act Program Compliance*

10. *The new contract or contracts would enforceable restrict the adjusted boundaries of the parcels for an initial term for at least as long as the unexpired term of the rescinded contract or contracts but for not less than 10 years.*
11. *There is no net decrease in the amount of the acreage restricted. In cases where parcels involved in a lot line adjustment are all subject to contracts rescinded pursuant to Section 51257 of the California Land Conservation Act, this finding is satisfied as the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.*
12. *At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts. All lands currently covered by a contract will continue to be covered by either a Farmland Security Zone or Open Space Easement contract.*
13. *After the lot line adjustment, the parcels of land subject to contract will large enough to sustain the agriculture use as defined in Section 51222 of the California Land Conservation Act. The resulting parcel configurations do not result in a greater number of parcels and comply with the general plan in their resulting size and design to allow for the existing uses to continue.*
14. *The lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts. The proposed lot line adjustment changes the internal boundaries between four parcels which were historically conveyed jointly. The modifications to consolidate the existing agricultural uses on three of the parcels is not expected to have any impacts to adjacent lands.*
15. *The lot line adjustment is not likely to result in the removal of adjacent land from agricultural use. The proposed lot line adjustment changes the internal boundaries between four parcels which were historically conveyed jointly. The modifications to consolidate the existing agricultural uses on three of the parcels is not expected to have any impacts to adjacent lands.*
16. *The lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the general plan. The project reconfigures the boundaries to consolidate existing agricultural activities. The resulting parcel configurations do not result in a greater number of parcels and comply with the general plan in their resulting size and*

*design to allow for the existing uses to continue.*

## **CONDITIONS OF APPROVAL**

### **Current Planning Section**

1. *This approval applies only to the proposal as described in the plans, supporting materials, and reports approved by the Planning Commission on May 25, 2022. Minor revisions or modifications to the project may be made subject to the review and approval of the Community Development Director, if they are consistent with the intent of and in substantial conformance with this approval.*
2. *The subject Certificates of Compliance (Type B) shall be recorded prior to the issuance of any other permits associated with this project.*
3. *The applicant is advised that prior to recordation of the Certificate of Compliance, the owner/applicant shall provide the project planner with a check to cover recording fee costs, generally between \$50.00 and \$100.00. The project planner will confirm the amount prior to recordation.*
4. *For parcels of record that involve only parallel line adjustments, the applicant will be required to submit legal deeds for the property to be transferred, completely signed and ready to record, and written legal descriptions of the entire new configuration of all parcels involved in the lot line adjustment. The deeds and legal descriptions reflecting the approved lot line adjustment shall be reviewed by the Department of Public Works prior to being filed for record with the County Recorder.*
5. *For Parcels Not of Record, Acreage, and Multi-Directional Adjustments In accordance with Section 8762 of the State Business and Professions Code, for parcels not of record, acreage and lot line adjustments involving multi-directional adjustments, the applicant will be required to submit a Record of Survey map and numerical closure sheets for all parcels, in addition to the deeds and legal descriptions to be recorded as specified in Section 7128.1a, of the County Subdivision Regulations.*
6. *For those lot line adjustments described in Section 7128.1b, of the County Subdivision Regulations, the applicant has the option to record a parcel map in accordance with Article 3, Chapter 2 of the Subdivision Regulations, in lieu of submitting the items specified in Section 7128.1b. However, no parcel map, final map, or tentative map shall be required as a condition to the approval of a lot line adjustment that has obtained all other required approvals.*

### **Review by Environmental Health**

7. *Any future development of housing, residential structures or any other structures requiring potable water supply or containing fixtures requiring septic wastewater disposal will require provision for adequate water supply and sewage disposal in accordance with County codes.*

Review by Cal-Fire

8. *The applicant shall comply with all Cal-Fire requirements prior or as part of the recordation of the Lot Line Adjustment*

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| 5. | <b>Owner:</b><br><b>Applicant:</b><br>File Number:<br>Location:<br>Assessor’s Parcel No: | <b>State of California</b><br><b>California Dept. of Transportation</b><br>PLN 2022-00009<br>Various locations on Hwy. 1 in the urban Mid-Coast<br>Public Right of Way (various locations) |
|----|--|--|

Consideration of a Coastal Development Permit to install a Wireless Traffic Operation System at various locations in the unincorporated MidCoast area of San Mateo County. This project is appealable to the California Coastal Commission. Application deemed complete on January 18, 2022. Please direct questions to Project Planner Michael Schaller at [mschaller@smcgov.org](mailto:mschaller@smcgov.org).

The applicant requested item #5 PLN2022-000009 was tabled to a future meeting.

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**6. Correspondence and Other Matters**

None

**7. Consideration of Study Session for Next Meeting**

Not recommended study session but we do have 2 items on the next agenda,

**8. Director’s Report**

Housing Element was presented, it will now be available for view at the MMC.

April 14, Preparation demand management approached. Grant opportunity in order to facilitate some funds to obtain those measures.

Hybrid Meeting update. The Board of Supervisor has been conducting these meeting, more information to come regarding to the set up and technology for these meetings.

**9. Commissioner Updates and Questions**

Commissioner Hansson mentioned about North Fair Oaks item and that parking is a problem he was really talking about trees.

Commissioner Gupta asked for an update to the Hybrid meetings. Parking Permits are also in

question and Janneth will follow up and report back at the next meeting.

**10. Adjournment**

Meeting adjourned at 10:28 AM