

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

**DATE:** December 9, 2015

**TO:** Planning Commission

**FROM:** Planning Staff

**SUBJECT:** EXECUTIVE SUMMARY: Consideration of a Use Permit 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 No.: PLN 2014-00076 (California Water Service Company)

**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, to replace two 15,000-gallon redwood water tanks (demolished in 2008) and an off-street parking area, accessed from Loma Court, for the use of Cal Water employees during maintenance visits to the facility.

The applicant would install this tank to distribute water to the neighborhood and provide redundancy to water supply in the immediate area.

The proposal includes two configuration options of the employee parking area for consideration by the Planning Commission.

No significant trees are proposed to be removed, but there will be trimming associated with the project.

**RECOMMENDATION**

That the Planning Commission 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.

## **SUMMARY**

This proposal was heard by the Zoning Hearing Officer on February 19, 2015 and September 3, 2015. The Zoning Hearing Officer found that it is in the public interest to refer the item to the Planning Commission for review in accordance with Section 6104(a) of the Zoning Regulations so that the Planning Commission can discuss the project and the policy-related questions of balancing the public safety aspects of the proposed project, including safe and efficient provision of water and improved fire suppression with the potential risk to private properties in the area.

This project complies with all applicable General Plan Policies. The project conforms to all aspects of the Zoning Regulations that apply to the public utility structures and will be similar in scale to permitted accessory buildings in the RH/DR District.

Public correspondence and comment was on the following topics: project necessity, visual impacts, public notification, surface runoff, the project's effect on Loma Court, the adequacy of the geotechnical report, and the scope of work.

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.

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

**DATE:** December 9, 2015

**TO:** Planning Commission

**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 parking area adjacent to Loma Court, in the unincorporated Palomar Park area of San Mateo County.

County File No.: PLN 2014-00076 (California Water Service Company)

**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 an off-street parking area, accessed from Loma Court, for the use of Cal Water employees during maintenance visits to the facility. The tank would be served by machinery located in an existing pump house.

The California Water Service Company is installing this tank to distribute water to the neighborhood and provide redundancy to water supply in the immediate area.

The proposal includes two configurations of the parking area for consideration by the Planning Commission.

The first is a paved driveway spur that would lead from Loma Court to the tank. Cal Water's staff could then access their equipment from trucks directly adjacent and at the same elevation as the tank. The driveway would be 10 feet wide and 50 feet long, creating 500 sq. ft. of new impervious surface. The slope would be 20%. This option would entail 90 cubic yards of grading (fill) to create a slope wide enough to accommodate the driveway. This is the option preferred by Cal Water and the owners of the property on which the easement is located.

The second is a level parking area with permeable pavement adjacent to Loma Court. This option was developed to reduce the amount of impervious surface created by the project—the maximum slope on which permeable pavements can be installed is 5%.

Construction of this option would entail 75 cubic yards of grading (cut) to level the parking area and prepare the site. This option was created in response to public comments submitted to the Zoning Hearing Officer by neighbors concerned about excessive runoff.

No significant trees are proposed to be removed, but there will be trimming associated with the project.

### **RECOMMENDATION**

That the Planning Commission approve the Use Permit by choosing one of the two cited parking options, 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

Location: 24 Loma Road, Palomar Park

APN: 051-472-080

Parcel Size: 40,917 sq. ft.

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.

Project History: In 2008, Cal Water removed two obsolete and decrepit 15,000-gallon redwood water tanks from the site. Cal Water applied for a use permit to install a 20,000-gallon steel water tank in March 2014. The application lay dormant due to negotiations between Cal Water and the property owner until the February 19, 2015, Zoning Hearing Officer hearing. That hearing was continued to a date uncertain, and at that hearing, the Zoning Hearing Officer scheduled a public meeting held at Corey and Toni Vian's house (the owners of the property on which Cal Water's easement is located) on March 24, 2015. After this meeting, Cal Water redesigned the project and presented it to the Zoning Hearing Officer at a hearing on September 3, 2015.

At that hearing, the Zoning Hearing Officer reviewed the staff report and considered comments from the applicant and neighbors. The comments are discussed in Section A.4 of this report. The Zoning Hearing Officer referred the project to the Planning Commission for a decision on that date. The Zoning Hearing Officer found that it is in the public interest to refer the item to the Planning Commission for review in accordance with Section 6104(a) of the Zoning Regulations so that the Planning Commission can discuss the project and the policy-related questions of balancing the public safety aspects of the proposed project, including safe and efficient provision of water and improved fire suppression with the potential risk to private properties in the area. The Zoning Hearing Officer found that it is in the best interests of all parties, including the applicant and residents of the area, to have the application reviewed by the Planning Commission because there are policy decisions to be made that will help guide decisions for similar projects countywide.

## **DISCUSSION**

### **A. KEY ISSUES**

#### **1. Compliance with the 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.

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.

Policy 2.17 (*Regulate Development to Minimize Soil Erosion and Sedimentation*) directs the County to regulate development to minimize erosion. Development in the County is subject to the requirement to prepare and adhere to a Construction Erosion and Sediment Control Plan. This will prevent erosion during the construction phase of the project by directing the builders to install measures that will prevent rain from washing pollutants and bare soil off-site. The Department of Public Works will also enforce the regulations that mandate that runoff after development not be greater in volume or velocity than that prior to development.

Policy 4.28 (*Trees and Vegetation*) directs the County to: preserve trees and natural vegetation except where removal is required for approved development or safety; replace vegetation and trees removed during construction wherever possible; use native plant materials or vegetation compatible with the surrounding vegetation, climate, soil, ecological characteristics of the region and acceptable to the California Department of Forestry; and provide special protection to large and native trees. This project will not entail the removal of any significant trees. The construction erosion and sediment control plan will be required to include measures to protect significant trees from construction activity.

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.

Policy 16.12 (*Regulate Noise Levels*) directs the County to regulate noise levels emanating from noise generating land uses through measures which establish maximum land use compatibility and nuisance thresholds. Construction noise is regulated by Condition of Approval No. 4, which limits construction hours to 7:00 a.m. to 6:00 p.m., Monday through Friday, and

9:00 a.m. to 5:00 p.m. on Saturday. Operational noise is limited by the County's Noise Ordinance.

2. Compliance with the Zoning Regulations

R-1 District and Use Permits

Section 6500 (*Use Permits*) of the Zoning Regulations allows the County 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.

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 to 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 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 tank would feature computer controls, safe relief valves and overflow equipment, and be of new construction that is not prone to leakage. The proposed tank would also be painted non-reflective green in a shade to match the local foliage.

### 4. Public Comment

Public comments in conjunction with the February 19, 2015 Zoning Hearing Officer’s hearing, at the public meeting held on March 24, 2015, and in conjunction with the September 3, 2015 Zoning Hearing Officer’s hearing 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 sq. ft., which is less than the 1,000 sq. ft. 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 tank would also be painted non-reflective green in a shade to match the local foliage.

Both proposed designs preserve a mature oak tree located between the tank and the road that would serve to screen the tank. The driveway design avoids removal of the tree by not requiring significant grading in its root zone. The level parking area design avoids removal of the tree by installing a retaining wall at the end of the parking area.

### PUBLIC NOTIFICATION

Letters received prior to the Zoning Hearing Officer's September 3, 2015 hearing and comments received at that hearing stated that holding this hearing at the regularly scheduled Zoning Hearing Officer (ZHO) hearing prior to Labor Day would prevent public participation. They stated that many who would like to participate would not be able to due to the high number of Palomar Park residents who take five-day weekends for Labor Day. No comment regarding the adequacy of the notification was received for the September 3 hearing.

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: Prior to the September 3, 2015 public hearing, the interested parties were able to submit all of their concerns either directly to the Zoning Hearing Officer or to the Planning Department, which forwarded their letters to the Zoning Hearing Officer. Four residents of the Palomar Park area attended the hearing, and four additional residents submitted comments to the Zoning Hearing Officer, which were added to the public record and taken into consideration when the ZHO referred the project to the Planning Commission.

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.

### 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 and had questions about the volume of rainfall the drainage system would be designed to handle.

Staff Response: The Department of Public Works requires projects that create or replace impermeable surfaces do not increase the amount or velocity of runoff leaving the site. Both the original driveway configuration and the revised level parking area configuration could be engineered to meet this requirement.

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 sq. ft. 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 the 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 sq. ft. 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. Both proposals are before the Planning Commission.

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.

Anticipated rainfall amounts represented by 10-year and 100-year storms are used to design drainage systems, among other things. These are storms that have a one-in-ten chance of happening each year or a one-in-one-hundred chance of happening each year, respectively. They are measured in inches of rain using uniform rain gauges. Storm sewers are designed using these expected amounts of rainfall. The volume to be accommodated is calculated using the amount of rain falling on the area of the watershed that is drained through, or “upriver” from, the facility.

### 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, reviewed and approved the plans for both alternatives. 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. They cited the presence of “over 90 piers” as a reason that the project is unsafe and worried that the construction of the project would cause landslides on or damage to houses on neighboring lots.

Staff Response: 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.

At the September 3, 2015 hearing, Cal Water’s engineer stated that the project would entail approximately 24 piers. The project geotechnical engineer at Cotton, Shires, and Associates confirmed that there is no chance that construction activity could cause landslides or vibrations that could damage neighboring property.

### SCOPE OF WORK

Attendees at the hearings and public meeting requested 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. To further these goals, they requested that the County deny the permit.

Staff Response: The requirement for a use permit cannot be used to mandate changes in the project unless such changes are required for the decision making body to make the required findings for approval. Given that the proposed project conforms to use permit requirements, the County does not have the authority to require Cal Water to relocate the project, propose an entirely different project, or allocate their capital improvement funds differently.

Nevertheless, Cal Water did 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. Cal Water has also indicated that 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.

**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. Location Map
- C. Project Plans for the Driveway Alternative
- D. Project Plans for Flat Parking Area Alternative

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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: December 9, 2015

Prepared By: Steven Rosen  
Project Planner

For Adoption By: Planning Commission

**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 Planning Commission on December 9, 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.

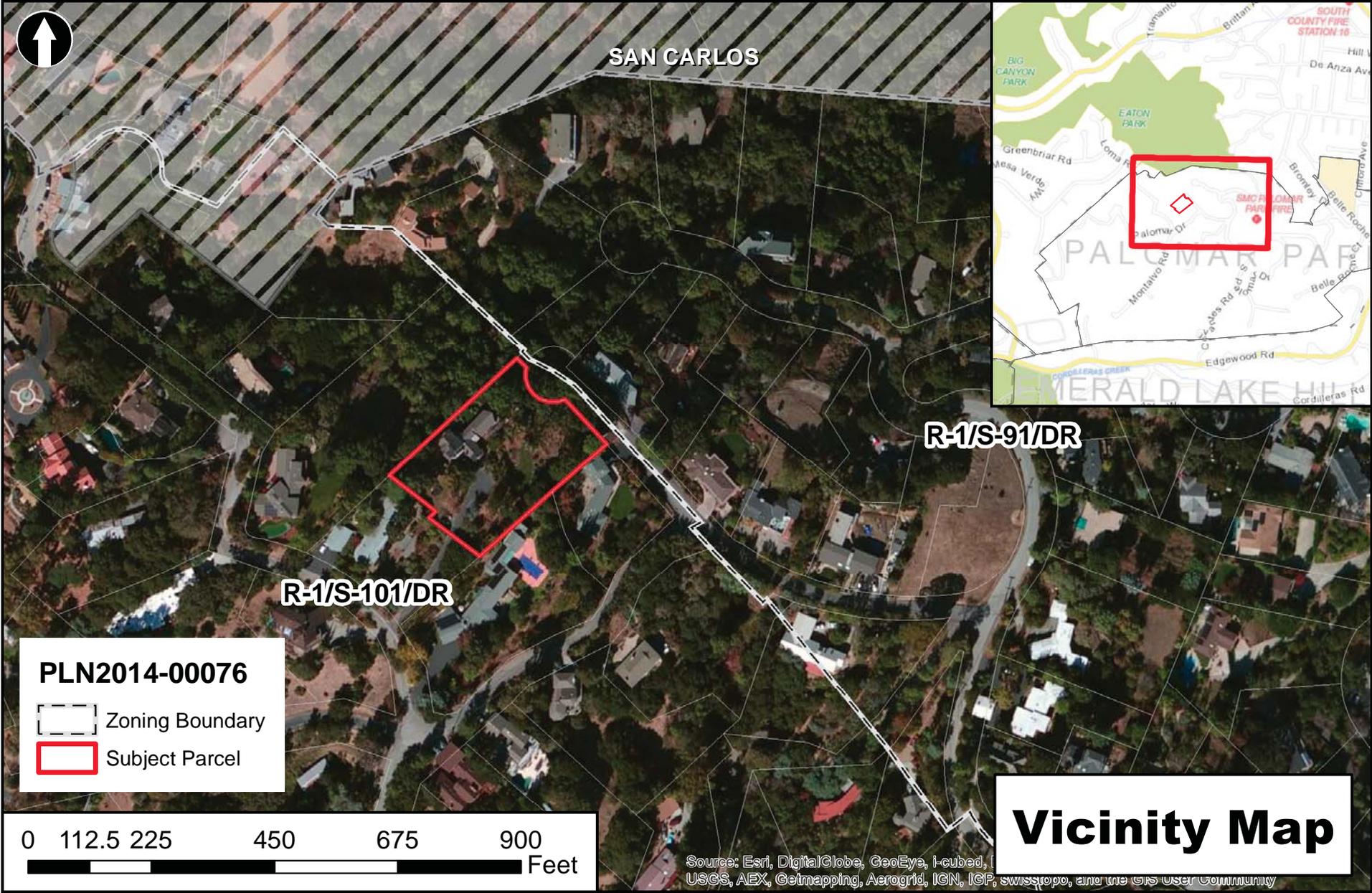
2. Any major modifications to the use or intensity shall require an amendment to the use permit. Amendment to this use permit requires an application for amendment, payment of applicable fees, and consideration at a public hearing.
3. The applicant shall submit a Construction Erosion and Sediment Control 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. The property owner shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including, but not limited to, the following:
  - a. Delineation with field markers of clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses within the vicinity of areas to be disturbed by construction and/or grading.
  - b. Protection of adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
  - c. Performing clearing and earth-moving activities only during dry weather.
  - d. Stabilization of all denuded areas and maintenance of erosion control measures continuously between October 1 and April 30.
  - e. Storage, handling, and disposal of construction materials and wastes properly, so as to prevent their contact with stormwater.
  - f. Control and prevention of the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
  - g. Use of sediment controls or filtration to remove sediment when dewatering site and obtain all necessary permits.
  - h. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
  - i. Limiting and timing application of pesticides and fertilizers to prevent polluted runoff.
  - j. Limiting construction access routes and stabilization of designated access points.

- k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
  - l. Training and providing instruction to all employees and subcontractors regarding the Watershed Protection Maintenance Standards and construction Best Management Practices.
  - m. Additional Best Management Practices in addition to those shown on the plans may be required by the Building Inspector to maintain effective stormwater management during construction activities. Any water leaving the site shall be clear and running slowly at all times.
  - n. Failure to install or maintain these measures will result in stoppage of construction until the corrections have been made and fees paid for staff enforcement time.
- 4. 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).
  - 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

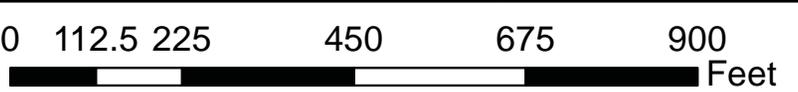
- 6. No proposed construction work within the County right-of-way shall begin until County requirements for the issuance of an encroachment permit, including review of the plans, have been met and an encroachment permit issued. Applicant shall contact a Department of Public Works Inspector 48 hours prior 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.
- 7. The applicant shall have prepared, by a registered civil engineer, a drainage analysis of the proposed project and submit it to the Department of Public Works for review and approval. The drainage analysis shall consist of a written narrative and a plan. The flow of the stormwater onto, over, and off the property shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the pattern of flow. The analysis shall detail the measures necessary to certify adequate drainage. Post-development flows and velocities shall not exceed those that existed in the pre-developed state. Recommended measures shall be designed and included in the plans and submitted to the Department of Public Works for review and approval.

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**PLN2014-00076**

 Zoning Boundary  
 Subject Parcel



**Vicinity Map**

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

*Planning Commission Meeting*

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**PLN 2014-00076**

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Case

**B**

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Attachment











**Planning Commission Meeting**

**PLN 2014-00076**

Case

**E**

Attachment



Tree to be  
Preserved

Loma Court

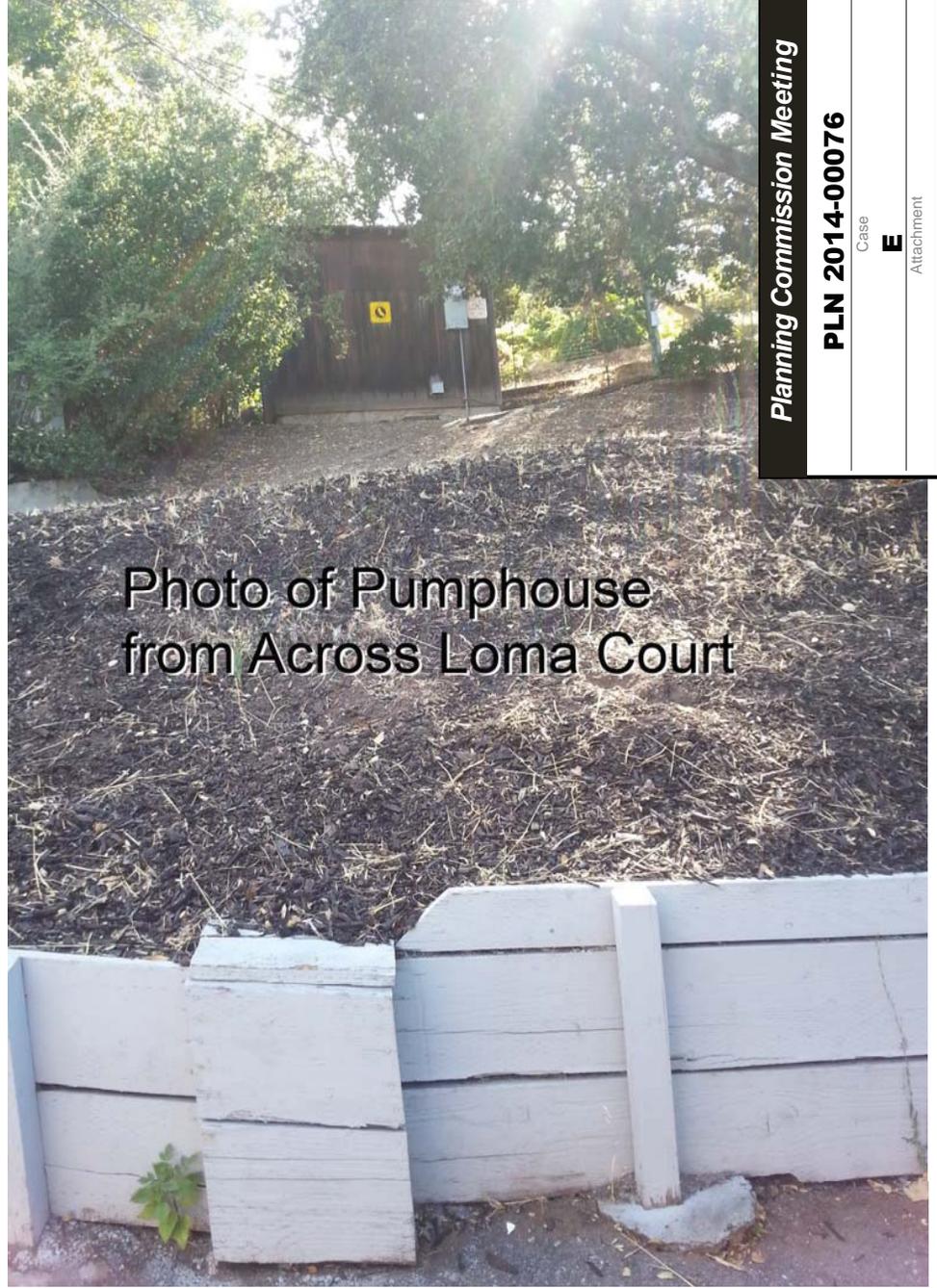
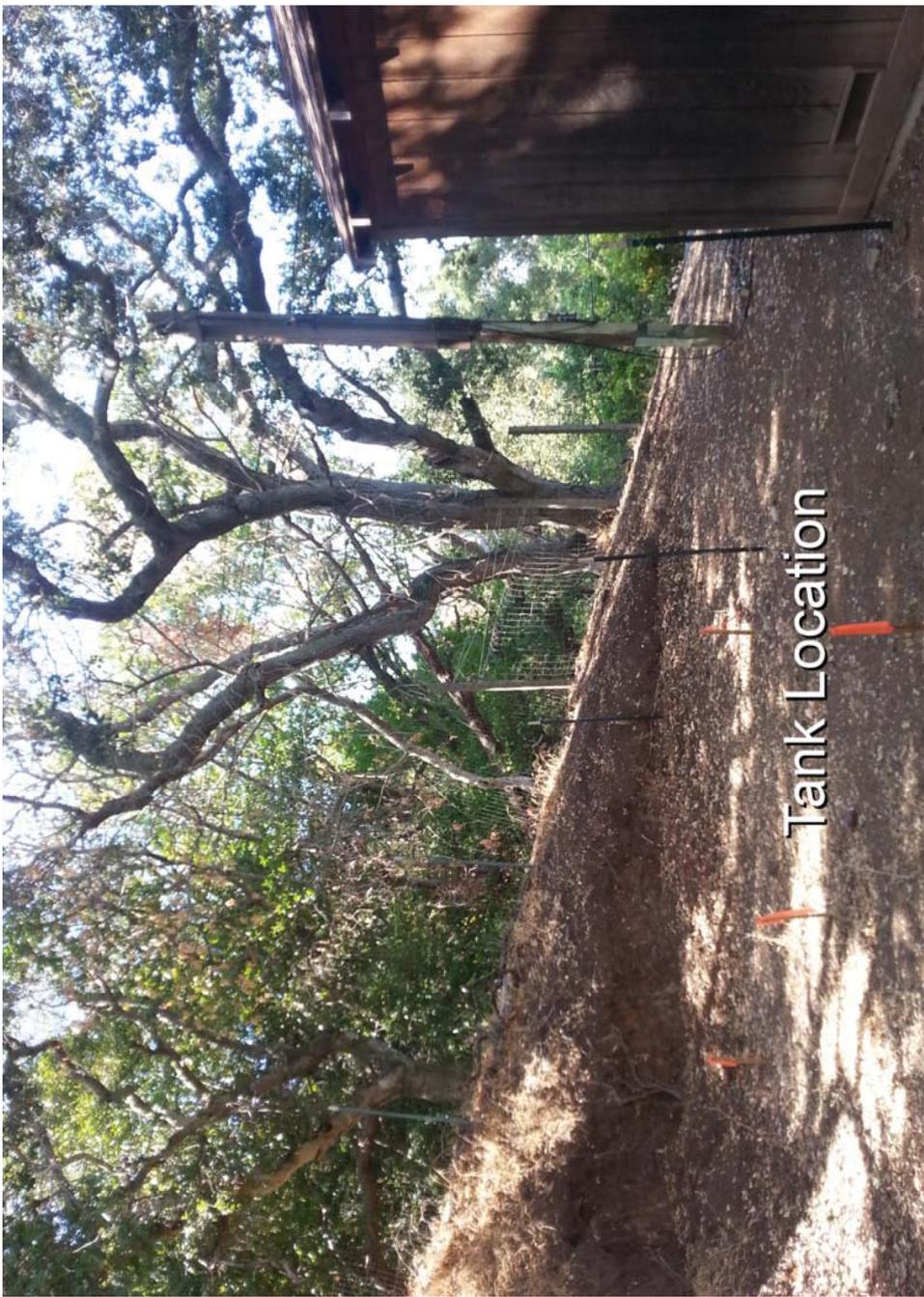


Photo of Pumphouse  
from Across Loma Court



Tank Location



Dave Couch's Site