

Board Meeting Date: October 18, 2022
Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: Steve Monowitz, Community Development Director

Subject: Consideration of an appeal of a Planning Commission decision on a Minor Subdivision, a Resource Management Permit, and a Grading Permit, pursuant to Section 7101 of the 1992 San Mateo County Subdivision Regulations, Section 6313 of San Mateo County Zoning Regulations, and Section 9283 of the San Mateo County Grading Regulations, and the Revised Recirculated Initial Study/Mitigated Negative Declaration, pursuant to the California Environmental Quality Act, to subdivide a 60.3-acre parcel into 3 parcels, each approximately 0.7-acre in size, for future residential development, creating a 58.153±-acre remainder parcel (with approximately 48.88 acres of land to be protected by a conservation easement, and 9.27 acres of developable area including an existing single-family dwelling). The project involves an upgrade of a 203 linear foot portion of the Billy Goat Hill sewer line that is required to off-set system capacity for the project increase in service, grading including 455 cubic yards (cy) of earthwork (290 cy of cut and 165 cy of fill) for landslide repair and 30 cy of cut and 30 cy of fill for the sewer line upgrade, and no removal of protected trees. The project site is located at 1551 Crystal Springs Road, Unincorporated San Mateo County.

County File Number: PLN 2014-00410

RECOMMENDATION:

Uphold the appeal of the Planning Commission's denial of a Minor Subdivision, Grading Permit, and Resource Management Permit for a proposed 3-lot subdivision, in the unincorporated Highlands area of San Mateo County. Three conditions related to fire safety have been added to the project to address Planning Commission's denial findings, and Planning staff recommends approval with the incorporation of the new conditions, and adoption of the Revised Recirculated Initial Study/Mitigated Negative Declaration.

BACKGROUND:

Board of Supervisor's Meeting of July 12, 2022

COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit File Number: PLN 2014-00410

Board Meeting Date: October 18, 2022

Prepared By: Steve Monowitz
Community Development Director

For Adoption By: Board of Supervisors

RECOMMENDED FINDINGS:

For the Environmental Review, Find:

1. That the Planning Commission does hereby find that the Revised Recirculated Initial Study/Mitigated Negative Declaration (Mitigated Negative Declaration) reflects the independent judgment of San Mateo County.
2. That the Revised Recirculated Initial Study/Mitigated Negative Declaration is complete, correct, and adequate and prepared in accordance with the California Environmental Quality Act (CEQA) and applicable State and County Guidelines.
3. That on the basis of the Revised Recirculated Initial Study/Mitigated Negative Declaration, comments received hereto, and testimony presented and considered at the public hearing, there is no substantial evidence that the project will have a significant effect on the environment.
4. That the Mitigation Measures (numbered 1 through 66) in the Revised Recirculated Initial Study/Mitigated Negative Declaration and agreed to by the applicant and placed as conditions of approval on the project, which serves as the Mitigation Monitoring and Reporting Plan, in conformance with the California Public Resources Code Section 21081.6.
5. That the revisions to the Revised Recirculated Initial Study/Mitigated Negative Declaration do not constitute substantial revisions and recirculation is not required pursuant to CEQA Guidelines Section 15073.5.
6. That the mitigation measures substituted in the Revised Recirculated Initial Study/Mitigated Negative Declaration (MMs 4-8, 10, 44, 60, 61) are equivalent or more effective in mitigating or avoiding potential significant effects and the substituted mitigation measures will not cause any potentially significant effect on the environment.

For the Resource Management Permit, Find:

7. That this project has been reviewed under, and found to comply with, zoning regulations applicable to the Resource Management (RM) District, including Chapter 20.A (Resource Management District), Section 6324 (General Review Criteria for RM District), Section 6325 Supplementary Review Criteria for Primary Resource Areas, and Section 6326 (Supplementary Review Criteria for Special Hazard Area). Specifically, as proposed, mitigated, and conditioned, the project complies with the maximum density credits (plus requested bonus credits), requirement for a conservation easement over the remainder parcel, as well as applicable Environmental Quality Criteria and Site Design Criteria requiring clustering, preservation of features of the site post development, minimization of grading and tree removal. The analysis in Section 2 of the staff report supporting this finding are incorporated herein.

Regarding the Minor Subdivision, Find:

8. That, in accordance with Section 7013.3.b of the County Subdivision Regulations, this tentative map, together with the provisions for its design and improvement, is consistent with the San Mateo County General Plan, specifically, Policies 8.14 (Land Use Compatibility) and 8.35 (Uses), requiring consistency of proposed parcels with surrounding residential land uses, and Policy 8.29 (Infilling) which encourages the infilling of urban areas where infrastructure and services are available. As proposed and conditioned, the subdivision would result in home sites compatible with surrounding home sites which are zoned R-1/S-8 (minimum parcel size of 7,500 sq. ft.). Also, each of the three (3) proposed residential lots would adjoin existing homes and be served by existing roads and utilities.
9. That the site is physically suitable for the type, and proposed density of, development. As described in Sections A.1 and A.2 of the staff report accompanying these findings and incorporated herein, the project complies with both the General Plan land use density designation and the Resource Management (RM) Zoning District maximum density of development. As discussed in the Revised Recirculated Initial Study/Mitigated Negative Declaration, the project, as proposed and mitigated, would not result in any significant impacts to the environment.
10. That the design of the subdivision and the proposed improvements are not likely to cause serious public health problems, substantial environmental damage, or substantially and avoidably injure fish or wildlife or their habitat. Implementation of mitigation measures in the Revised Recirculated Initial Study/Mitigated Negative Declaration would reduce project environmental impacts to less than significant levels.

11. That future development on the parcels could make use of passive heating and cooling to the extent practicable to comply with energy-efficiency building standards.
12. That, subject to the mitigation measures contained in the Revised Recirculated Initial Study/Mitigated Negative Declaration, the discharge of waste from the proposed subdivision into an existing community sewer system would not result in violation of existing requirements prescribed by a State Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the State Water Code. Sanitary sewer service would be provided to the project site by the Crystal Springs County Sanitation District, which has capacity to serve the additional parcels.
13. That the land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965 ("the Williamson Act") nor does the property currently contain any agricultural land uses.
14. That, pursuant to Section 7005 of the San Mateo County Subdivision Regulations, the proposed subdivision would not result in a significant negative effect on the housing needs of the region. The project would result in the creation of three (3) new residential parcels that can accommodate future single-family residences, where only vacant land currently exists.

For the Grading Permit, Find:

15. That this project, as conditioned, will not have a significant adverse effect on the environment. The project has been reviewed for potential environmental impacts, and it has been determined that the project can be completed with the implementation of proposed mitigation measures and without significant negative impacts to the environment.
16. That the project conforms to the criteria of Chapter 8, Division VII, San Mateo County Ordinance Code (Grading Regulations), including the grading standards referenced in Section 8605. The applicant has submitted grading and drainage plans as well as erosion control plans for the three (3) residential lots. As discussed in Section 4.3 of the Revised Recirculated Initial Study (Geology and Soils), the project geotechnical consultant has concluded that the proposed development is feasible with the implementation of proposed mitigation measures. These include (1) the stabilization of existing landslides on the project site, (2) the use of appropriate foundations, (3) compliance with the State's National Pollution Discharge Elimination System (NPDES) General Permit, including preparation of a Storm-water Pollution Prevention Plan (SWPPP), and (4) implementation of the Bay Area Air Quality Management District's (BAAQMD) Particulate Matter (PM) reduction practices during grading and construction. In addition, a condition of approval will prohibit grading within the wet season (October 1 through April 30), unless an exception is approved by the Community Development Director.

17. That the project is consistent with the General Plan. As proposed, mitigated, and conditioned, the project complies with the policies of the Soil Resources Chapter of the General Plan, including policies requiring the minimization of erosion.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

1. This approval applies only to the proposal as described in the plans, supporting materials, and reports as approved by the Board of Supervisors on October 18, 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. Alternatively, the Community Development Director may refer consideration of the revisions to the Planning Commission, with applicable fees to be paid.
2. This subdivision approval is valid for two years, during which time a parcel map shall be recorded. An extension to the time period, pursuant to Section 7013.5 of the County Subdivision Regulations, may be issued by the Planning Department upon written request and payment of any applicable extension fees prior to the expiration date.
3. A building permit shall be applied for and obtained from the Building Inspection Section for all grading activities, slope repair, and stitch pier wall construction. The permit shall obtain final approval prior to recordation of the parcel map.
4. Prior to recordation of the parcel map, the applicant shall pay to the San Mateo County Planning and Building Department in-lieu park fees as required by County Subdivision Regulations, Section 7055.3. The fees shall be based upon the assessed value of the project parcel at the time of recordation and calculated as shown on the attached worksheet.
5. The applicant shall submit a check in the amount of \$2,530.25, payable to San Mateo County, prior to and required for filing of the Mitigated Negative Declaration Notice of Determination with the County Clerk, as required by the California Department of Fish and Wildlife (\$2,480.25 + \$50 County Clerk processing fee) within four (4) working days of the final approval date of this project.
6. Conservation Easement: The open-space parcel shall be subject to a conservation easement in perpetuity, and to a deed restriction, each in forms to be approved by County Counsel and the County Board of Supervisors. The easement shall be identified on the Vesting Tentative Map and on the Parcel Map. Recordation of the Parcel Map and conservation easement shall be handled by the Department of Public Works (DPW) working cooperatively with Planning staff to ensure the proper order and timing of the recordation of both documents. DPW and Planning staff shall ensure that the Parcel Map is recorded and ensure

recordation of the approved conservation easement immediately following (allowing no other documents to be recorded on the project parcels between the recordings of the Final Map and the conservation easement).

7. The Final Map will include a note stating that “any development of the project parcels must comply with the conditions of approval, as approved by the Board of Supervisors on October 18, 2022.”
8. The applicant shall enter into a contract with the San Mateo County Planning and Building Department for all mitigation monitoring for this project prior to the issuance of any grading permit “hard card” for the project. The fee shall be staff’s cost, plus 10 %, as required in the current Planning Service Fee Schedule. Planning staff may, at their discretion, contract these services to an independent contractor at cost, plus an additional 10 % for contract administration.
9. No site disturbance shall occur, including any grading or tree/vegetation removal, until a building permit has been issued. A meeting to review preliminary site improvement and construction plans with Planning and Building staff shall occur prior to the submittal of grading and building permit applications.
10. This permit does not authorize the removal of any trees with trunk circumference of more than 55 inches.

Grading Conditions

11. No grading activities shall commence until the property owner has been issued a grading permit (issued as the “hard card” with all necessary information filled out and signatures obtained) by the Current Planning Section.
12. An applicant-completed and County-issued grading permit “hard card” is required prior to the start of any land disturbance/grading operations. Along with the “hard card” application, the applicant shall submit a letter to the Current Planning Section, at least two (2) weeks prior to commencement of grading, stating the date when grading operations will begin, anticipated end date of grading operations, including dates of revegetation and estimated date of establishment of newly planted vegetation.
13. The provisions of the San Mateo County Grading Regulations shall govern all project-related grading. Per San Mateo County Ordinance Code Section 8605.5, all equipment used in grading operations shall meet spark arrester and firefighting tool requirements, as specified in the California Public Resources Code.
14. It shall be the responsibility of the engineer of record to regularly inspect the erosion control measures for the duration of all grading remediation activities, especially after major storm events, and determine that they are functioning as designed and that proper maintenance is being performed. Deficiencies shall be

immediately corrected, as determined by and implemented under the observation of the engineer of record.

Mitigation Measures of the Revised Recirculated Initial Study/Mitigated Negative Declaration:

15. **Mitigation Measure 1:** The applicant shall submit an Air Quality Best Management Practices Plan to the Planning and Building Department prior to the issuance of any grading permit “hard card” or building permit that, at a minimum, includes the “Basic Construction Mitigation Measures” as listed in Table 8-2 of the BAAQMD California Environmental Quality Act (CEQA) Guidelines (May 2017). The following Bay Area Air Quality Management District Best Management Practices for mitigating construction-related criteria air pollutants and precursors shall be implemented prior to beginning any grading and/or construction activities and shall be maintained for the duration of the project grading and/or construction activities:
 - a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
 - b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
 - c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day.
 - d. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
 - e. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485, of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
 - f. Roadways and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - g. Idling times shall be minimized either by shutting equipment or vehicles off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485, of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
 - h. All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications.

- i. Minimize the idling time of diesel-powered construction equipment to two minutes.
 - j. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.
16. **Mitigation Measure 2:** Prior to the beginning of any grading construction activities, including landslide repair work, the applicant shall submit to the Planning and Building Department for review and approval an erosion and drainage control plan for each phase of grading (e.g., landslide repair, site preparation for residential construction) showing conformance with mitigation measures and the County Erosion Control Guidelines. The plan shall be designed to minimize potential sources of sediment, control the amount of runoff and its ability to carry sediment by diverting incoming flows and impeding internally generated flows, and retain sediment that is picked up on the project site through the use of sediment-capturing devices. The plan shall also limit application, generation, and migration of toxic substances, ensure the proper storage and disposal of toxic materials, apply nutrients at rates necessary to establish and maintain vegetation without causing significant nutrient runoff to surface waters. Said plan shall also demonstrate adherence to the following measures recommended by Murray Engineering Inc., in their geotechnical studies of the project (Attachments K and L).
- a. Sequence construction to install sediment-capturing devices first, followed by runoff control measures and runoff conveyances. No construction activities shall begin until after all proposed measures are in place.
 - b. Minimize the area of bare soil exposed at one time (phased grading).
 - c. Clear only areas essential for construction.
 - d. Within five days of clearing or inactivity in construction, stabilize bare soils through either non-vegetative Best Management Practices (BMPs), such as mulching or vegetative erosion control methods such as seeding. Vegetative erosion control shall be established within two weeks of seeding/planting.
 - e. Construction entrances shall be stabilized immediately after grading and frequently maintained to prevent erosion and control dust.
 - f. Control wind-born dust through the installation of wind barriers such as hay bales and/or sprinkling.
 - g. Soil and/or other construction-related material stockpiled on-site shall be placed a minimum of 200 feet from all wetlands and drain courses. Stockpiled soils shall be covered with tarps at all times of the year.

- h. Intercept runoff above disturbed slopes and convey it to a permanent channel or storm drains by using earth dikes, perimeter dikes or swales, or diversions. Use check dams where appropriate.
 - i. Provide protection for runoff conveyance outlets by reducing flow velocity and dissipating flow energy.
 - j. Install storm drain inlet protection that traps sediment before it enters any adjacent storm sewer systems. This barrier shall consist of filter fabric, straw bales, gravel, or sand bags.
 - k. Install sediment traps/basins at outlets of diversions, channels, slope drains, or other runoff conveyances that discharge sediment-laden water. Sediment traps/basins shall be cleaned out when 50% full (by volume).
17. **Mitigation Measure 3:** Prior to the issuance of the grading permit “hard card,” the applicant shall submit a dust control plan for review and approval by the Current Planning Section. The plan, at a minimum, shall include the following measures:
- a. Water all construction and grading areas at least twice daily.
 - b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
 - c. Pave, apply water two times daily, or (non-toxic) soil on all unpaved access roads, parking areas and staging areas at the project site.
 - d. Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
 - e. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
18. **Mitigation Measure 4:** Prior to the issuance of a grading permit and any site disturbance, the contractor and the biologist shall meet in the field to survey and identify with fencing the limits of wetlands, riparian habitat, and special-status plant populations, and shall determine the extent of excavation abutting and/or within them. The survey methods shall be consistent with the California Fish and Game’s “Protocols for Surveying and Evaluating Impacts in Special-Status Native Plant Populations and Natural Communities”. A report/letter summarizing the meeting and containing an analysis of whether the project would require permits from or additional consultation with USACE, RWQCB, and/or CDFW, shall be submitted to the Planning and Building Department, and approved by the Community Development Director or his designee, prior to the commencement of such grading. If permits or additional consultation is required, they shall be obtained prior to commencement of any grading or ground disturbing activity.

19. **Mitigation Measure 5:** Prior to the commencement of any land disturbing activities, the project biologist shall provide a copy of and explain in detail Mitigation Measures 6 - 10, regarding protection of wetlands and special-status plants to the construction site manager. The biologist shall provide environmental awareness training to all construction crews on the job site. More detailed training shall be provided to the construction site manager, who shall be responsible for ensuring training is given to all construction crews, and particularly those who are working (i.e., grading, slope stabilization, drainage, foundations, and landscaping) within 25 feet of the wetland or other buffer zone area.
20. **Mitigation Measure 6:** Removal, but not trimming, of any willow trees is prohibited without a federal or state permit. Grading near willow trees is only permitted if excavation avoids work within the canopy of the willows, or if work extends within the canopy of the willows, such work does not involve root disturbance or tree removal.
21. **Mitigation Measure 7:** A federal permit is required for any excavation that requires the removal of willows within the limits of federal jurisdiction. Should removal be deemed necessary, at that time, work shall cease until all appropriate permits have been issued by the USACE and RWQCB, and by CDFW and the Planning and Building Department shall be notified. CDFW must be notified prior to commencing any activity that may substantially change or use any material from the bed, bank, or channel of any river, stream, or lake (including the removal of riparian vegetation). Prior to resumption of grading activities, copies of all regulatory permits and proof of the successful implementation of all permit conditions and mitigation measures shall be provided to the Planning and Building Department.
22. **Mitigation Measure 8:** If a Clean Water Act permit is required for impacts to waters of the U.S., consultation with the USFWS under Section 7 of Federal Endangered Species Act (FESA) is required. USFWS may require formal or informal consultation and issue a Biological Opinion, which may include an incidental take permit and an outline of mandatory minimization and/or mitigation measures. Compliance with Section 7 of the Federal Endangered Species Act (FESA) can also facilitate compliance with the California Endangered Species Act (CESA). Conditions of all permits issued by these agencies shall be implemented in full to reduce impacts to special-status species. If the project results in temporary or permanent disturbance to wetlands or riparian areas, a revegetation plan shall be prepared by a qualified biologist, and shall include, at a minimum, restoration to pre-project conditions, revegetation of disturbed areas with native plant species that complement the native vegetation of adjacent habitats, maintenance, and long-term monitoring of plant survival and habitat condition. The revegetation plan shall be subject to the approval by the County and other regulatory agencies and proper execution of the plan shall be evaluated and be confirmed by a biologist with written confirmation submitted to the County.

23. **Mitigation Measure 9**: At the conclusion of ground disturbance, a biological report shall be submitted to the Planning and Building Department which describes the erosion control and restoration measures implemented and whether any additional restoration measures were implemented, or if extended monitoring is required.
24. **Mitigation Measure 10**: No earlier than thirty (30) days prior to development of a residence on the remainder parcel, the project biologist shall complete a survey identifying any western leatherwood plants on the parcel. Any plants that are identified outside of the residential footprint shall be protected by fencing to prevent damage from construction activities, at the discretion of the project biologist. If western leatherwood plants are located within the residential footprint, then a mitigation plan shall be developed in coordination with CDFW to offset the loss of plants. The mitigation plan shall be implemented by the Project Biologist. The plan shall include, at a minimum, measures for salvage and transplanting, if feasible, or for planting new western leatherwood plants in suitable sites identified by the project biologist; recommended activities to improve habitat condition; recommendations for post-project monitoring and reporting to the County; and recommended criteria for measuring success. New plants should be planted at a ratio of 3:1 for each plant displaced.
25. **Mitigation Measure 11**: If the removal or pruning of trees at any of the project sites is proposed, a preconstruction survey should be performed no more than 2 weeks prior to the initiation of any construction activities. The preconstruction survey shall be performed by a qualified biologist who should inspect each work site to identify the following:
 - a. Presence of raptor nests. This is required regardless of season. If a suspected raptor nest is discovered, the CDFW shall be notified. Pursuant to CFGC Section 3503.5, raptor nests, whether or not they are occupied, may not be removed until approval is granted by the CDFW.
 - b. Suitable bat roosting habitat. This includes snags, stumps, and decadent trees with broken limbs, exfoliating bark, and cavities. If no suitable roost sites or evidence of bat roosting is identified, no further impact avoidance or minimization measures are necessary.
 - c. Nesting or breeding activity of migratory birds. If none is observed, work may proceed without restrictions. All active migratory bird nests identified within 76 m (250 ft.) for raptors and 15 m (50 ft.) for passerines shall be mapped.
26. **Mitigation Measure 12**: If suitable bat roosting habitat is identified, the following measures shall be implemented:
 - a. Trees with suitable bat roosting sites should be removed or pruned during the non-breeding season between September 1 and February 1 to avoid disturbance to maternal colonies or individuals.

- b. A qualified biologist should survey suitable roost sites immediately prior to initiation of work.
 - c. Removal of suitable tree roost sites should be conducted by first removing limbs smaller than 7.6 cm (3 in) in diameter and peeling away loose bark. The tree should then be left overnight to allow any bats using the tree/snag to find another roost during their nocturnal activity period.
 - d. A qualified biologist should survey the trees/snags a second time the following morning prior to felling or pruning.
 - e. Tree removal or pruning should occur during daylight hours, to avoid impacts on bats that may utilize adjacent trees for night-roosting.
27. **Mitigation Measure 13**: For any active bird nests found near the construction limits (i.e., within 76 m [250 feet.] for raptors and 15 m [50 feet.] for passerines of the limits of work) the Project Biologist shall make a determination as to whether or not construction activities are likely to disrupt reproductive behavior. If it is determined that construction would not disrupt breeding behavior, construction may proceed. If it is determined that construction may disrupt breeding, a no-construction buffer zone shall be designated by the Project Biologist; avoidance is the only mitigation available. The ultimate size of the no-construction buffer zone may be adjusted by the Project Biologist based on the species involved, topography, lines of site between the work area and the bird nest, physical barriers, and the ambient level of human activity. Site evaluations and buffer adjustments shall be made in consultation with the CDFW and/or the USFWS Division of Migratory Bird Management. If it is determined that construction activities are likely to disrupt raptor breeding, construction activities within the no-construction buffer zone may not proceed until the Project Biologist determines that the nest is no longer occupied.
28. **Mitigation Measure 14**: If maintenance of a no-construction buffer zone is not feasible, the Project Biologist shall monitor the bird nest(s) to document breeding and rearing behavior of the adult birds. If it is determined that construction activities are causing distress of the adult birds and are thus likely to cause nest abandonment, work shall cease immediately. Work may not resume in the area until the Project Biologist has determined that the young birds have fledged and the bird nest is no longer occupied.
29. **Mitigation Measure 15**: The applicant shall implement the following measures to avoid or minimize impacts to special status animals including: (1) a qualified biologist shall perform pre-construction surveys for snakes within the work areas prior to ground disturbance, and weekly during construction to ensure the exclusion fence is in good condition; (2) a USFWS-approved biologist shall be on-site during work during initial ground disturbance, including clearing of vegetation and grading; (3) a qualified biologist shall provide environmental awareness

training to the contractor; (4) the contractor shall construct exclusion fencing along the perimeter of grading no more than 30 days prior to ground disturbance; and (5) the contractor shall refuel vehicles/equipment off-site.

30. **Mitigation Measure 16**: A qualified biologist shall perform a ground survey to locate and mark all woodrat nests in the proposed grading and construction area. The survey shall be performed no less than 30 days prior to the initiation of ground disturbing activity. The contractor shall participate in the ground survey to help the qualified biologist understand the scope and extent of the construction activities.
31. **Mitigation Measure 17**: Any woodrat nest that cannot be avoided shall be manually disassembled by a qualified biologist following authorization from CDFW to give any resident woodrats the opportunity to disperse to adjoining undisturbed habitat. Nest building materials shall be immediately moved off-site and disposed of to prevent woodrats from reassembling nests on-site.
32. **Mitigation Measure 18**: To ensure woodrats do not rebuild nests within the construction area, a qualified biologist shall inspect the construction areas no less than once per week during vegetation clearing, initial site grading, and landslide repair. If new nests appear, they shall be disassembled and the building materials disposed of off-site. If there is a high degree of woodrat activity, more frequent monitoring shall be performed, as recommended by a qualified biologist.
33. **Mitigation Measure 19**: To ensure woodrats do not rebuild nests within the construction area, a qualified biologist shall inspect the construction areas no less than once per week during construction activities. If new nests appear, they shall be disassembled, and the building materials disposed of off-site. If there is a high degree of woodrat activity, more frequent monitoring shall be performed, as recommended by a qualified biologist.
34. **Mitigation Measure 20**: Whenever possible, trees shall be planted in areas of grading disturbance for hillside stabilization, to minimize the visual impact of the grading activities, and compliance with the County's RM Zoning District Regulations.
35. **Mitigation Measure 21**: A discovery of a paleontological specimen during the project shall result in a work stoppage in the vicinity of the find until it can be evaluated by a professional paleontologist. The applicant shall immediately notify the County of such a finding. Should loss or damage be detected, additional protective measures or further action (e.g., resource removal by a professional paleontologist) may be needed to mitigate the impact, as determined by a professional paleontologist.
36. **Mitigation Measure 22**: Contractors and workers shall use existing roads to the maximum extent feasible to avoid additional surface disturbance.

37. **Mitigation Measure 23**: The applicant shall keep equipment and vehicles within the limits of the previously disturbed construction area. The applicant shall delineate all areas to remain undisturbed on the Erosion Control and Staging Plan and the plan shall include measures, such as chain-link fencing or other kinds of barriers, to demarcate the “limit of disturbance.” The property owner shall demonstrate the implementation of these measures prior to issuance of the grading permit “hard card.”

38. **Mitigation Measure 24**: The property owner, applicant, and contractors must be prepared to carry out the requirements of California law with regard to the discovery of human remains during construction, whether historic or prehistoric including but not limited to the following:
 - a. That all excavation crews, including landscapers, receive cultural sensitivity training for Native American cultural resources;
 - b. That a California-trained Archaeological Monitor with field experience be present for all earth movement including landscaping; and
 - c. That a qualified and trained Native American Monitor be present for all earth-moving activities, including landscaping.

39. **Mitigation Measure 25**: In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately, and the County coroner shall be notified immediately. If the coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within 24 hours. A qualified archaeologist, in consultation with the Native American Heritage Commission, shall recommend the subsequent measures for disposition of the remains.

40. **Mitigation Measure 26**: The improvements shall be designed and constructed in accordance with current earthquake resistance standards.

41. **Mitigation Measure 27**: All future development shall meet or exceed the standards prescribed in the Murray Engineers, Inc., report dated February 2014.

42. **Mitigation Measure 28**: Prior to final approval of the grading permit, the property owner shall ensure the performance of the following activities within thirty (30) days of the completion of grading for the slope stabilization and any future residential development:
 - a. The engineer who prepared the approved grading plan shall be responsible for the inspection and certification of the grading as required by Section 8606.2 of the Grading Ordinance. The Engineer’s responsibilities shall include those relating to noncompliance detailed in Section 8606.5 of the Grading Ordinance.

- b. The engineer shall submit written certification that all grading has been completed in conformance with the approved plans, conditions of approval, mitigation measures, and the County's Grading Regulations, to the Department of Public Works and the Planning and Building Department's Geotechnical Engineer.
 - c. The geotechnical consultant shall observe and approve all applicable work during construction and sign Section II of the Geotechnical Consultant Approval form, for submittal to the Planning and Building Department's Geotechnical Engineer and Current Planning Section.
43. **Mitigation Measure 29**: For any future residential development, as part of the building permit application, the applicant shall provide documentation demonstrating that the proposed residences and associated retaining walls shall be supported on drilled pier foundations extending through the fill and colluvium and gaining support in the underlying bedrock.
 44. **Mitigation Measure 30**: Prior to the recordation of the Subdivision Map, the stitch pier walls for landslide repair on the remainder parcel shall be completed to the satisfaction of the County's Geotechnical Section, to ensure that landslide repair occurs prior to the construction of any residential structures.
 45. **Mitigation Measure 31**: The final design shall include intermediate surface drainage control measures. Construction plans at the building permit stage shall demonstrate compliance with this mitigation measure.
 46. **Mitigation Measure 32**: A surveyed, as-built subdrain plan shall prepared and added to the proposed landslide repair plan. Grading plans at the building permit stage shall demonstrate compliance with this mitigation measure.
 47. **Mitigation Measure 33**: A modified design plan shall be prepared, with approval by the Project Geotechnical Consultant, and submitted to the County for approval prior to the initiation of grading for landslide repair work.
 48. **Mitigation Measure 34**: No cut or fill exceeding 5 feet in vertical dimension shall be permitted on Parcels 1, 2, or 3 unless supported by an engineered retaining wall. Construction plans at the building permit stage for each new residence shall demonstrate compliance with this mitigation measure.
 49. **Mitigation Measure 35**: Grading and drainage plans for each lot shall be reviewed by the County Geotechnical Section, or designated consultant, prior to approval of building or grading permits on Parcels 1, 2, or 3.
 50. **Mitigation Measure 36**: No new construction shall be located between or directly upslope of the two proposed stitch pier walls between Parcels 1 and 2.
 51. **Mitigation Measure 37**: Final geotechnical design parameters to be utilized for residential construction on Parcels 1, 2, and 3 shall fully meet or exceed design

recommendations presented in the Engineering Geologic and Geotechnical Report by Murray Engineers, Inc., dated February 10, 2014. Construction plans at the building permit stage for each new residence shall demonstrate compliance with this mitigation measure.

52. **Mitigation Measure 38**: Future residences shall be supported on 12-inch diameter piers, extending at least 8 feet into competent materials.
53. **Mitigation Measure 39**: All subdrain alignments within the landslide repair area shall be accurately surveyed during construction so that future pier-support foundations do not interfere with constructed subdrain systems. Construction plans at the building permit stage for each new residence shall demonstrate compliance with this mitigation measure.
54. **Mitigation Measure 40**: Unsupported large cuts and fills shall be avoided. Grading plans at the building permit stage shall demonstrate compliance with this mitigation measure.
55. **Mitigation Measure 41**: If site conditions vary from those described in the 2014 Murray Engineers, Inc. report, the geotechnical design of the project recommendations shall be updated and submitted to San Mateo County Planning and Building Department for approval, prior to associated project construction.
56. **Mitigation Measure 42**: The applicant shall use silt fence and/or vegetated filter strips to trap sediment contained in sheet flow. The maximum drainage area to the silt fence shall be 0.5-acre or less per 100 feet of fence. Silt fences shall be inspected regularly and sediment removed when it reaches 1/3 the fence height. Vegetated filter strips shall have relatively flat slopes and be vegetated with erosion-resistant species.
57. **Mitigation Measure 43**: The applicant shall seed all disturbed areas with a native grassland mix as soon as grading activities are completed for each phase in order to minimize the potential establishment and expansion of exotic plant species into newly-graded areas, and to prevent potential future erosion.
58. **Mitigation Measure 44**: No site disturbance shall occur, including any land disturbance, grading, or vegetation or tree removal, until a building permit has been issued.
59. **Mitigation Measure 45**: An Erosion Control and/or Tree Protection Inspection is required prior to the issuance of a building permit for grading and construction, as the project requires tree protection of significant trees and a grading permit. Once all review agencies have approved the building permit, the applicant will be notified that an approved job copy of the Erosion Control and/or Tree Protection Plan is ready for pick-up at the Planning counter of the Planning and Building Department. Once the Erosion Control and/or Tree Protection measures have been installed per

the approved plans, the applicant must contact the Building Section at 650/599-7311, to schedule a pre-site inspection. A \$144 inspection fee will be assessed to the building permit for the inspection. If the initial pre-site inspection is not approved, an additional inspection fee will be assessed for each required re-inspection until the job site passes the Pre-Site Inspection, or as determined by the Building Inspection Section.

60. **Mitigation Measure 46**: Erosion and sediment control during the course of any grading work shall be according to a plan prepared and signed by the Engineer of record and approved by the Department of Public Works and the Current Planning Section. Revisions to the approved erosion and sediment control plan shall be prepared and signed by the engineer and require approval by the Planning Section.
61. **Mitigation Measure 47**: The applicant's engineer shall regularly inspect the erosion control measures and determine that they are functioning as designed and that proper maintenance is being performed. Deficiencies shall be immediately corrected to the satisfaction of County Building Inspectors.
62. **Mitigation Measure 48**: Prior to the issuance of the grading permit, the applicant shall submit, to the Department of Public Works for review and approval, a plan for any off-site hauling operations. This plan shall include, but not be limited to, the following information: size of trucks, haul route, disposal site, dust and debris control measures, and time and frequency of haul trips. As part of the review of the submitted plan, the County may place such restrictions on the hauling operation as it deems necessary to avoid any impacts to traffic.
63. **Mitigation Measure 49**: For the final approval of the grading permit, the property owner shall ensure the performance of the following activities within thirty (30) days of the completion of grading at the project site:
 - a. The engineer shall submit written certification that all grading has been completed in conformance with the approved plans, conditions of approval/mitigation measures, and the Grading Regulations, to the Department of Public Works and the Planning and Building Department's Geotechnical Engineer.
 - b. The geotechnical consultant shall observe and approve all applicable work during construction and sign Section II of the Geotechnical Consultant Approval form, for submittal to the Planning and Building Department's Geotechnical Engineer and Current Planning Section.
64. **Mitigation Measure 50**: At the completion of all earthwork work, the engineer who prepared the approved grading plan shall submit a signed "as-graded" grading plan conforming to the requirements of the Grading Regulations.

65. **Mitigation Measure 51:** Prior to the issuance of the grading permit “hard card,” the applicant shall revise the Erosion Control and Sediment Control Plan, dated December 21, 2012, to include the proposed measures and additional measures as follows, subject to the review and approval of the Community Development Director:
- a. Provide stabilized construction entrance(s) using a minimum 3”-4” fractured aggregate over geo-textile fabric and stabilize all on-site unpaved construction access routes (e.g., aggregate over path of travel). For unpaved routes, use ridges running diagonally across the road that run to a stabilized outlet
 - b. Provide a designated area for parking of construction vehicles, using aggregate over geo textile fabric.
 - c. Show re-vegetation of fill deposit areas, to be performed immediate after soils spreading. Use seeding and/or mulching and the following, as necessary:
 - i. (For slopes 3:1 or greater) Anchored erosion control blankets (rice straw or coconut).
 - ii. (For slopes less than 3:1) Anchored fiber fabric/netting or surface roughening.
 - d. Protect areas to remain undisturbed. These areas shall be delineated and protected using a fence or other kind of barrier.
 - e. Use diversion berms to divert water from unstable or denuded areas (top and base of a disturbed slope, grade breaks where slopes transition to a steeper slope).
 - f. Show location of office trailer(s), temporary power pole, and scaffold footprint.
 - g. Show location of utility trenches, indicate utility type.
 - h. Show location, installation and maintenance of a concrete/stucco mixer, washout, and pits.
 - i. Show storage location and containment (as necessary) of construction materials for during work, as well as afterhours/weekends).
 - j. Show areas for stockpiling. Cover temporary stockpiles using anchored-down plastic sheeting. For longer storage, use seeding and mulching, soil blankets or mats.
 - k. Show location of garbage and dumpster(s).

- I. If these measures conflict with measures prescribed by the geotechnical consultant, measures as recommended by the geotechnical consultant shall rule.
66. **Mitigation Measure 52:** The applicant 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 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. Stabilization shall include both proactive measures, such as the placement of hay bales or coir netting, and passive measures, such as re-vegetating disturbed areas with plants propagated from seed collected in the immediate area.
 - e. Proper storage, handling, and disposal of construction materials and wastes, 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 stormwater permits.
 - h. Avoiding cleaning 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.

- I. 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 site shall be clear and running slowly at all times.
67. **Mitigation Measure 53**: Once approved, erosion and sediment control measures of the Erosion Control and Sedimentation Plan shall be installed prior to beginning any site work and maintained throughout the term of the grading permit and building permit. Failure to maintain these measures will result in stoppage of construction until the corrections have been made and fees paid for staff enforcement time. Revisions to the approved erosion and sediment control plan shall be prepared and signed by the engineer and subject to review and approval of the Department of Public Works and the Community Development Director.
68. **Mitigation Measure 54**: No grading shall be allowed during the winter season (October 1 to April 30) to avoid potential soil erosion unless reviewed and recommended by the project geotechnical consultant and approved, in writing, by the Community Development Director. An applicant-completed and County-issued grading permit "hard card" is required prior to the start of any land disturbance/grading operations. The applicant shall submit a letter to the Current Planning Section, at least, two (2) weeks prior to commencement of grading with the project geotechnical consultants review recommendations (if any) for winter grading, stating the date when erosion controls will be installed, date when grading operations will begin, anticipated end date of grading operations, and date of re-vegetation. If the schedule of grading operations calls for grading to be completed in one grading season, then the winterizing plan shall be considered a contingent plan to be implemented if work falls behind schedule. All submitted schedules shall represent the work in detail and shall project the grading operations through to completion.
69. **Mitigation Measure 55**: Should the area of disturbance equal one area or more, the applicant shall file a Notice of Intent (NOI) with the State Water Resources Board to obtain coverage under the State General Construction Activity NPDES Permit. A copy of the project's NOI (containing the WDID No.) shall be submitted to the Current Planning Section and the Department of Public Works, prior to the issuance of the grading permit "hard card."
70. **Mitigation Measure 56**: The applicant shall implement the following basic construction measures at all times:
- a. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California

Airborne Toxic Control Measure Title13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

- b. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
 - c. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person, or his/her designee, shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
71. **Mitigation Measure 57**: All roofing, attic ventilation, exterior walls, windows, exterior doors, decking, floors and underfloor protection shall meet the latest version of the California Residential Code, R327 or California Building Code Chapter 7A requirements.
72. **Mitigation Measure 58**: At the time of application for a building permit, the applicant shall submit a permanent stormwater management plan to the Department of Public Works in compliance with Municipal Stormwater Regional Permit Provision C.3.i and the County's Drainage Policy.
73. **Mitigation Measure 59**: Projects subject to Provision C.3.i (individual single-family home projects that create and/or replace 2,500 sq. ft. or more of impervious surface, and other projects that create and/or replace at least 2,500 sq. ft. of impervious surface but are not C.3 Regulated Projects) shall implement at least one (1) of the six (6) site design measures listed below:
- a. Direct roof runoff into cisterns or rain barrels and use rainwater for irrigation or other non-potable use.
 - b. Direct roof runoff onto vegetated areas.
 - c. Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas.
 - d. Direct runoff from driveways and/or uncovered parking lots onto vegetated areas.
 - e. Construct sidewalks, walkways, and/or patios with permeable surfaces.
 - f. Construct bike lanes, driveways, and/or uncovered parking lots with permeable surfaces.
74. **Mitigation Measure 60**: The project shall minimize its impact on the downstream systems by completing capital improvement projects within the Crystal Springs Sanitation District (District) that would reduce inflow and infiltration into the

District's system in an amount equal to the projected sewage discharge amount to the District from the project. The applicant shall submit detailed plans of the preliminary-approved sewer line (203 linear feet) upgrade to the Crystal Spring Sanitation and the Planning and Building Department for review and approval prior to construction of improvements.

75. **Mitigation Measure 61**: The developer shall upgrade the sewer lines to accommodate this subdivision. The applicant shall demonstrate that the District sewer mains utilized to transport sewage from the subdivision have the peak wet weather capacity for conveying the additional flow generated from the three residences. Construction of off-set improvements shall be completed prior to recordation of the Subdivision Map.
76. **Mitigation Measure 62**: Should a pump system be utilized to deliver sewage from the three lots to the District's sewer main on Parrott Drive, the District will require that a covenant for each parcel be prepared, signed, notarized, recorded with the San Mateo County Recorder's Office, and a copy provided to the District prior to final sewer sign-off for the building permit.
77. **Mitigation Measure 63**: Each new parcel will require a 4-inch lateral with a minimum of 2% slope and a standard cleanout installed at the property line or the property within 5 feet of the property line.
78. **Mitigation Measure 64**: In the event that tribal cultural resources are inadvertently discovered during project implementation, all work shall stop until a qualified professional can evaluate the find and recommend appropriate measures to avoid and preserve the resource in place, or minimize adverse impacts to the resource, and those measures shall be approved by the Current Planning Section prior to implementation and continuing any work associated with the project.
79. **Mitigation Measure 65**: Any inadvertently discovered tribal cultural resources shall be treated with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resource, including, but not limited to, protecting the cultural character and integrity of the resource, protecting the traditional use of the resource, and protecting the confidentiality of the resource.
80. **Mitigation Measure 66**: The applicant shall meet EECAP goals by including tree replanting, using a zero-waste approach, use of 15% recycled materials, installation of energy-efficient equipment, reduced hardscape, and compliance with the Green Building Ordinance.
- 81*. Prior to the issuance of any building permits for residential construction at the newly created parcels on Parrott Drive (Proposed Lots 1-3), an application to annex the subject parcels into the boundaries of County Service Area-1 shall be submitted by the project applicants and be approved by the San Mateo Local Agency Formation Commission (LAFCo). The applicants shall submit all required

application material and applicable fees to LAFCo to process the annexation proposal. **Note: Condition 81 should have been listed as a Planning condition, and not a requirement from LAFCo. The LAFCo header has been removed and the condition remains unchanged.*

Building Inspection Section

82. Prior to the recordation of the parcel map, the applicant shall have prepared, by a Registered Civil Engineer, a preliminary drainage analysis of the proposed subdivision and submit it to the Drainage Section for review and approval. The drainage analysis shall consist of a written narrative and a plan. The flow of the stormwater onto, over, and off of the property being subdivided 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 predeveloped state. Recommended measures shall be designed and included in the street improvement plans and submitted to the Drainage Section for review and approval. Applicant shall have geotechnical engineer review and approve proposed drainage system to determine if additional measures are required to ensure the stability of land and or minimize the potential for debris, mud, and/or land flows. The results of the review shall be documented in the geotechnical report and submitted for review by the Drainage Section and the Planning Department.
83. The requirements of the Municipal Regional Stormwater NPDES Permit Provision C.3. shall apply to parcels created by this subdivision. Please refer to the San Mateo Countywide Water Pollution Prevention Program's (SMCWPPP) C.3 Stormwater Technical Guidance Manual for assistance in implementing LID measures at the site. Prior to the final approval of the building permit for any residence at the site, an Operation and Maintenance Agreement (O&M Agreement) with the County (executed by the Community Development Director) is required to ensure long-term maintenance and servicing by the property owner of stormwater site design and treatment control and/or HM measures according the approved Maintenance Plan(s), for the life of the project. The O&M Agreement shall provide County access to the property for inspection. The Maintenance Agreement(s) shall be recorded for the property and/or made part of the CC&Rs.

Department of Public Works

84. 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.

85. Prior to the issuance of the building permit, the applicant will be required to provide payment of "roadway mitigation fees" based on the square footage (assessable space) of the proposed building per Ordinance No.3277.
86. The applicant shall submit written certification from the appropriate utilities to the Department of Public Works and the Planning and Building Department stating that they will provide utility (e.g., sewer, water, energy, communication, etc.) services to the proposed parcels of this subdivision.
87. The applicant shall submit a Parcel Map to the Department of Public Works for review, to satisfy the State of California Subdivision Map Act. The final map will be recorded only after all conditions of approval have been met.
88. Future development of any and all parcels resulting from the approved subdivision must comply with these requirements. The applicant shall note the requirement in the deeds for each parcel, copies of which shall be provided to the Planning Department and shall disclose the requirement to any potential buyer(s). Each parcel shall be tagged by the Planning Department with this requirement, and no permits shall be issued for any development of the parcel(s) until this requirement is met. For future structures to be built on the individual parcels, prior to the issuance of a building permit for any structure on the project site, all plans shall be reviewed by the Planning Department for conformance with this condition.
89. The applicant shall submit to the Department of Public Works, for review, documentation of stormwater easements for the applicant's use and/or the use of others.
90. Contractor shall be responsible for the repair of any damages to the road as a result of the hauling activity to the satisfaction of the County Road Inspector.

Environmental Health Services

91. The three (3) proposed 0.70± acre lots must obtain necessary approval for connection to sanitary sewer (Crystal Springs Sanitary District/County of San Mateo) and water service (Cal Water).
92. Any future development of the existing developed 9.27-acre parcel shall obtain approval from Environmental Health.

Cal-Fire

93. All new public water systems, extensions from a public water system or replacement of any main or line of an existing public water system shall have a minimum diameter of six inches (6-inch). If the pipes are not linked in grid, or if individual legs are over 600 feet in length, then the minimum diameter shall be eight inches (8-inch).

Wildfire Safety

94. Building permit applications for residential development on Lots 1, 2, and 3 shall include an irrigation plan to regularly irrigate fuel (vegetated) areas downslope from the future homes (at least 100 feet below the closest part of the structure). The applicant shall demonstrate consultation with their landscape designer and geotechnical engineer on the irrigation plan, which plan shall be reviewed by Cal Fire and the County's Geotechnical Section, and reviewed for Water Efficiency Landscape Ordinance (WELo) compliance. Installation of the approved irrigation system shall be verified prior to the issuance of a Certificate of Occupancy for each residence.
95. The Applicant shall record a Deed Restriction establishing a Non-Combustible Materials Zone including the area measuring five (5) feet around the full footprint of any structure(s) on the parcel. This zone shall be maintained free of combustible materials for the life of the project. The deed restriction (in a form approved by the County) shall be recorded at the time each lot is sold. The zone shall be shown on building plans and shall be verified prior to the issuance of Certificate of Occupancy for each residence.
96. As required by the California Government Code Title 5, Division 1, Chapter 6.8, Section 51182, individual property owners for Lots 1-3 shall be responsible for maintaining a fuel break by removing all hazardous flammable materials or growth from the ground around each home for a distance of up to 100 feet from its exterior circumference, for the life of the project. Open space easements between structures on Lots 1, 2, and the remainder parcel and between Lots 2 and 3 shall be established to extend defensible space maintenance beyond property lines. Property owners of lots listed above shall arrange with the appropriate property owner of the remainder parcel when required to obtain access to the open space easement for the purpose of vegetation clearance. This would not constitute an authorization of tree removal for trees protected by the RM zoning regulations or "major removal" of vegetation requiring an RM Permit; projects of that scope may be proposed and would be subject to permitting requirements. This requirement shall be recorded (in a form approved by the County) as a deed restriction on Lots 1 through 3 at the time each lot is sold.

The Board of Supervisors heard this item at its July 12, 2022 meeting. Planning staff gave a presentation of the project, provided a summary of the Planning Commission's decision to deny the project, and presented an analysis supporting the recommendation to uphold the appeal and conditionally approve the project. The applicant's attorney, Matthew D. Francois, explained merits of the appeal and legal concerns and the geotechnical consultant, John Stillman, provided technical testimony. This was followed by statements from the homeowners association and members of the public who expressed concerns about potential landslides and fire. After receiving public testimony, the Supervisors decided to continue the hearing on the project due to the volume of correspondence received, and the need for additional consultation with County Counsel regarding the applicability of the State Housing Accountability Act to the project.

No new information related to the project analysis has been received, and staff continues to recommend that the Board uphold the appeal of the Planning Commission's decision to deny the subdivision and approve the project, based on the analysis, mitigation measures, and conditions of approval as provided at the July 12, 2022 Board of Supervisor's meeting.

Planning Commission Denial of the Project and Subsequent Appeal by the Applicant

The project to create three new parcels was presented to the Planning Commission on July 28, 2021. The subdivision proposal was reviewed by staff, consultants, and referral agencies for environmental impacts and consistency with County policies. The project's aesthetics, biological resources, geology and soils, and hazards and hazardous materials, hydrology and water, and public services were areas of focused environmental evaluation, and were most relevant with respect to consistency with the General Plan, Resource Management Zoning Regulations, and Development Review Criteria. The project is also subject to the Grading Ordinance and Subdivision Regulations.

At the hearing, County Planning staff presented the project and discussed the following significant aspects of the project: 1) the mapped resources and geological hazards; 2) environmental impacts identified from surveys and reports conducted by consultants; 3) how mitigation measures would reduce impacts to less than significant levels; and 4) the project's adherence to applicable County policies.

The applicant spoke at the hearing and stated that the project had been designed to be sensitive to the constraints of the parcel, previous County direction, and County development policies. John Stillman of Murray Engineers, one of the applicant's geotechnical consultants, spoke about the historical landslide activity, a proposed stitch pier wall to stabilize the hillside, and how the project design avoided placing development footprints in areas with previous landslide activity.

After the staff presentation, members of the Highlands community stated their opposition to the project. Many of their concerns related to landslides and fire hazards.

While the subdivision of the land itself does not increase landslide or fire incidence or severity, speakers stated that the subsequent site preparation and residential development would potentially pose a public safety hazard and therefore did not meet several County policies.

Following presentations and public comment, the Planning Commission raised concerns about the landslide activity that has occurred on the parcel, expressed concerns about residential development in a high fire hazard zone, and about the safety and welfare of the community. The Commission's unanimous decision to deny the project was based on the potential public safety concerns raised by the community and that the project did not comply with County policies found in the General Plan and Resource Management Zoning District, as a result of hazards on the property. The Commission, therefore, directed staff to prepare findings for denial for consideration by the Commission, which findings were adopted August 25, 2021 (Attachment B).

Appeal of Planning Commission Denial

The applicant appealed the Planning Commission decision on September 7, 2021. The appeal application (Attachment C) refers to specific portions of the staff report which supported approval of the project—specifically, the parcels' conformity with slope instability area criteria of the RM zoning, and the inclusion of mitigation measures to minimize impacts from the subdivision. The appeal also states that Cal-Fire review did not indicate that fire hazards in high fire severity zones could not be mitigated.

On January 27, 2022, the applicant submitted a supplemental appeal packet challenging the grounds for the Planning Commission's denial. The package included legal concerns from attorney, a statement from the geotechnical consultant, and analysis from David Shew, Wildfire Consultant (Attachment D).

On February 4, 2022, in response to the appeal documents, County staff met with Cal Fire staff, who were asked to review a fire hazards analysis from Urban Forestry and Associates and the letter from David Shew, Wildfire Consultant. Cal Fire stated that, in this instance, they performed a standard review for future development in state responsibility areas or very high fire hazard severity zones in the County, specifying that they perform a more specific review when development is proposed. Cal Fire also noted that current fire protection measures on the site require a 100-foot vegetation buffer around the existing residence on Crystal Springs Road only — the rest of the site is woodland vegetation. Further, according to Cal Fire, new development along Parrott Drive would not increase the incidence of wildfire but would actually create new and larger areas of vegetation clearance and reduced wildfire risk along Parrott Drive.

DISCUSSION:

To address the Planning Commission's concerns about fire hazard, staff recommends three new conditions that supplement the conditions of approval previously presented to the Planning Commission, all three of which are acceptable to the applicant. The

conditions would be applied to the subdivision and carried forward for the future development on the new lots, as the new residences will require Resource Management Permits that will be subject to further conditions of approval.

The three new proposed conditions of approval, with the rationale for each, are as follows:

- 1. *Proposed Condition:*** Building permit applications for residential development on Lots 1, 2, and 3 shall include an irrigation plan to regularly irrigate fuel (vegetated) areas downslope from the future homes (at least 100 feet below the closest part of the structure). The applicant shall demonstrate consultation with their landscape designer and geotechnical engineer on the irrigation plan, which plan shall be reviewed by Cal Fire and the County's Geotechnical Section, and reviewed for Water Efficiency Landscape Ordinance (WELo) compliance. Installation of the approved irrigation system shall be verified prior to the issuance of a Certificate of Occupancy for each residence.

Rationale: Fires are known to burn more quickly uphill, and one of the factors that impacts fire behavior and intensity is fuel moisture, which is the amount of water contained in surrounding plants. The higher the fuel moisture, the more effort flames must work to dry those fuels out, which reduces the speed and intensity by which fire spreads.

- 2. *Proposed Condition:*** The Applicant shall record a Deed Restriction establishing a Non-Combustible Materials Zone including the area measuring five (5) feet around the full footprint of any structure(s) on the parcel. This zone shall be maintained free of combustible materials for the life of the project. The deed restriction (in a form approved by the County) shall be recorded at the time each lot is sold. The zone shall be shown on building plans and shall be verified prior to the issuance of Certificate of Occupancy for each residence.

Rationale: A non-combustible zone has been identified as a major contributor in reducing ignitions of structures during wildfire events. Incorporating recommended distances and separation of trees, shrubs, and other flammable vegetation minimizes fire spread toward a structure into landscaping and the ability for a fire to spread to other structures is reduced.

- 3. *Proposed Condition:*** As required by the California Government Code Title 5, Division 1, Chapter 6.8, Section 51182, individual property owners for Lots 1-3 shall be responsible for maintaining a fuel break by removing all hazardous flammable materials or growth from the ground around each home for a distance of up to 100 feet from its exterior circumference, for the life of the project. Open space easements between structures on Lots 1, 2, and the remainder parcel and between Lots 2 and 3 shall be established to extend defensible space maintenance beyond property lines. Property owners of lots listed above shall arrange with the appropriate property owner of the remainder parcel when

required to obtain access to the open space easement for the purpose of vegetation clearance. This would not constitute an authorization of tree removal for trees protected by the RM zoning regulations or “major removal” of vegetation requiring an RM Permit; projects of that scope may be proposed and would be subject to permitting requirements. This requirement shall be recorded (in a form approved by the County) as a deed restriction on Lots 1 through 3 at the time each lot is sold.

Rationale: The creation of the open space easements can extend the defensible space beyond a property line, offering a protection level greater than what is currently required by law.

The proposed conditions are included in Attachment A as Conditions 94 through 96.

The project has been evaluated by several geotechnical consultants and peer reviewed by the County. Guided by geotechnical studies, the applicant redesigned the project in a manner that places the area with the greatest landslide activity on the remainder parcel, where no development will occur in the future, and will install stitch pier walls to stabilize the hillside and potentially further stabilize Parrott Drive. In Attachment A, Conditions 40-57 (Mitigation Measures 26-43) address construction near areas with mapped landslide activity. To date, no geotechnical evaluation has been presented to the County which contradicts the submitted geotechnical evaluations that demonstrate hillside stability as it pertains to creation of new parcels for future development. Therefore, no new conditions related to geotechnical aspects of the project are needed.

FISCAL IMPACT:

The minor subdivision increases the number of potential home sites, which would increase the tax base and provide additional housing within the County of San Mateo.

ATTACHMENTS:

- A. Recommended Conditions and Findings
- B. Planning Commission Letter of Decision, dated September 3, 2021, and Staff Report, dated August 25, 2021.
- C. Appeal application dated September 7, 2021.
- D. Appeal package from Matthew D. Francois, dated January 5, 2022.
- E. Letter from David Shew, Wildfire Defense Works, dated June 2, 2022.
- F. Staff report and supporting documents Planning Commission hearing, July 28, 2021.
- G. Correspondence from July 12, 2022 Board of Supervisors hearing



COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT B

September 3, 2021

Nicholas Zmay
751 Laurel Street, Ste 409
San Carlos, CA 94070

Dear Mr. Zmay:

Subject: **FINAL LETTER OF DECISION**
File Number: PLN2014-00410
Location: 1551 Crystal Springs, San Mateo
APNs: 038-131-110

On August 25, 2021 the San Mateo County Planning Commission considered a Minor Subdivision, a Resource Management Permit, and a Grading Permit, and adoption of the Revised Recirculated Initial Study/Mitigated Negative Declaration, pursuant to the California Environmental Quality Act, to subdivide a 60.3-acre parcel into 3 parcels, each approximately 0.7-acre in size, for future residential development, creating a 58.153±-acre remainder parcel (with approximately 48.88 acres of land to be protected by a conservation easement, and 9.27 acres of developable area including an existing single-family dwelling). The project involves an upgrade of a 203 linear feet portion of the Billy Goat Hill sewer line that is required to off-set system capacity for the project increase in service, grading including 455 cubic yards (cy) of earthwork (290 cy of cut and 165 cy of fill) for landslide repair and 30 cy of cut and 30 cy of fill for the sewer line upgrade, and no removal of protected trees.

Based on information provided by staff and evidence presented at the hearing, the Planning Commission adopted findings of denial for the Minor Subdivision, Resource Management Permit, and Grading Permit, County File Number PLN 2014-00410, as listed in Attachment A.

Please direct any questions regarding this matter to Erica Adams, Project Planner, at (650) 363-1828 or Email: eadams@smcgov.org .

To provide feedback, please visit the Department's Customer Survey at the following link: <http://planning.smcgov.org/survey>.



Sincerely,

A handwritten signature in blue ink, appearing to read "Janneth Lujan".

Janneth Lujan
Planning Commission Secretary

cc: Department of Public Works
Building Inspection Section
San Mateo County Fire Department
Lennie Roberts, Committee for Green Foothills
Raphael Holtzman
Shlomit Mimon
Gary Trott
Tania Leung
Fran Pollard
Kim Ricket
Nike Zoglio
Thomas DeMeo
Ric Barker

Attachment A

County of San Mateo
Planning and Building Department

FINDINGS OF DENIAL

Permit or Project File Number: PLN 2014-00410

Hearing Date: August 25, 2021

Prepared By: Erica Adams, Project Planner

Adopted By: Planning Commission

FINDINGS

Regarding the Resource Management Permit, the Planning Commission Found:

1. That the design of the proposed subdivision is inconsistent with Section 6324.6 of the Resource Management District Zoning Regulations because the proposed lots:
 - a. Would not provide reasonable and appropriate setbacks from hazardous areas within hazardous areas defined within the Conservation, Open Space, Safety, and Seismic Safety Elements of the San Mateo County General Plan, in violation of Section 6324.6(a) of the Zoning Regulations;
 - b. Would, notwithstanding the permitted development density under the Zoning Regulations, use areas for placement of structures which are severely hazardous to life and property due to soils, geological, or fire factors, in violation of Section 6324.6(c) of the Zoning Regulations;
 - c. Would, in violation of Section 6324.6(f) of the Zoning Regulations, develop land area of the parent parcel unsuitable for its proposed use for reason of its exposure to fire and susceptibility to mudslides or earthslides and severe erosion potential, having considered (1) the danger to life and property due to the designated hazards caused by excavation, fill, roads, and intended uses, (2) the danger that structures or other improvements may slide or be swept onto other lands or downstream to the injury of others, (3) the susceptibility of the proposed facility and its contents to potential damage, and the effect of such damage to the property; (4) the importance of the services provided by the proposed facility to the community; and (6) the availability of a sufficient amount of water, as defined by the fire protection agency, for fire suppression purposes.

Regarding the Minor Subdivision, Found:

2. That the site is not physically suitable for the proposed type of development due to landslide activity on the parcel, in violation of Subdivision Regulations section 7013(3)(b)(3);
3. That the site is not physically suitable for the proposed density of development due to landslide activity on the parcel, in violation of Subdivision Regulations section 7013(3)(b)(4);
4. That the subdivision is on land located in a state responsibility area or a very high fire hazard severity zone as both are defined in Section 51177 of the California Government Code, and that the design and location of each lot in the subdivision, and the subdivision as a whole, are not consistent with applicable regulations adopted by the State Board of Forestry and Fire Protection pursuant to Sections 4290 and 4291 of the Public Resources Code; due to the fact that proposed minor subdivision would be

inconsistent with the protection responsibilities found in section 4291(a)(1)(A) by (a) allowing lot configurations and a pattern of private ownership of land that renders it impossible to hold future owners accountable for maintaining fuel loads such that a wildfire burning under average weather conditions would be unlikely to ignite a structure; and (2) allowing the installation of buildings or structures incapable of meeting regulations of defensible space, thereby making the area less safe from possible wildfires.

PUBLIC RESOURCES CODE - PRC

DIVISION 4. FORESTS, FORESTRY AND RANGE AND FORAGE LANDS [4001 - 4958]

(Division 4 repealed and added by Stats. 1965, Ch. 1144.)

PART 2. PROTECTION OF FOREST, RANGE AND FORAGE LANDS [4101 - 4789.7]

(Part 2 added by Stats. 1965, Ch. 1144.)

CHAPTER 3. Mountainous, Forest-, Brush- and Grass-Covered Lands [4291 - 4299]

(Chapter 3 added by Stats. 1965, Ch. 1144.)

Section 4291 (a) A person who owns, leases, controls, operates, or maintains a building or structure in, upon, or adjoining a mountainous area, forest-covered lands, brush-covered lands, grass-covered lands, or land that is covered with flammable material, shall at all times do all of the following:

(1) (A) Maintain defensible space of 100 feet from each side and from the front and rear of the structure, but not beyond the property line, except as provided in subparagraph (B). The amount of fuel modification necessary shall consider the flammability of the structure as affected by building material, building standards, location, and type of vegetation. Fuels shall be maintained in a condition so that a wildfire burning under average weather conditions would be unlikely to ignite the structure. This subparagraph does not apply to single specimens of trees or other vegetation that are well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to a structure or from a structure to other nearby vegetation. The intensity of fuels management may vary within the 100-foot perimeter of the structure, with more intense fuel reductions being utilized between 5 and 30 feet around the structure, and an ember-resistant zone being required within 5 feet of the structure, based on regulations promulgated by the board, in consultation with the department, to consider the elimination of materials in the ember-resistant zone that would likely be ignited by embers. The promulgation of these regulations by the board is contingent upon an appropriation by the Legislature in the annual Budget Act or another statute for this purpose. Consistent with fuels management objectives, steps should be taken to minimize erosion. For the purposes of this subparagraph, "fuel" means any combustible material, including petroleum-based products and wildland fuels.

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

DATE: August 25, 2021

TO: Planning Commission

FROM: Planning Staff

SUBJECT: Consideration of findings for denial of a Minor Subdivision, a Resource Management Permit, and a Grading Permit, and adoption of the Revised Re-Circulated Initial Study/Mitigated Negative Declaration, to subdivide a 60.3-acre parcel into 3 parcels, each approximately 0.7-acre in size, for future residential development, creating a 58.153±-acre remainder parcel (with approximately 48.88 acres of land to be protected by a conservation easement, and 9.27 acres of developable area including an existing single-family dwelling). The project involves an upgrade of a 203 linear feet portion of the Billy Goat Hill sewer line that is required to off-set system capacity for the increase in service, grading including 455 cubic yards (c.y.) of earthwork (290 c.y. of cut and 165 c..y of fill) for landslide repair and 30 c.y. of cut and 30 c.y. of fill for the sewer line upgrade, and no removal of protected trees. The project site is located at 1551 Crystal Springs Road, Unincorporated San Mateo County.

County File Number: PLN 2014-00410 (Zmay)

PROPOSAL

The applicant proposes to subdivide a 60.3-acre parcel to create three new parcels with road frontage on Parrott Drive (0.669-acre, 0.707-acre, 0.734-acre in size; Parcels 1-3) and a 58.153-acre remainder parcel (48.88 acres of land to be protected by a conservation easement, and 9.273 acres of developable area which includes an existing single-family dwelling). The project site is located in the San Mateo Highlands, adjacent to the Town of Hillsborough and is bounded to the west by Crystal Springs Road, to the southwest by Polhemus Road, and to the northeast by Parrott Drive. No residential development is proposed with the subdivision at this time.

The density of the proposed subdivision would be at the maximum density allowed for the subject property by the Resource Management Zoning District (RM). The proposed establishment of a conservation easement would entitle the proposal to a 20 percent density bonus.

PLANNING COMMISSION ACTION

In order to deny the subject applications, a majority of the Planning Commission must vote to adopt findings of denial for the Minor Subdivision, Resource Management Permit, and Grading Permit, County File Number PLN 2014-00410, as listed in Attachment A of this document.

SUMMARY OF DISCUSSION ON JULY 28, 2021

The subdivision proposal was reviewed at the July 28, 2021 Planning Commission hearing for environmental impacts and consistency with County policies. Areas of focused environmental evaluations were the project's aesthetics, biological resources, geology and soils, and hazards and hazardous materials, hydrology and water, and public services. These were also the most relevant with respect to consistency with the General Plan, Resource Management Zoning Regulations, and Development Review Criteria. The project is also subject to the Grading Ordinance and Subdivision Regulations.

At the hearing, County planning staff presented the project and discussed sections of the staff report to describe the scope of the project, and the following significant aspects of the project; 1) the mapped resources and geological hazards, 2) environmental impacts identified from surveys and reports conducted by consultants, 3) how mitigation measure would reduce impacts to less than significant levels, and 4) the project's adherence to applicable County policies.

The applicant spoke at the hearing and stated that the project had been designed to be sensitive to the constraints of the parcel, previous County direction, and County development policies. John Stillman of Murray Engineers, one of the applicant's consultants, spoke about the historical landslide activity, the proposed stitch pier wall, and how the project design avoided placing development footprints in areas with previous landslide activity.

After the staff presentation, members of the Highlands community spoke against the project. Much of the opposition to the project was based on concerns related to landslides and fire hazards. Speakers stated that the residential development that will follow the subdivision was a public safety hazard and therefore did not meet several County policies.

Following presentations and public comment, the Planning Commission discussed the project and raised concerns about the landslide activity which has occurred on the parcel and expressed concerns about residential development in a high fire hazard. Concerns were expressed about the safety and welfare of the community. The Commission's consensus was that due to the public safety concerns, the project did not comply with County policies found in the General Plan and Resource Management Zoning District due to hazards on the property. The Commission did not find that the

fire hazard could be mitigated and therefore directed that findings of denial be prepared for consideration by the Commission.

The Subdivision Regulations require that a subdivision be suitable for the land. Subdivision Regulations at § 7013(3)(b)(3-4). Accordingly, the findings for denial of the subdivision application o are as follows:

1. That the site is not physically suitable for the proposed type of development due to landslide activity on the parcel, in violation of Subdivision Regulations section 7013(3)(b)(3);
2. That the site is not physically suitable for the proposed density of development due to landslide activity on the parcel, in violation of Subdivision Regulations section 7013(3)(b)(4);
3. That the subdivision is on land located in a state responsibility area or a very high fire hazard severity zone as both are defined in Section 51177 of the California Government Code, and that the design and location of each lot in the subdivision, and the subdivision as a whole, are not consistent with applicable regulations adopted by the State Board of Forestry and Fire Protection pursuant to Sections 4290 and 4291 of the Public Resources Code; due to the fact that proposed minor subdivision would be inconsistent with the protection responsibilities found in section 4291(a)(1)(A) by (a) allowing lot configurations and a pattern of private ownership of land that renders it impossible to hold future owners accountable for maintaining fuel loads such that a wildfire burning under average weather conditions would be unlikely to ignite a structure; and (2) allowing the installation of buildings or structures incapable of meeting regulations of defensible space, thereby making the area less safe from possible wildfires.

The Planning Commission may deny the minor subdivision on the basis of such findings as reflected in Attachment A

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County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS OF DENIAL

Permit or Project File Number: PLN 2014-00410 Hearing Date: August 25, 2021

Prepared By: Erica Adams, Project Planner For Adoption By: Planning Commission

RECOMMENDED FINDINGS

Regarding the Minor Subdivision, Find:

1. That the site is not physically suitable for the proposed type of development due to landslide activity on the parcel, in violation of Subdivision Regulations section 7013(3)(b)(3);
2. That the site is not physically suitable for the proposed density of development due to landslide activity on the parcel, in violation of Subdivision Regulations section 7013(3)(b)(4);
3. That the subdivision is on land located in a state responsibility area or a very high fire hazard severity zone as both are defined in Section 51177 of the California Government Code, and that the design and location of each lot in the subdivision, and the subdivision as a whole, are not consistent with applicable regulations adopted by the State Board of Forestry and Fire Protection pursuant to Sections 4290 and 4291 of the Public Resources Code; due to the fact that proposed minor subdivision would be inconsistent with the protection responsibilities found in section 4291(a)(1)(A) by (a) allowing lot configurations and a pattern of private ownership of land that renders it impossible to hold future owners accountable for maintaining fuel loads such that a wildfire burning under average weather conditions would be unlikely to ignite a structure; and (2) allowing the installation of buildings or structures incapable of meeting regulations of defensible space, thereby making the area less safe from possible wildfires.

PUBLIC RESOURCES CODE - PRC
DIVISION 4. FORESTS, FORESTRY AND RANGE AND FORAGE LANDS
[4001 - 4958]

(Division 4 repealed and added by Stats. 1965, Ch. 1144.)

PART 2. PROTECTION OF FOREST, RANGE AND FORAGE LANDS [4101 - 4789.7]

(Part 2 added by Stats. 1965, Ch. 1144.)

CHAPTER 3. Mountainous, Forest-, Brush- and Grass-Covered Lands [4291 - 4299]

(Chapter 3 added by Stats. 1965, Ch. 1144.)

Section 4291 (a) A person who owns, leases, controls, operates, or maintains a building or structure in, upon, or adjoining a mountainous area, forest-covered lands, brush-covered lands, grass-covered lands, or land that is covered with flammable material, shall at all times do all of the following:

(1) (A) Maintain defensible space of 100 feet from each side and from the front and rear of the structure, but not beyond the property line, except as provided in subparagraph (B). The amount of fuel modification necessary shall consider the flammability of the structure as affected by building material, building standards, location, and type of vegetation. Fuels shall be maintained in a condition so that a wildfire burning under average weather conditions would be unlikely to ignite the structure. This subparagraph does not apply to single specimens of trees or other vegetation that are well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to a structure or from a structure to other nearby vegetation. The intensity of fuels management may vary within the 100-foot perimeter of the structure, with more intense fuel reductions being utilized between 5 and 30 feet around the structure, and an ember-resistant zone being required within 5 feet of the structure, based on regulations promulgated by the board, in consultation with the department, to consider the elimination of materials in the ember-resistant zone that would likely be ignited by embers. The promulgation of these regulations by the board is contingent upon an appropriation by the Legislature in the annual Budget Act or another statute for this purpose. Consistent with fuels management objectives, steps should be taken to minimize erosion. For the purposes of this subparagraph, "fuel" means any combustible material, including petroleum-based products and wildland fuels.

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COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT C

Application for Appeal

Planning and Building Department

County Government Center ▪ 455 County Center, 2nd Floor
Redwood City ▪ CA ▪ 94063 ▪ Mail Drop PLN 122
Phone: 650 ▪ 363 ▪ 4161 Fax: 650 ▪ 363 ▪ 4849

- To the Planning Commission
- To the Board of Supervisors

1. Appellant Information

Name: Nick Zmay
Steve Zmay
 Phone, W: 6504300075 H: 6502008144

Address: 751 Laurel Street #409
San Carlos
 Zip: 94070

2. Appeal Information

Permit Numbers involved:
PLN2014-00410

I have read and understood the attached information regarding appeal process and alternatives.

- yes no

I hereby appeal the decision of the:

- Staff or Planning Director
- Zoning Hearing Officer
- Design Review Committee
- Planning Commission

Appellant's Signature:

made on 08/25 2021, to approve/deny the above-listed permit applications.

Date:

3. Basis for Appeal

Planning staff will prepare a report based on your appeal. In order to facilitate this, your precise objections are needed. For example: Do you wish the decision reversed? If so, why? Do you object to certain conditions of approval? If so, then which conditions and why?

We ask that the Planning Commission's 08/25/2021 decision on the Parrott Drive Subdivision be reversed and approved in accordance with the San Mateo County Planning Departments Staff Report. Planning Staff recommended the project for approval. Please see Attachement A for our reasonings. Disregard a prior appeal filed for the same project on 08/11/2021 as it was unclear when the appeal window began from the original PC meeting on 07/28/2021.

**Appeal of Planning Commission Decision
(Attachment A)**

The following comments are in response to the San Mateo County Planning Commission's Final Letter of Decision (PLN2014-00410) dated September 3, 2021. Each comment below corresponds to each of the Planning Commission's numeric Findings.

1. The design of the proposed subdivision is consistent with Section 6324.6 of the Resource Management District Zoning Regulations because the proposed lots conform with:
 - a. 6326.4.b & c SLOPE INSTABILITY AREA CRITERIA of the Resource Managements District Zoning Regulations. The Planning Departments Staff Report supporting documents prove the proposed site is suitable for development.
 - b. The San Mateo County Planning Staff Report's Mitigation Measures 26, 27, 28, 29, 30, 31, 32, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, and 57.
 - c. See above the above Measures that address this Finding. Fire flow tests were provided and determined by the Fire Marshall to be sufficient.
2. The proposed site has been determined suitable for development in the San Mateo County Planning Staff Report.
 - a. 6326.4.b & c SLOPE INSTABILITY AREA CRITERIA of the Resource Managements District Zoning Regulations. The Planning Departments Staff Report supporting documents prove the proposed site is suitable for development.
 - b. The San Mateo County Planning Staff Report's Mitigation Measures 26, 27, 28, 29, 30, 31, 32, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, and 57.
3. The proposed development density was determined by a density analysis that was performed in accordance with Section 6317 MAXIMUM DENSITY OF DEVELOPMENT of the Resource Managements District Zoning Regulations. This is also addressed in the staff report.
4. The proposed development was reviewed by the Fire Marshall and addresses any impacts in the Staff Reports Discussion item 8.h.
 - a. Mitigation Measure 57 addresses building in high severity fire zones per the California Building Code.
 - b. Discussion Item 14.a. in the Staff Report requires the project to join the CSA-1 assessment district for enhanced police and fire service.
 - c. Discussion Item 16.e. in the Staff Report found the proposed development to have adequate emergency access by the Fire Marshall.
 - d. It is possible to hold future property owners accountable with maintaining fuel loads by creating a fire maintenance easement where future defensible space may encroach onto the existing parcel at 1551 Crystal Springs Road. A condition of approval can be added to address this point.



COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT D

January 5, 2022

VIA E-MAIL

Honorable Don Horsley, President
and Members of the Board of Supervisors
County of San Mateo
455 County Center, 2nd Floor
Redwood City, CA 94063-1663

Re: Zmay 3-Lot Minor Subdivision, Grading Permit and Resource Management (RM) Permit (County File No. PLN 2014-00410)

Dear President Horsley and Members of the Board of Supervisors:

We write on behalf of our client, Z Enterprises LP (“Zmay”), the applicant for the above-referenced three-lot subdivision (the “Project”). The Project retains 80 percent of the Project site in permanent open space, stabilizes a hillside below Parrott Drive (thereby protecting homes and roadway infrastructure), and repairs a long failing sewer line. Based on a comprehensive environmental analysis supported by expert studies showing no unmitigated adverse environmental impacts, the County’s Planning Staff, in a thorough and well-reasoned report, recommended approval of the Project. The Planning Commission nonetheless voted to deny the Project. Zmay timely appealed the Planning Commission’s denial to the Board of Supervisors (the “Board”). We write in support of the “Appeal,” detailing the factual and legal impediments associated with the Planning Commission’s action.

I. Background and Overview

The approximately 60.3-acre Project site is located adjacent to the Town of Hillsborough and is bounded to the west by Crystal Springs Road, to the southwest by Polhemus Road, and to the northeast by Parrott Drive (the “Property”). The Property is located within the San Mateo Highlands, an established residential community. Single family neighborhoods, comprising approximately 900 homes, are located to the north and east of the Property. The majority of the Property is undeveloped. There is an existing single-family residence on a portion of the site which takes access from Crystal Springs Road.

The Property is located in an Urban Area per the General Plan. (General Plan, Overview Background & Issues, p. 8.1M.) Urban areas are lands which are suitable for urban land uses, including residential. (General Plan Policies [“GPP”], Policies 7.8, 7.17.) Specifically, the Property is located in Highlands/Baywood Park, which is a designated Urban Neighborhood. (GPP, Policy 8.10.) Urban Neighborhoods are ones “which are primarily devoted to residential land uses . . .” (GPP, Policy 8.6; *see also* GPP, Policy 8.3.a [“Plan Urban Neighborhoods to be primarily, though

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not exclusively, single-family residential areas which appear and function as residential neighborhoods of contiguous cities.”.) Per Policy 8.30 of the GPP, the County is to “[e]ncourage the infilling of urban areas where infrastructure and services are available.”

The Property is also designated General Open Space by the General Plan. (General Plan, Overview Background & Issues, p. 8.3M.) In addition to resource management and production uses, residential uses are also allowed under this designation. (GPP, Table 7.1P.)

The Property is zoned Resource Management (“RM”). Single-family residential development is allowed in the RM zoning district with a RM Permit. (Zoning Regulations §§ 6313, 6315(i), 6322.) The approved density for the Property allows for four single-family residences. (Revised Recirculated Mitigated Negative Declaration [“RMND”], p. 47.)

The Project proposes to subdivide the Property to create three new parcels for residential development. The three new parcels will each be approximately 0.7 acres in size, comprising 2.1 acres of the 60-acre site. Approximately 49 acres of the 58-acre remainder parcel (some 80 percent of the Property) will be permanently protected from development through a recorded conservation easement.¹ (Zoning Regulations § 6317A.) The Project lots are situated near Parrott Drive and will be clustered to avoid the natural resources on the Property. The lots will be located on a portion of the Property surrounded by urban uses and where utilities are readily available.

The Project also includes repair of an existing landslide area and a portion of a failing sewer line, both of which are located on the remainder parcel (i.e., not within the boundaries of the proposed new parcels). The landslide repair work includes the installation of two stitch pier retaining walls, which will occur prior to recordation of the final parcel map and any residential development. (RMND, pp. 30-32; Mitigation Measure 30.) New construction will not be allowed between or directly upslope of the retaining walls. (RMND, p. 32; Mitigation Measure 36.) The sewer line work would occur within an existing sewer easement and likewise be completed prior to the recordation of the final parcel map. (RMND, p. 2; Staff Report for the July 28, 2021 Planning Commission hearing [the “Staff Report”], p. 2.)

Zmay submitted the application for the Project on March 18, 2014. Project plans were reviewed and refined based on input from the County Departments of Planning, Building, and Public Works, as well as Cal-Fire. The Project was the subject of two environmental assessments pursuant to the California Environmental Quality Act (“CEQA”). Due to the initial assessment and geotechnical report, the Project was revised and reduced in scope from a four-lot subdivision of two acres each to a three-lot subdivision of approximately 0.7 acres each. Additionally, the amount of grading was reduced from 11,200 cubic yards (“cy”) to 455 cy. Under the revised Project, no

¹ Specifically, approximately 48.88 acres of land would be protected by a conservation easement with the existing single-family home situated on the remaining 9.27 acres.

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residence or other development will be placed within any active landslide area. Instead, a shallow landslide area on the remainder parcel will be repaired with stitch pier retaining walls prior to any residential development.

We turn now to outlining the myriad legal infirmities associated with the Planning Commission's denial of the Project.

II. The Planning Commission's Denial of the Project Conflicts with the Law.

A. The Planning Commission's Findings for Denial are Not Supported by Substantial Evidence, as Required.

In order to pass legal muster, the Planning Commission's findings must be supported by substantial evidence. Substantial evidence has been defined as evidence of "ponderable legal significance . . . reasonable in nature, credible, and of solid value." (*Lucas Valley Homeowners Assn. v. County of Marin* (1991) 233 Cal.App.3d 130, 142.) Substantial evidence includes "fact, a reasonable assumption predicted upon fact, or expert opinion supported by fact." (Public Resources Code § 21080(e).) Substantial evidence does not include "argument, speculation, unsubstantiated opinion or narrative, [or] evidence that is clearly inaccurate or erroneous . . ." (*Id.*) The Planning Commission's findings (the "Findings") are *not* supported by any evidence, let alone by substantial evidence, as required.

In its Findings, the Planning Commission purported to base its denial of the Project on the grounds that it would not provide "reasonable and appropriate setbacks" from hazardous areas, would use areas for placement of structures "which are severely hazardous to life and property due to soils, geological, or fire factors," and would develop land unsuitable for the proposed use due to exposure to fire and susceptibility to mudslides or earthslides and severe erosion potential. (September 3, 2021 Final Letter of Decision, Attachment A.) The Planning Commission also purported to find that the Property is not physically suitable for the proposed type or density of development "due to landslide activity on the parcel." (*Id.*)

The Planning Commission further purported to find that the subdivision is on land located in a state responsibility area or a very high fire hazard severity zone and that the design and location of each lot are not consistent with regulations adopted by the State Board of Forestry in that the lot configurations and private ownership "renders it impossible to hold future owners accountable for maintaining fuel loads such that a wildfire burning under average weather conditions would be unlikely to ignite a structure" and allows the installation of buildings or structures "incapable of meeting regulations of defensible space, thereby making the area less safe from possible wildfires." (*Id.*)

There are several legal infirmities with the Planning Commission's Findings.

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First, the Findings contain no evidence whatsoever to support their conclusions. They are largely a recitation of text of the County Zoning Regulations with conclusions claiming that the Project does not conform to these regulations. These are not legally adequate findings which allow a reviewing court to “bridge the analytical gap between the raw evidence and ultimate decision or order.” (*Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 515.) An agency is required to ensure that sufficient evidence “is analyzed to support its decision and that the evidence is summarized in an appropriate finding.” (*Asociation de Gente Unida por el Agua v. Central Valley Regional Water Quality Control Bd.* (2012) 210 Cal.App.4th 1255, 1281.) Indeed, courts have repeatedly stressed that “mere conclusory findings without reference to the record are inadequate.” (*Environmental Protection Information Center v. California Dept. of Forestry & Fire Protection* (2008) 44 Cal.4th 459, 517; *accord, Village of Laguna Beach, Inc. v. Board of Supervisors* (1982) 134 Cal.App.3d 1022, 1035.)

Second, not only are the Findings unsupported by any evidence, but they are directly contradicted by reports prepared by expert consultants. Geotechnical studies of the Property were conducted by Murray Engineers, Inc. and peer reviewed by Cotton Shires and Associates. As correctly noted in the Staff Report:

Both geotechnical consultants have evaluated the proposal and determined that upon completion of the landslide repair, the site is suitable for future single-family residential development and that future residences will not increase the geotechnical hazard on site or on neighboring properties. Project geotechnical analysis indicates that the project, as proposed and mitigated, would result in impacts to geology and soils which are less than significant. (Staff Report, p. 11.)²

(*See also* Staff Report, p. 2 [“A geotechnical evaluation determined that the landslides can be remediated, and, with the implementation of geotechnical recommendations, residences could be constructed on Parcels 1-3.”].)

The Property was thoroughly evaluated for landslides and other geotechnical risks. (RMND, p. 47.) The landslide areas are contained within a conservation easement where new development will be restricted. (RMND, p. 31; RMND, p. 3.) Future residences would be located outside of these hazardous areas. (Staff Report, p. 19.) The geotechnical experts recommended that a shallow slide area (not located on one of the proposed development parcels) be stabilized with stitch pier retaining walls as part of the Project. (RMND, Attachment K, p. 19; RMND, Attachment M, p. 3.) Per Mitigation Measure 30, this work must be completed prior to the construction of any residential parcels. (*See also* Mitigation Measures 2, 32, 33, 39.) Per Mitigation Measure 36, no new construction can be located between or directly upslope of the two proposed stitch pier walls between

² Unless otherwise noted, emphasis in quotations is supplied and citations are omitted.

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Parcels 1 and 2. A letter dated December 22, 2021 from John Stillman (Murray Engineers) “strongly disagree[ing]” with the Findings is attached hereto as Exhibit A.

Additionally, the experts recommended that the proposed residences and associated retaining walls be supported on drilled pier foundations extending through the fill and colluvium and gaining support in the underlying bedrock. (RMND, Attachment K, pp. 15, 18, 20; RMND, Attachment M, p. 3.) Per Mitigation Measures 27, 29, 37, and 38, these recommendations must be incorporated into the future residential development design.

The Findings purporting to find that the proposed subdivision is not physically suitable for the type and proposed density of development are directly contradicted by the expert geotechnical reports summarized above and the conclusions of the County’s expert professional Planning Staff. *See, e.g.*, Staff Report, p. 23:

As described in Sections A.1, A.2, and A.3 of this report, the project complies with both the General Plan land use density designation and the maximum density of development of the RM Zoning District. The project, as proposed and mitigated, would not result in any significant impacts to the environment. As described in Section C of this report, potential geologic hazards to the project site and immediate vicinity have been avoided or minimized, by adhering to geotechnical recommendations and would further be addressed with installation of the stitch pier walls. Project and County geotechnical consultants indicated that the proposed lots were suitable for residential development.

Third, the Findings ignore and do not address relevant Section 6326.4 of the Zoning Regulations. That section allows for low density residential uses in areas with landslide activity when the applicant demonstrates: (1) no other locations less susceptible to such hazards are reasonably available on the site, (2) through geologic site investigations and adequate engineering design, the proposed locations are suitable for the uses proposed, and (3) that direct damage to such uses or indirect threat to public health and safety would be unlikely. There are two areas on the Property that are entirely outside of identified geologic hazard areas which would allow clustered residential development: the subject Project area and an area behind existing homes on Enchanted Lane. (Staff Report, p. 11; RMND, Attachment S.) The other location was determined not to be feasible due to the need for extensive land disturbance, significant impacts to viewsheds, and inadequate fire access. (Staff Report, p. 12; RMND, Attachment T.) As to the other criteria, as noted above, two geotechnical consultants investigated the landslide area, provided recommendations, and concluded that the landslide repair will allow single-family residences to be constructed and occupied safely. (Staff Report, p. 22.) Drainage plans have been developed for the stitch pier walls by the applicant’s civil engineer and evaluated by County’s civil engineering section. (*Id.*) The plan design and mitigation measures ensure that direct damage to future residential uses and indirect threat to public health and safety are unlikely. (*Id.*)

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Fourth, contrary to the Findings, the fact that the Property, along with several other large portions of the County, are located within Very High Fire Hazard Severity Zones (“VHFHSZ”) “does not prohibit development of a parcel with structures.” (RMND, p. 41.) Instead, such designation requires adherence to development standards in building codes and vegetation clearance requirements. (*Id.*) Such standards require new buildings in VHFHSZ to use ignition resistant construction methods and materials and provide defensible space clearance. (See RMND, p. 42 [“All future residential development are required to address this hazard when residences are proposed with appropriate materials, vegetation clearance, and by meeting interior fire suppression requirements with water sprinklers.”] and Mitigation Measure 57 [“All roofing, attic ventilation, exterior walls, windows, exterior doors, decking, floors and underfloor protection shall meet the latest version of the California Residential Code, R327 or California Building Code Chapter 7A requirements.”].) A January 5, 2022 letter from retired Cal-Fire Staff Chief David Shew explaining the applicable defensible space requirements and the Project’s conformity thereto is attached hereto as Exhibit B.

A July 26, 2021 letter from Urban Forestry Associates claims that the Project exacerbates fire risk and recommends that the Fire Marshal be consulted. Cal-Fire has already reviewed and provided preliminary conditional approval of the Project. (Staff Report, Executive Summary, p. 5; Staff Report, p. 22.) Such conditions include, requiring adherence to building codes, annexation of the Property into County Service Area-1, and the provision of minimum required dimensions for water extensions for fire suppression purposes. (Staff Report, p. 52 [Condition 71], Staff Report, p. 54 [Condition 81] and p. 56 [Condition 93].) County Service Area-1 provides enhanced police and fire service within San Mateo Highlands-Baywood Park. (RMND, p. 52.) Mr. Shew provides a further response to the Urban Forestry Associates letter. (See Exhibit B.)

Moreover, the Project clusters future residential development on Parcels 1-3 consistent with surrounding development and so as to minimize their placement adjacent to wildfire fuels. The conditions require “fire hardening” of structures. (See Mitigation Measure 57 imposed as Condition 71.) Mainline utilities exist underground or would be placed underground as part of the Project. (Staff Report, Executive Summary, p. 4; Staff Report, pp. 18, 20.) The Project will not exacerbate the wildfire risks in the area or cause safety problems. Wildfires will not be significantly increased in frequency, duration, or size with the construction of the Project.

Fifth, nowhere do the Planning Commission’s Findings indicate that it considered, as it must, the criteria included in Zoning Regulations Section 6324.6(f).

In short, the Planning Commission’s Findings for denial are not supported by substantial evidence, as required. To the contrary, they are contradicted by substantial evidence, consisting of expert studies and reports. As such, the Findings do not support the Planning Commission’s action and are factually and legally infirm.

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B. The Planning Commission’s Action Violates the Housing Accountability Act.

The Housing Accountability Act (“HAA”), referred to colloquially as the “Anti NIMBY law,” significantly restricts an agency’s ability to deny a housing development project. (*Honchariw v. County of Stanislaus* (2011) 200 Cal.App.4th 1066, 1068, fn. 2.)³ “The Legislature’s intent in enacting the [HAA] in 1982 and in expanding its provisions since then was to significantly increase the approval and construction of new housing for all economic segments of California’s communities by meaningfully and effectively curbing the capability of local governments to deny, reduce the density for, or render infeasible housing development projects and emergency shelters.” (Gov. Code § 65589.5(a)(2)(K).) The HAA is to be “interpreted and implemented in a manner to afford the fullest possible weight to the interest of, and the approval and provision of, housing.” (Gov. Code § 65589.5(a)(2)(L).)

When a proposed housing development complies with applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, a local agency is restricted from disapproving or lowering the density of the project.⁴ In accordance with the HAA, an agency could take those actions only if it made “written findings supported by a preponderance of the evidence on the record that both of the following conditions exist: (A) The housing development project would have a specific, adverse impact upon the public health or safety . . . [and] (B) There is no feasible method to satisfactorily mitigate or avoid the adverse impact . . . other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density.” (Gov. Code § 65589.5(j)(1).)

A housing development project is deemed consistent with applicable, objective planning or related standards if the agency fails to provide a written determination of inconsistency within 30 days from the date the application is complete. (Gov. Code § 65589.5(j)(2).) A “specific, adverse impact” means a “significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.” (Gov. Code § 65589.5(j)(1)(A).)

Under the preponderance of evidence standard, a reviewing court “does not defer to the fact finder below and accept its findings whenever substantial evidence supports them,” but rather “weigh[s] all the evidence for itself and make[s] its own decision about which party’s position is

³ A housing development project includes a proposed residential subdivision of land. (*Honchariw, supra*, 200 Cal.App.4th at 1074 [proposed 8-lot subdivision qualified as a housing development project within the meaning of the HAA]; *see also* Gov. Code § 65589.5(h)(2).)

⁴ Objective standards are ones “involving no personal or subjective judgment by a public official and being uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official.” (Gov. Code § 65589.5(h)(8).)

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supported by a preponderance.” (*Coastal Environmental Rights Foundation v. California Regional Water Quality Control Bd.* (2017) 12 Cal.App.5th 178, 188 [court further observes that “[t]he question is not whether any rational fact finder could make the finding below, but whether the reviewing court believed the finding actually was correct.”].) In *California Renters Legal Advocacy & Education Fund v. City of San Mateo* (2021) 68 Cal.App.5th 820, 844, the First Appellate District similarly observed that “because the HAA cabins the discretion of a local agency to reject proposals for new housing, it is inappropriate” to defer to an agency’s interpretation of its standards, and that a reviewing court instead “must engage in more rigorous independent review . . . in order to prevent the [agency] from circumventing what was intended to be a strict limitation on its authority.”

The Project conforms with all objective general plan, zoning, and subdivision standards and criteria, including design review standards. The Project’s conformance with those objective standards are discussed in some detail in the Staff Report.⁵ For instance, Staff describes how the Project is consistent with applicable General Plan policies and development guidelines. (Staff Report, pp. 6-12.) Staff further details how the Project conforms with RM Zoning District provisions related to use, density, and conservation of open space. (Staff Report, pp. 12-15.) Staff also notes how the Project conforms with the County’s objective Development Review criteria. (Staff Report, pp. 15-22.) Finally, on pages 22 to 26 of the Staff Report, Staff details how the Project conforms with the objective Subdivision Regulations.

The Planning Commission voted to deny the housing Project without making the mandatory findings required by the HAA. In doing so, the Planning Commission violated the HAA. (Gov. Code § 65589.5(k)(1)(A)(i)(II); *Honchariw, supra*, 200 Cal.App.4th at 1081.) Even had it purported to make the findings that the Project would have a specific, adverse impact on objective health or safety standards, such findings would not be supported by a preponderance of the evidence in the record, as required. The Planning Commission cited the lack of “reasonable and appropriate setbacks” from landslide areas and the “suitability” of the type and density of development. These are *not* objective standards. The First Appellate District recently ruled that the City of San Mateo violated the HAA by denying a 10-unit project based on a non-objective design guideline. (*California Renters Legal Advocacy & Education Fund, supra* [finding guideline requiring a “transition or step in height” to be subjective in nature]; *see also Honchariw, supra*, 200 Cal.App.4th at 1076-1077 [subjective development policies such as “suitability” are not objective planning or zoning standards].)

In sum, the Planning Commission’s actions violate the HAA. As part of this Appeal, we urge the Board to follow the HAA and approve the Project.

⁵ Even if the County had not acknowledged the Project’s consistency with objective planning, zoning, and subdivision standards, the Project would still be deemed consistent with those standards as a matter of law. (Gov. Code § 65589.5(j)(2).)

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C. The Planning Commission’s Action Violates Equal Protection.

The Fourteenth Amendment to the United States Constitution provides that no state shall deny to any person within its jurisdiction the equal protection of the laws. (*See also* Cal. Con., art. I, sec. 7.) The concept of equal protection has been defined to mean that no person or class of persons may be denied the same protection of law that is enjoyed by other persons or other classes in like circumstances. (*Hawn v. County of Ventura* (1977) 73 Cal.App.3d 1009, 1018.) A claimant must show that the state “has adopted a classification that affects two or more *similarly situated* groups in an unequal manner.” (*Walgreen Co. v. City & County of San Francisco* (2010) 185 Cal.App.4th 424, 434 [emphasis in the original].) An equal protection challenge to a regulation that does not involve a suspect class or fundamental right must nonetheless bear a reasonable relationship to a legitimate state interest. (*Young v. American Mini Theaters* (1976) 427 U.S. 50. “[A] deliberate, irrational discrimination, even if it is against one person (or other entity) rather than a group, is actionable under the equal protection clause.” (*World Outreach Conference Center v. City of Chicago* (7th Cir. 2009) 591 F.3d 531, 538.)

In *Village of Willowbrook v. Olech* (2000) 528 U.S. 562, the U.S. Supreme Court ruled that a plaintiff stated a viable equal protection cause of action based on claims that a municipality required a 33-foot easement from her as a condition of connecting her property to the municipal water supply when it had only required a 15-foot easement from other similarly situated property owners. The Ninth Circuit has likewise upheld equal protection claims brought by property owners that were discriminated against or treated unfairly by local agencies as part of the land use approval process. (*See, e.g., Herrington v. County of Sonoma* (9th Cir. 1987) 834 F.2d 1488 [denial of proposed subdivision and subsequent downzoning violated property owner’s equal protection rights where there was evidence that county had approved sizable residential development projects on three other agricultural properties shortly after it rejected the owner’s proposal] and *Del Monte Dunes, Ltd. v. City of Monterey* (9th Cir. 1990) 920 F.2d 1496 [allegation that city arbitrarily and unreasonably limited use and development of property and set aside open space for public use, whereas owners of comparable properties were not subject to these conditions and restrictions states viable equal protection claim].)

The County has approved at least four comparable subdivisions in the immediate or general vicinity of the Project site. These include the 11-lot Highlands Estates Subdivision (PLN2006-00357), the 19-lot Ascension Heights Subdivision (PLN2002-00517), the nine-lot 4057 Jefferson Avenue Subdivision (PLN2011-00044), and the three-lot Cordilleras Subdivision (PLN2019-00042).⁶ The County cannot lawfully deny the Project after having approving these similarly situated subdivisions.

⁶ We hereby incorporate by reference into the record of proceedings for the Appeal, the administrative records for all of these subdivisions.

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In sum, subjecting Zmay to different or more burdensome requirements than imposed on similarly situated property owners would deprive the applicant of its constitutionally protected right to equal protection under the law.

D. The Planning Commission’s Action Violates Due Process.

The touchstone of substantive due process is the protection of the individual against arbitrary government action; the due process clause was intended to prevent government officials from abusing their power or employing it as an instrument of oppression. (*Wolff v. McDonnell*, (1974) 418 U.S. 539, 558; *Collins v. City of Harker Heights* (1992) 503 U.S. 115, 126.) A violation of substantive due process rights occurs if a government agency’s actions are (1) irrational or arbitrary or (2) not rationally related to a legitimate government interest. (*Village of Euclid v. Ambler Realty Co.* (1926) 272 U.S. 365; *Lingle v. Chevron* (2005) 544 U.S. 528.) The test is disjunctive. Thus, a property owner need only demonstrate facts to support one of the two bases in order to state a viable due process claim.

In *Arnel Development Co. v. City of Costa Mesa* (1981) 126 Cal.App.3d 330, 337, the court of appeal ruled that enactment of a zoning ordinance downzoning certain property was arbitrary and discriminatory where enacted without considering appropriate planning criteria and for the sole and specific purpose of defeating a single development. (*See also Del Monte Dunes, Ltd.*, *supra*, 920 F.2d at 1508 [court finds local agency’s land use decision, motivated by “political pressure from neighbors” instead of legitimate regulatory concerns, supported a substantive due process claim] and *Herrington*, *supra* [denial of subdivision and subsequent downzoning of property violated owner’s due process rights given evidence that county’s general plan/subdivision inconsistency determination was irrational and arbitrary and aimed at defeating particular development project].)

Here, if the Board were to reject the Appeal based on political pressure from neighbors and other Project opponents, it would be engaging in precisely the same conduct at issue in *Arnel*, *Del Monte Dunes*, and *Herrington*. The arbitrary and irrational nature of the County’s action would be apparent by its approval of other similarly situated (and mostly larger) subdivisions, as noted above.

In sum, any arbitrary or irrational conduct by the County in its treatment of the Project application would deprive the applicant of its constitutionally protected right to due process under the law.

E. The Planning Commission’s Action May Result in a Taking.

The Takings Clause of the Fifth Amendment to the United States Constitution, made applicable to the states through the Fourteenth Amendment, guarantees that private property shall not “be taken for public use, without just compensation.” Article I, section 19 of the California

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Constitution also provides that “[p]rivate property may be taken or damaged for public use and only when just compensation . . . has first been paid to . . . the owner.” A land use regulation effects an impermissible taking of property if it deprives an owner of all economically beneficial or productive uses of his land (*Lucas v. South Carolina Coastal Council* (1992) 505 U.S. 1003) or conflicts with an owner’s distinct investment-backed expectations (*Penn Central Transp. Co. v. New York City* (1978) 438 U.S. 104); causes the owner to suffer a permanent physical invasion of his property (*Loretto v. Teleprompter Manhattan CATV Corp.* (1982) 458 U.S. 419); or imposes an exaction in violation of the “essential nexus” and “rough proportionality” standards respectively set forth in *Nollan v. California Coastal Commission* (1987) 483 U.S. 825 and *Dolan v. City of Tigard* (1994) 512 U.S. 374.

A land use regulation that deprives the owner of substantially all economically beneficial or productive use of his land constitutes a taking. (*Lucas v. South Carolina Coastal Council, supra* [property owner entitled to compensation for regulations precluding development of two beachfront lots, thereby depriving owner of all economic use of his property]; *see also First English Evangelical Lutheran Church of Glendale v. County of Los Angeles* (1987) 482 U.S. 304 [property owners are entitled to compensation for temporary taking of their land] and *Monks v. City of Rancho Palos Verdes Estates* (2008) 167 Cal.App.4th 263 [ordinance imposing a moratorium on construction in landslide area deprived landowner of all economically beneficial use and thus constituted a taking].) Courts have recognized that land use regulations that take all economically viable use of only a portion of private property can constitute a taking. (*See, e.g., Twain Harte Associates, Ltd. v. County of Tuolumne* (1990) 217 Cal.App.3d 71 and *Jefferson Street Ventures, LLC v. City of Indio* (2015) 236 Cal.App.4th 1175.)

A regulation may affect a taking even though it leaves the property owner *some* economically beneficial use of his property. (*Kavanau v. Santa Monica Rent Control Board* (1997) 16 Cal.4th 761, 774.) In order to determine whether a taking has occurred when the economic impact is less than total, a reviewing court looks to three factors in particular: (i) the economic impact of the regulation on the owner; (ii) the extent to which the regulation interferes with the property owner’s distinct investment-backed expectations as to the use of its property; and (iii) the character of the governmental action.⁷ (*Penn Central Transp. Co., supra*, 438 U.S. at 124.)

The approximately 60-acre Property is planned and zoned to allow for up to four residences. The Property currently contains one residence. The Project would create three new residential lots for three additional residences. The Project will result in no significant impacts related to landslides or fire hazards. The economic impact of the Planning Commission’s action is great. Based on the Planning Commission’s action, the applicant can have only one residential

⁷ This last criterion requires a reviewing court to “consider the purpose and importance of the public interest reflected in the regulatory imposition.” (*Loveladies Harbor, Inc. v. United States* (Fed. Cir. 1994) 28 F.3d 1171, 1176.)

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lot instead of four. The applicant purchased the Property subject to the current planning and zoning regulations and with the expectation that it would be able to develop at least four lots on the subject Property. As discussed above, the Planning Commission's action is not based on evidence and violates the law.

If the Planning Commission's action were to be affirmed, this would likely result in a taking of all (or least most) of the economic value of the Property. The County could, accordingly, be liable for a taking of the applicant's Property.

In closing, we respectfully urge the Board to uphold the Appeal and reject the Planning Commission's unsupported denial of the Project. This is the only lawful action that the County can take with respect to Project. Any other action could expose the County to litigation and liability for damages and attorneys' fees.

Thank you for your consideration of our client's views on this important matter. The applicant and its representatives, including the undersigned, will be in attendance at the future Board hearing on the Appeal. In the meantime, please do not hesitate to contact me with any questions regarding this correspondence.

Very truly yours,

RUTAN & TUCKER, LLP



Matthew D. Francois

cc: Steve Zmay, *via email*
Erica Adams, Project Planner, *via email*
John Beiers, County Counsel, *via email*
Tim Fox, Deputy County Counsel, *via email*
Steve Monowitz, Community Development Director, *via email*

Exhibit A



December 22, 2021
Project No. 1847-1L7

**RE: RESPONSE TO COUNTY PLANNING
COMMISSION FINAL LETTER OF
DECISION,
ZMAY MINOR SUBDIVISION,
1551 CRYSTAL SPRINGS ROAD,
SAN MATEO COUNTY, CALIFORNIA**

Steve Zmay
1551 Crystal Springs Road
Hillsborough, California 94010

Dear Mr. Zmay:

As requested, we have prepared this letter in response to the County of San Mateo Building and Planning “final letter of decision” document, dated September 3, 2021, regarding denial of the Zmay Minor Subdivision project. As you know, our firm (Murray Engineers Inc.) conducted an engineering geologic and geotechnical investigation for development of the Zmay Minor Subdivision and presented our findings in a report dated February 10, 2014. As a part of our scope, we identified the primary geologic hazards, including the potential for landsliding and possible impact on the minor subdivision. Based on our findings we concluded that the potential landslide hazard and impact on the planned minor subdivision can be substantially mitigated, and the residences constructed as planned provided the recommendations in our referenced report were carefully followed. In addition, as a part of the County review process, our referenced report and submitted plans for the subdivision were subsequently peer reviewed and accepted by Cotton, Shires & Associates, the County’s geologic and geotechnical consultant.

In summary, we strongly disagree with the opinions presented in the County’s final letter of decision regarding the potential for slope instability/landsliding being significant enough to preclude development on these three lots. As shown in our report, the potential for landsliding impacts on the planned development have been adequately identified and addressed. Specifically, the shallow landslide area, located on a separate lot and downslope from any planned development, will be repaired with a stitch pier wall system prior to development of the residences. In addition, all residential foundations for the minor subdivision will be secured into the hillside on deep drilled pier foundation systems adequately embedded into competent bedrock. These structures will also be located adjacent to Parrott Drive which significantly limits the amount of grading and excavations of existing slopes. Furthermore, the proposed foundations for the residences will have the added benefit of improving stability to Parrott Drive within their constructed footprints as these foundations will be supported on a grid of deep drilled piers secured into bedrock. Therefore, we strongly disagree with the Planning Commission’s decision denying the minor subdivision on the grounds of slope instability/landsliding. These issues were identified and adequately addressed by our firm and subsequently peer reviewed and accepted during the County review process.

Sincerely,

MURRAY ENGINEERS

John A. Stillman, G.E., C.E.G. 1868
Principal Geotechnical Engineer



JOHN A. STILLMAN, G.E., C.E.G.
PRINCIPAL GEOTECHNICAL ENGINEER

Professional Background:

2006 to Present – Principal Geotechnical Engineer, Murray Engineers, Inc. Performing all aspects of geotechnical and geological investigations including field mapping, subsurface exploration, laboratory testing and analysis, geotechnical and geological analysis for design purposes, and report preparation.

Experience includes engineering geology fault trace and landslide investigations for single family homes and residential subdivisions, and geotechnical investigations for new residential, commercial and industrial developments. Specific tasks include initial client contact, formulation of contracts, surface and exploratory field work, surveying, aerial photograph, interpretation, laboratory testing and analysis, stability analysis, settlement analysis, seepage analysis, retaining wall and foundation design, analysis of uplift capacity of expansive soils, public presentation, and report preparation. Project field geologist and geotechnical engineer during grading operations, landslide repairs, and foundation pier installations.

1988 to 2006 – Chief Engineering Geologist and Senior Geotechnical Engineer, Jo Crosby & Associates. Performing all aspects of geotechnical and geological investigations including field mapping, subsurface exploration, laboratory testing and analysis, geotechnical and geological analysis for design purposes, and report preparation.

Experience includes engineering geology fault trace and landslide investigations for single family homes and residential subdivisions, and geotechnical investigations for new residential, commercial and industrial developments. Specific tasks include initial client contact, formulation of contracts, surface and exploratory field work, surveying, aerial photograph, interpretation, laboratory testing and analysis, stability analysis, settlement analysis, seepage analysis, retaining wall and foundation design, analysis of uplift capacity of expansive soils, public presentation, and report preparation. Project field geologist and geotechnical engineer during grading operations, landslide repairs, and foundation pier installations.

1987 to 1988 – Geologist and Geologist Technician, Applied Earth Technology, Inc. Work included all phases of field mapping, well logging and interpretation, and report preparation for a petroleum base consulting firm.

Education:

B.S. in Geology, Humboldt State University, 1987
M.S. in Civil Engineering, San Jose State University, 1994

Professional Licenses:

Registered Geotechnical Engineer, G.E. 2523
Registered Geologist
Certified Engineering Geologist

Memberships:

Association of Engineering Geologists
American Society of Civil Engineers
ASFE: The Best People on Earth
California Geotechnical Engineers Association



Murray Engineers, Inc. Firm Profile & Relevant Projects

FIRM PROFILE

Overview

Murray Engineers, Inc. (MEI), established in 2003, is a privately owned professional consulting firm providing comprehensive geotechnical engineering, engineering geologic, laboratory, and related construction observation services for a variety of projects in the San Francisco Bay Area. Based in Los Altos, California, and with a second north bay office located in San Rafael, California, our multi-disciplinary team has a proven record of providing professional services to a diverse range of public and private clients. We maintain an in-house soil laboratory for classification of the engineering properties of soil. More specialized testing is performed by Cooper Testing Laboratories, a Palo Alto-based soil testing company. We maintain nuclear density test gauges for testing the relative compaction of engineered fill for mass grading and for subgrade and baserock compaction beneath concrete slabs and asphaltic concrete. Our firm is ahead of the curve with respect to information technologies. Our Microsoft Exchange Server computer network and Dropbox file storage, combined with smart phones for all staff members translates to highly efficient project management and information sharing. All final documents are provided in both hard copy and Adobe Portable Document Format (PDF) for efficient distribution to clients and project design professionals. Geotechnical software includes CLiq and LiqIT for the analysis of liquefaction potential and post-liquefaction induced settlement, LPILE and GROUP PILE for analyzing deep pile foundations, and Slide 6.0 for the evaluation of static and pseudo-static slope stability analyses.

Qualifications

MEI provides innovative and state-of-the-art design and construction services which employ our extensive experience with the soil, rock and groundwater conditions of the San Francisco Bay area. The extensive geotechnical experience and expertise of engineers and geologists within our company enables us to effectively assess the construction and long-term performance risks associated with subsurface conditions involved in a wide range of projects. We participate as a vital member of the project team, focusing on project objectives and using innovative technologies to provide practical design recommendations and superior service.

Our capabilities include:

- ◆ Subsurface Investigations
- ◆ Foundation Analysis and Design Criteria
- ◆ In-situ Testing and Performance Monitoring



- ✦ Slope Stability Analysis
- ✦ Comprehensive Laboratory Testing
- ✦ Dynamic Analysis and Evaluation
- ✦ Soil Stabilization and Ground Improvements
- ✦ Groundwater Assessment
- ✦ Pavement Design and Subgrade Evaluation
- ✦ Liquefaction Mitigation
- ✦ Expansive Soil and Bedrock Mitigation
- ✦ Settlement Analysis
- ✦ Site Mapping and Drafting

Our relevant project expertise includes:

- ✦ Residential Single-Family & Multi-Lot Subdivision Construction
- ✦ Commercial Construction
- ✦ Renovation and Construction of Municipality Buildings
- ✦ Parking Structures
- ✦ Water Storage Tanks and Specialty Structures
- ✦ Tie-back Walls
- ✦ Surface and Subsurface Drainage Control and Design
- ✦ Shallow Groundwater Construction

Our engineering geologists work closely with our geotechnical group to evaluate site specific geologic conditions and hazards. The identification and assessment of geologic hazards is crucial to successful site development and reduces the risk of property damage caused by ground instability. Each of our geologic studies is tailored to our clients' specific needs and is coordinated with local government agencies. Our engineering geology services have included:

- ✦ Stereo Aerial Photograph Review and Analysis
- ✦ Engineering Geology Reconnaissance and Mapping
- ✦ Subsurface Investigations including Fault Trench, Exploration Pits, and Large Diameter Borings
- ✦ General Geologic Hazards Assessments
- ✦ Detailed Geologic Hazards Assessments including Landslide and Slope Stability Evaluations and Fault Location Investigations
- ✦ Liquefaction Hazard Analyses

INSURANCE

MEI maintains professional liability (errors and omissions) insurance, general liability insurance, and commercial automobile insurance on its fleet of vehicles.

AFFILIATIONS

MEI and its principals are active members of numerous professional organizations, including the American Association of Civil Engineers (ASCE), ASFE (formerly known as the Association of Soil and Foundation Engineers), the California Geotechnical Engineers Association (CGEA), and the Association of Environmental and Engineering Geologists (AEG).

Exhibit B



WILDFIRE DEFENSEWORKS

WildfireDefenseWorks.com | 707-337-8046 | 952 School Street | N° 239 | Napa, California 94559-2824

Date: January 5, 2022

To: Mr. Steve Zmay
1551 Crystal Springs Road
Hillsborough, California 94010

Re: Zmay Minor Subdivision Project
San Mateo County File No. PLN2014-00410

Dear Steve,

Thank you for reaching out to me regarding your proposed project for a minor subdivision of land in San Mateo County. I have reviewed documents that you have forwarded, including a Final Letter of Decision from the San Mateo County Planning Commission, as well as a document prepared by the Urban Forestry Associates, Inc. Both of these documents raise questions related to the potential wildfire risk posed by the project. I believe there are some critical elements that have been omitted from both of these documents. Had the Planning Commission considered the relevant regulations and appropriate factors, I believe they would have approved the proposed minor subdivision.

The Planning Commission's findings correctly identified that the subdivision is located on land designated as State Responsibility Area (SRA). In addition, the project resides within lands designated by CAL FIRE as a Very High Fire Hazard Severity Zone (VHFHSZ). The Planning Commission findings then state that the design and location of each lot are not consistent with regulations adopted by the State Board of Forestry and Fire Protection (Board) in that the lot configurations and private ownership "renders it impossible to hold future owners accountable for maintaining fuel loads such that a wildfire burning under average weather conditions would be unlikely to ignite a structure" and allows the installation of buildings or structures "incapable of meeting regulations of defensible space, thereby making the area less safe from possible wildfires."

Neither of the statements above contain any explanation regarding the facts behind state fire safety regulations from the Board related to either building design and construction nor defensible space requirements. Current language within the Public Resource Codes (PRC), Sections 4290 and 4291, provide guidelines that identify specific steps to create a defensible space around structures on lands identified as VHFHSZ. These guidelines direct landowners to provide defensible space to

areas up to 100 feet away from structures, or to the property lines, whichever is closer. It further breaks down this 100-foot distance into three zones. The first zone is from the perimeter of the structure out to 5 feet, which should be maintained to reduce or eliminate the ability for embers to ignite materials in this zone, which could then potentially ignite the structure. The second zone is from 5 – 30 feet in which there should be no wood piles unless contained in a noncombustible manner, and with specifications for grasses, plants, shrubs and trees to be limbed and maintained as to reduce the ability for fire to spread to the structure. The remaining zone from 30 – 100 feet is again designed to be maintained in a manner to slow the spread and intensity of a wildfire from moving toward the structure. Clearance beyond the property line may only be required by a state or local law, which includes findings that the clearing is necessary to significantly reduce the risk from the transmission of flame or heat sufficient to ignite the structure and there is no other feasible mitigation measure possible to reduce the risk of ignition or spread of fire to the structure. (Gov. Code § 51182(a)(1)(B).) The Commission findings cite no such law. Further, the law states that a person is not required to manage fuels on land the person does not have a legal right to manage, nor to enter or alter property without the consent of the property owner. (Gov. Code § 51182(b).)

What is currently proposed is a subdivision; no buildings or structures have yet been applied for. If and when applications for buildings and/or structures are submitted, the applicant will be required to obtain certification from the local building official that the building and/or structure complies with all applicable state and local building standards in force at that time. A brief description of current building code requirements is outlined below, however these could be changed and/or updated in the future. The defensible space requirements summarized above generally do not extend beyond property lines. In this particular proposal, current requirements can all be met, and because of the size of the proposed lots, the minimum requirements currently in force can potentially be exceeded. By stating that private ownership of lands may render defensible space requirements “impossible” is simply not true. In addition, the State does have enforcement capabilities to ensure required defensible space requirements are being met.

In addition to requirements for defensible space under the PRC, there are further guidelines that exist in Title 24 of the California Code of Regulations (CCR) that identify fire resistant construction methods and materials for future buildings on these properties. This refers to Chapter 7A of the California Building Code, also known as the Wildland Urban Interface Code, or WUI Code. It is understood that this particular application is for the subdivision of land only, and does not include any construction proposals for buildings. But it should be noted that the current WUI Code has proven to make a dramatic impact on reducing the likelihood of structure ignitions during wildfire events. In the event structures were to be built on the proposed parcels, current and future codes will ensure a high level of fire resiliency be included, both for defensible space and construction requirements. Therefore, by simply stating that design and location of the lot configurations is not consistent with these regulations is nothing more than a matter of opinion, which is in direct contradiction to the current defensible space regulations and building code language.

I also wish to provide a response related to the document presented by Mr. Ray Moritz with the Urban Forestry Associates, Inc. Mr. Moritz provides a basic overview of the topography and types of vegetation that currently exist on the hillsides within this proposed subdivision. He also offers a

very basic description of extreme wind events created by Diablo Winds, which he correctly identifies as occurring during the later months of the year, and with increasing frequency. However, he then takes this basic information and with no substantial connection or evidence, states that the existing conditions of topography, weather, and fuels renders this subdivision proposal as extremely dangerous to the existing neighborhood. I strongly disagree with his conclusion.

Mr. Moritz appears to be basing his assumptions and conclusions upon past history and outdated building standards that hold true for structures built many decades ago. His reference to past fires such as the 1991 Tunnel Fire in the Oakland Hills, the 2017 Tubbs Fire in Napa and Sonoma Counties, and the 2018 Camp Fire that largely destroyed the town of Paradise in Butte County do not reflect the more updated code requirements and defensible space measurements that are required for newer construction today. To put it in basic terms, if the Zmay Proposal was suggesting that future buildings be built and landscaped with traditional materials dating back several decades, I would fervently argue against approving such a proposal. However, what both the report by Mr. Moritz and the findings adopted by the Planning Commission fail to recognize at all is the fact that this proposal will incorporate all newer and more fire resilient concepts of building materials and construction, as well as better defensible space requirements, providing a much different landscape than what we currently witness being destroyed by today's wind-driven events.

The very fact is that today, in 2022, the research from current devastating wildfires has provided us with a fertile laboratory to better understand and guide our decisions on building materials and construction techniques, as well as more fire resilient landscaping, all of which reduce structure ignitions and create more fire-safe communities. This research has been and will continue to be used to update applicable codes and regulations. As a result, future development on these properties will benefit from adherence to updated code requirements, resulting in a higher level of fire resiliency than other structures or properties in the neighborhood. Data gathered over the past 5 years by CAL FIRE from their Damage Inspection program (which collects data on all structures damaged or destroyed by wildfires) has shown that new structures built with today's codes and land use planning practices have dramatically increased the likelihood that structures will survive a future wildfire event. This tells us that the assumptions and statements made by both Mr. Moritz and the Planning Commission appear to be based on how older neighborhoods and buildings perform during wildfire events – which has sadly been very poor. But they also fail to acknowledge any of the most current data and research which clearly demonstrates a much better outcome and higher rate of survivability for newer buildings and developments.

Due to the fact that information from current research and wildfire outcomes has not been considered render the decision from the Planning Commission to be flawed. A more overarching review of current wildfire damage, structure ignition resistance, enhancements to defensible space, and land use planning guidelines must be considered in order to adequately consider this project. The alleged substandard and “dangerous” conditions brought up in both the Moritz Report and the Planning Commission findings apply far more accurately to the existing neighborhoods and structures – but not to this subdivision proposal. Therefore, I strongly disagree with their conclusions, and suggest further review be conducted to more adequately assess this proposal on its own merits. Ultimately, when structures with more fire resilient materials,

construction, and landscaping are built on these lots, they will in fact pose less of a risk to the neighboring community than the existing landscape currently poses. With a much higher level of fire resiliency built into new construction and landscaping requirements, the likelihood is that future structures built on these properties could potentially provide a safer environment from a wildfire protection standpoint than the existing conditions.

Mr. Moritz also recommends that the Fire Marshal be consulted about the proposed development. This comment ignores the fact that CAL FIRE previously reviewed and approved of the proposed subdivision plans. (July 28, 2021 Staff Report to Planning Commission [Staff Report], Executive Summary, p. 5; Staff Report, pp. 22.) The version recommended for approval by County Planning Staff reflected CAL FIRE's review and comments.

To conclude, neither the Planning Commission nor Mr. Moritz have taken into account any of the most current research, code requirements, and ongoing improvements to reduce structure ignitions from wildfires. It is inappropriate to judge new proposals by looking at them via lenses of the past. The goal is to incrementally move forward with the best information available today in order to decrease the impacts from wildfires tomorrow. This project offers an opportunity to create a small example of a modern, wildfire-protected development.

Thank you again for the opportunity to review this project and respond to the decisions and opinions that have currently been put forward. Please let me know if you have any questions.

Sincerely,

David Shew
CEO, Wildfire DefenseWorks
Retired CAL FIRE Staff Chief



David Shew Consultant, LLC

WILDFIRE DEFENSEWORKS

952 School Street, #239, Napa, California 94559-2824 | 707.337.8046 | dshew@wildfiredefenseworks.com

BACKGROUND AND VISION

During an exceptional 32 year career with CAL FIRE, I gained expertise in wildfire behavior, operational control, fire science, fire prevention actions and methodologies, as well as government regulations and processes. I am committed to identifying solutions to extreme wildfire impacts to communities and human lives, with a focus on reducing the risk of structure ignitions from embers, land use planning efforts, and increasing resiliency from wildfires for both the natural and built environment.

CONSULTING

- Wildfire DefenseWorks established in August, 2018
- Providing expert advice to insurance and re-insurance companies on wildfire risk analysis models.
- Helping communities join Firewise USA with the National Fire Protection Association.
- Author of numerous wildfire risk assessment reports for large landowners and communities concerned with their exposure to potential wildfires, with focused steps to help reduce these risks.
- Guest lecturer on wildfire issues at Stanford University, UC Berkeley, MIT, and the Rand Corporation.
- Board of Directors, California State Fire Safe Council.
- Board of Directors, RSG 3D, an international manufacturer of fire resilient construction panels.
- Presenter at numerous local, state, national and international conferences on wildfire issues.

EMPLOYMENT HISTORY

CAL FIRE / Office of the State Fire Marshal (OSFM)

Staff Chief:	Division of Planning and Risk Analysis: California Strategic Fire Plan, Land Use Planning, California All Incident Reporting System (CAIRS), Wildland Pre-Fire Engineering, Pre-Fire Planning and GIS State Responsibility Area Fire Prevention Fee Program	4/2013 – 7/31/2018
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CAL FIRE / Sonoma–Lake–Napa Unit (LNU)

Assistant Chief:	Administrative Division Chief South Division Operations Chief	7/2012 – 4/2013 6/2009 – 7/2012
Battalion Chief:	Special Operations Chief, Napa County Fire Department Napa Battalion, LNU Napa County Fire Marshal, LNU	1/2007 – 6/2009 1/2002 – 1/2007 10/1998 – 1/2002

CAL FIRE / Nevada-Yuba-Placer Unit (NEU)

Fire Captain:	Fire Protection Planner for Nevada County	2/1997 – 10/1998
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CAL FIRE / Santa Clara Unit (SCU)

Fire Captain:	Sunshine Station, Contra Costa County	7/1993 – 2/1997
Fire Engineer:	Sunshine Station, Contra Costa County	8/1989 – 7/1993
Firefighter II:	South Santa Clara County Fire Protection District	5/1988 – 8/1989
Firefighter I:	Seasonal Firefighter, Sonoma County	5/1986 – 10/1987

EMPLOYMENT HISTORY (continued)

Architect

David Shew, Architect, The Sea Ranch, CA
Dan Levin, Architect, The Sea Ranch, CA
Herron + Rumansoff Architects, Hemet, CA

12/1986 – 10/1996
2/1984 – 12/1986
8/1981 – 2/1984

PROFESSIONAL EXPERIENCE, RELEVANT SKILLS, AND AWARDS

- Leading expert in understanding structural ignitions from wildfires, land use planning issues, defensible space programs, and best practices for wildfire mitigation for communities and property owners
- 32 years' experience with *CAL FIRE* in State and Local Assignments, both Operational and Administrative positions
- Assigned to Office of the State Fire Marshal for 5 years, overseeing statewide fire prevention programs
- Many presentations to Board of Forestry and Fire Protection, California Public Utilities Commission, California Office of Insurance, Offices of Emergency Services, and others
- Recipient of *CAL FIRE* Director's Outstanding Achievement Award – 2014 and 2015
- Awarded Governor's Medal of Valor in 2007 from Governor Schwarzenegger
- Served as Lead Cadre member for *CAL FIRE* Supervision 2 and Supervision 4 Courses for 20 years
- Type I Information Officer, Incident Command Team 3, functioning in numerous major incidents throughout California for 11 years
- Established new Auto Aid Agreements with surrounding local agencies in Napa County
- Provided Leadership during extensive reorganization of Napa County Fire Department, including new MOU and operating policies between volunteer agencies and *CAL FIRE* / NCFD personnel
- Instrumental in implementing new Fire Protection Plans, coordinating Community Groups, Local Agencies, and County Governments in both Nevada County and Napa County
- Served 10 years on The Sea Ranch Volunteer Fire Department, 2 years as Assistant Chief
- Instructor for numerous courses for *CAL FIRE* on various subject matters throughout career, with a focus on Leadership and Supervision
- Architectural background has provided exceptional insight in structural details for fire resiliency, inspections, prevention, and fire planning programs, as well as experience in managing large projects with strict budgetary constraints
- Elder, First Presbyterian Church, Napa

EDUCATION and TRAINING

Bachelor of Architecture – University of Cincinnati, 1981

Architectural License – State of California, #C-018180 (Currently Inactive)

Executive Fire Officer Program – National Fire Academy, 2011 - 2015

Lifetime Teaching Credential – California Community Colleges, 1982

Fire Service Related Training – Numerous Certificates from both *CAL FIRE*, State Fire Marshal, and other related organizations such as National Fire Protection and the International Association Fire Chiefs

Continuing Education – Fire Prevention Engineering, UC Davis, Attended several classes at the National Fire Academy, and continue to attend training workshops, meetings and national conferences

Professional Presentations – Presenter of Fire Prevention related topics at State and National Conferences such as ESRI User's Conference (Plenary Presentation, National Safety Conference, 2015), National Fire Protection Association Conference and Expo, Fire Rescue International, International Association of Fire Chiefs Wildland Urban Interface Conference, International Association of Wildfire, California Nevada Hawaii Annual Wildfire Conference, Western Fire Chiefs Association, Cal Chiefs Fire Prevention Officers Workshop, and others

David Shew Biography

David Shew retired from CAL FIRE in August, 2018, after 32 years of service. He promoted from the ranks of Seasonal Firefighter to Staff Chief, completing his career at the California State Fire Marshal's Office in Sacramento. In addition to responding to numerous fires across the state, he also served as the Fire Marshal for Napa County, applying codes and life safety requirements to all construction approvals. He also served 11 years as the lead Public Information Officer for California's Incident Management Team 3, dealing with media and the public at large emergency events across the State. David taught upper-level management and supervision classes for CAL FIRE, and attended the Executive Fire Officer Program at the National Fire Academy. David completed his career as the Staff Chief for CAL FIRE's Planning and Risk Analysis Division, which included oversight of the Strategic Fire Plan for California. He was instrumental in helping establish new electronic data collection programs across the state for both pre and post fire inspections, established a new Land Use Planning program for the State, oversaw new GIS and mapping technologies to better understand wildfires, and oversaw a large grant allocation program to distribute money for wildfire prevention projects across the state. He led the development and implementation for the Damage Inspection Program in CAL FIRE, known as DINS, which collects data on structures damaged or destroyed by wildfires across California. This program now has almost 60,000 entries, making it the largest database of its kind in the world, and is being used by researchers across the globe to help identify ways to reduce structure ignitions during wildfires. Prior to his fire service career, David received his architectural degree from the University of Cincinnati, and practiced as a licensed architect, designing structures in both Northern and Southern California. This background in design, construction, and land use planning, coupled with over three decades of wildfire experience on the fireground and at the executive management level, have provided him a unique perspective on how to provide solutions to today's extreme wildfire impacts.

Upon his retirement, David established Wildfire DefenseWorks, a consulting firm investigating ways to improve community wildfire resilience with improved data analysis and science-based wildfire research. He works part-time with the National Fire Protection Association to help with the Firewise USA® Program. With the knowledge that embers are now the cause of up to 90% of all structure ignitions during a wildfire, David is focused on reducing the number of structures lost from ember ignitions across the country. He has become involved with numerous efforts to create more effective wildfire protection plans, better land use planning designs, improved risk analysis methodologies, and fire resilient measures that can benefit homeowners, large landowners, and communities as a whole. He has consulted with numerous insurance and reinsurance companies to help them better understand their wildfire risk analysis strategies. He has also given numerous presentations on these subjects to conferences across the country and internationally, and has been a guest lecturer for classes at Stanford, UC Berkeley, MIT, and for the Rand Corporation. David resides with his family in Napa, California.



COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT E



WILDFIRE DEFENSEWORKS

WildfireDefenseWorks.com | 707-337-8046 | 952 School Street | N° 239 | Napa, California 94559-2824

Date: June 2, 2022

To: Mr. Steve Zmay
1551 Crystal Springs Road
Hillsborough, California 94010

Re: Zmay Minor Subdivision Project
San Mateo County File No. PLN2014-00410

Dear Steve,

Thank you for reaching out to me asking for additional fire prevention measures for your proposed subdivision project identified above. A previous letter dated January 5, 2022 provided basic information on defensible space requirements and building construction standards as required by the state to meet current Wildland Urban Interface (WUI) standards. This letter will capitalize on those initial comments, and provide information on how specific details may be incorporated as project conditions for future owners to meet.

It is important to point out that current research on wildfires is expanding our knowledge of how to build structures that may have a high likelihood of surviving a wildfire. This research is being integrated into building codes as quickly as the process will allow. This project is for subdividing land only, and not for new construction. If this proposal were including requests for building permits of new structures today, it would include recommendations that would exceed current building standards to incorporate the highest level of wildfire resiliency issues known today, even if they have not been adopted into building codes. Over time, when construction applications are submitted, they will be required to meet the minimum standards in place at that time, which may be more resilient than what is currently in place. We do know that when new structures are built on these new parcels, the requirements will far exceed the standards that existed when other homes were built in the neighborhood. Therefore, the fire resiliency of the new homes will provide a much higher likelihood of surviving a future wildfire, and thereby not contribute to wildfire spread in the neighborhood. Because it is not possible to predict what the future for wildfire resilient building codes may contain, we can not propose recommendations for the future buildings themselves. However, we can offer recommendations for the parcels themselves to be maintained in a manner that helps reduce the risk of wildfire burning through the landscape on these parcels, and thereby reduce the potential impacts to adjacent neighboring parcels.

In order to increase the fire prevention efforts further than minimum standards, there are three elements that can be prescribed to help reduce potential wildfire impacts. These three items include irrigation systems, minimum requirements for vegetation and landscaping on the parcels when they are developed, and recorded easements to ensure a minimum of 100' defensible space distance from each structure.

When homes are eventually built on these parcels, they will be built at the top of the slopes along Parrott Road. Fires are known to burn more quickly uphill, and one of the factors that increases fire behavior and intensity is fuel moisture. This is the amount of water that is contained in plants. The higher the fuel moisture, the more effort flames must work to dry those fuels out, which reduces the speed and intensity by which fire spreads. One recommendation for this project is to install an irrigation system downslope from the homes at least 100 feet below the closest part of the structure. The recommendation will be to water this downhill slope using a single line of sprinklers running horizontally along the slope downhill from the homes. Minimal water usage will suffice to keep fuels from drying out completely during the hot, dry summer months. This will maintain a fuel bed that has a higher moisture content, and will thereby help reduce the spread and intensity of a fire burning uphill. This becomes the first phase of defense for a structure by reducing the fire behavior, spread and intensity from ever reaching the house.

The second item that is being recommended is a judicious vegetation and landscaping plan both around the structures and on the property itself. In preparation for a new statewide regulation coming forward, the new structures shall maintain a noncombustible zone measuring 5 feet from the edge of the structure with no combustible materials in this zone. This feature alone has been identified as a major contributor in reducing ignitions of structures during wildfire events. Elsewhere around the properties, plant spacings shall adhere to the recommendations identified in Figures 1 and 2.

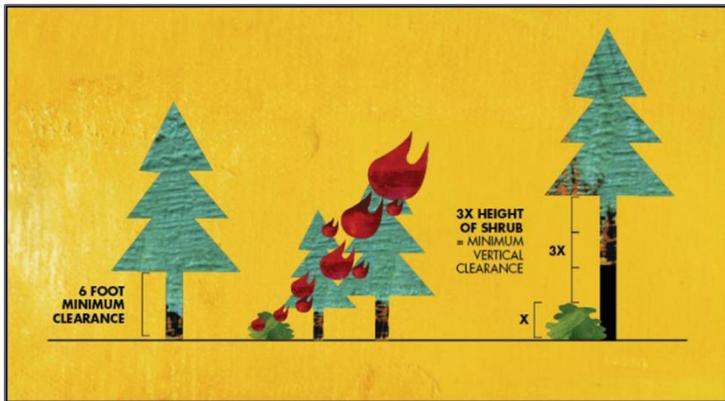


Figure 1: Ladder fuel clearance guidelines

These guidelines provide recommendations for distances and separation of trees, shrubs and other flammable vegetation to minimize fire spread toward a home. These guidelines should be incorporated into landscaping plans for each new structure on the proposed parcels in order to reduce the ability for a fire to spread to the structure itself.

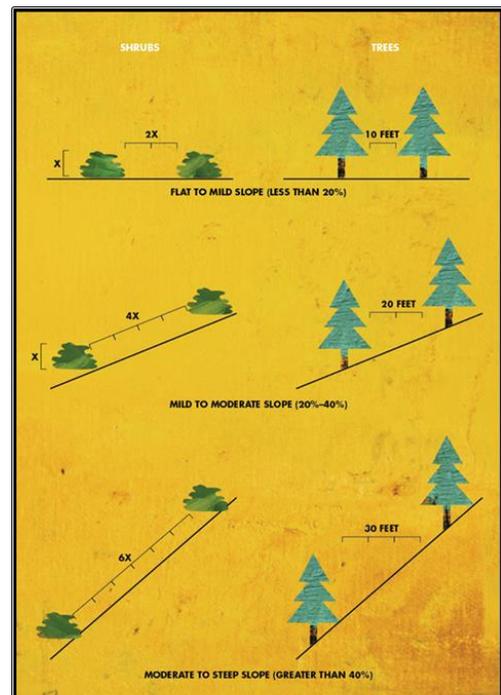


Figure 2: Vegetation continuity, or separation, guidelines

The third element is to strategically locate structures on the parcels in order to maximize the defensible space distance from the structures themselves. In Figure 3 below, Parcels 1, 2, and 3 are identified by moving from left to right. On Parcel 1, the footprint of a future structure can be located as close as possible to the southern property line, located to the right. An easement would be created on the open space between Parcels 1 and 2 to maintain 100' defensible space, measured from the edge of the structure on Parcel 1. The resulting distance to the north of the structure on Parcel 1 may not meet the full 100' requirement, but will exceed most distances at existing homes in the neighborhood. Parcel 2 will be handled in a similar manner by locating the proposed structure closer to the north property line, and extending an easement into the open space between Parcels 1 and 2 to provide 100' of defensible space to the north. Lastly, the structure on Parcel 3 will then be located to provide a 100' distance between itself and the structure on Parcel 2. Another easement will be created in the open space on the south side of Parcel 3 to maintain a 100' defensible space clearance from the structure. Clearances in these easements would become the responsibility of the owners of these properties, and would maximize the defensible space around the three residences when they are ultimately built.

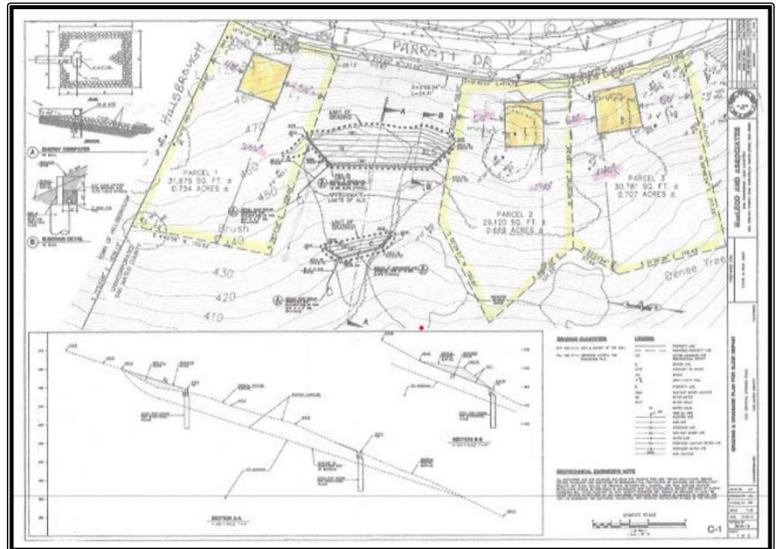


Figure 3: Proposed location of parcel boundaries with open space between Parcel 1 and 2.

The 100' of defensible space is required in California Public Resource Code Section 4291, but states that defensible space shall be maintained to 100' away from a structure, or to the property line, whichever is closest. The proposed easements allow the 100' clearance to extend beyond the property lines, thereby increasing the wildfire resiliency of these properties and reducing the risk of structure ignition in the event of a future wildfire. Figure 4 at right provides a view of these proposed easements between Parcels 1 and 2, and again on the south side of Parcel 3.

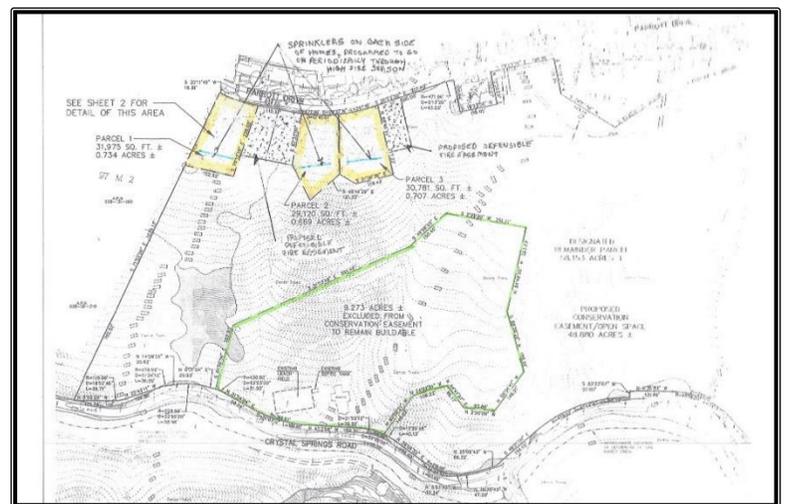


Figure 4: Site Plan showing proposed easement for defensible space.

These three elements – maintaining a higher fuel moisture content on the downslope vegetation, incorporating a landscape plan that reduces fuel continuity, and creating easements to extend defensible space maintenance beyond property lines – will greatly reduce the risk of a wildfire

from ever reaching or impacting any of the new structures when they are built. By incorporating these measures, wildfires will burn with far less speed, severity and intensity, which in turn reduces the ability for the fire to ignite the structures themselves. By incorporating these elements to reduce wildfire impacts, we are addressing concerns that were initially brought up during early planning stages. This reduction in fire behavior therefore contributes to lessening the impacts of a wildfire on the neighboring properties surrounding these homes. This forms the basis of how fire prevention planning is being considered today. It does not attempt to “remove” or “prevent” wildfire from happening at all. Rather, it recognizes wildfire as part of the environment, and inserts highly fire resistive structures and resilient vegetation management in a way that allows fires to burn through the landscape, and significantly reduce the likelihood of structure ignitions. These measures begin to combat the destruction that has become more frequent in recent years.

Over time, it is hoped that existing structures in the surrounding neighborhood can incorporate these higher level of fire prevention measures. By building these features into new construction, they begin to lessen the effects of wildfire on their neighboring community.

Thank you for the opportunity to comment on this new project proposal. Please don't hesitate to contact me should you have any further questions.

Sincerely,

David Shew

Owner/CEO – Wildfire DefenseWorks
Retired CAL FIRE Staff Chief



COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT F

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

DATE: July 28, 2021

TO: Planning Commission

FROM: Planning Staff

SUBJECT: EXECUTIVE SUMMARY: Consideration of a Minor Subdivision, a Resource Management Permit, and a Grading Permit, and adoption of the Revised Re-Circulated Initial Study/Mitigated Negative Declaration, to subdivide a 60.3-acre parcel into 3 parcels, each approximately 0.7-acre in size, for future residential development, creating a 58.153±-acre remainder parcel (with approximately 48.88 acres of land to be protected by a conservation easement, and 9.27 acres of developable area including an existing single-family dwelling). The project involves an upgrade of a 203 linear feet portion of the Billy Goat Hill sewer line that is required to off-set system capacity for the increase in service, grading including 455 cubic yards (cy) of earthwork (290 cy of cut and 165 cy of fill) for landslide repair and 30 cy of cut and 30 cy of fill for the sewer line upgrade, and no removal of protected trees. The project site is located at 1551 Crystal Springs Road, Unincorporated San Mateo County.

County File Number: PLN 2014-00410 (Zmay)

PROPOSAL

The applicant proposes to subdivide a 60.3-acre parcel to create three new parcels with road frontage on Parrott Drive (0.669-acre, 0.707-acre, 0.734-acre in size; Parcels 1-3) and a 58.153-acre remainder parcel (48.88 acres of land to be protected by a conservation easement, and 9.273 acres of developable area which includes an existing single-family dwelling). The project site is located in the San Mateo Highlands, adjacent to the Town of Hillsborough and is bounded to the west by Crystal Springs Road, to the southwest by Polhemus Road, and to the northeast by Parrott Drive. No residential development is proposed with the subdivision at this time. Future residences on Parcels 1-3 will require separate planning and building permits and would connect to existing utilities.

The proposed density of the subdivision would achieve the maximum density allowed for the subject property by the Resource Management Zoning District (RM) when as in this case, specific criteria are met. The proposed establishment of the conservation easement affords proposal a 20 percent density bonus. The easement requires the application of development criteria that encourage clustering of development to retain

the natural characteristics of the land and allows modified development standards for houses which conform to surrounding neighborhood.

RECOMMENDATION

That the Planning Commission certify the Revised Re-Circulated Initial Study/ Mitigated Negative Declaration and approve the Minor Subdivision, Resource Management Permit, and Grading Permit, County File Number PLN 2014-00410, by adopting the required findings and conditions of approval listed in Attachment A.

SUMMARY

The subdivision proposal was reviewed for environmental impacts and consistency with County policies. Areas of focused environmental evaluations were the project's aesthetics, biological resources, geology and soils, and hazards and hazardous materials, hydrology and water, and public services. These were also the most relevant with respect to consistency with the General Plan, Resource Management Zoning Regulations, and Development Review Criteria. The project is also subject to the Grading Ordinance and Subdivision Regulations.

Environmental Review

An Initial Study/Mitigated Negative Declaration (IS/MND) was prepared and circulated from April 7, 2018 to May 7, 2018 for an earlier version of the project, a 4-lot subdivision. The project was revised in 2018 to 3 lots and a Re-Circulated Initial Study and Mitigated Negative Declaration (Re-Circulated IS/MND) was circulated from January 21, 2020 through February 24, 2020. Staff responded to comment letters received by providing additional information in a Revised Re-Circulated IS/MND, as well as providing responses in the staff report. Areas where additional discussion about potential impacts were added include Aesthetics, Biological Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, and Public Services. Per Section 15073.5. of the California Environmental Quality Act Guidelines, the proposed mitigation measures which appeared in the January 21, 2020 IS/MND (Mitigation Measures 4-8, 10, 44, 60, 61) were strengthened and no new ones were added, therefore they and remain adequate to reduce impacts from the project to less than significant.

Aesthetics

The subject property is adjacent to two County scenic corridors, Crystal Springs Road and Polhemus Road. Parcels 1-3, and their future residential development, will be located along Parrott Drive (not a scenic resource), and would not be not visible from the County scenic corridors. The majority of the subject parcel, the 48 acres of the 58-acre remainder parcel, would remain undeveloped and protected under a conservation easement. The proposed grading for landslide repair and sewer line upgrade would not significantly alter the scenic nature of the hillside. The stitch pier walls will be

approximately two feet above grade and would be located approximately 700 linear feet from the scenic corridors, and the sewer upgrade will occur approximately 150 linear feet from Crystal Springs Road. The construction areas have elevation changes from the road and existing vegetation provides screening of work areas. In both instances, the disturbed areas will be stabilized with replanting of native grasses and plants.

Biological Resources

Sensitive habitats were identified through biological site evaluations by the Project Biologist and Ecologist from Wood Biological Consulting, Inc., which were conducted in 2007, 2014, 2015, 2017, and 2021. Special status species habitat and potential habitat for the California red-legged frog, San Francisco garter snake, Central California Coast Steelhead, and mission blue butterfly were observed on the site. In addition, three intermittent stream channels, each a tributary to San Mateo Creek, cross the slopes of the subject property.

The proposed grading work will occur outside of the identified wetlands and the proposed infrastructure will not significantly impact them. The project includes mitigation measures which will protect biological resource prior to, during and post construction of the stitch pier retaining walls and sewer upgrade. The parcel sizes and configurations have been adjusted to exclude sensitive habitat boundaries and landslide areas and future development envelopes would be outside of these areas.

Geology and Soils, Hazardous Materials, Hydrology and Water Quality

As required by the General Plan, geotechnical studies were conducted by the project geotechnical consultant, Murray Engineers, Inc., and peer reviewed by and the County's consultant, Cotton Shires and Associates, Incorporated. The area of the landslide is not within the boundaries of the proposed parcels, however, the recommendation from these experts for the proposed subdivision includes the installation of stitch pier walls to stabilize the active landslide area. The landslide repair work will precede recordation of the final map and any residential development. Both geotechnical consultants have evaluated the proposal and determined that upon completion of the landslide repair, that the site is suitable for future single-family residential development and their location will not increase the geotechnical hazard on site or on neighboring properties.

The landslide areas are proposed to be contained in the conservation easement where no residential use is proposed and future development will be restricted. As proposed and mitigated, the project complies with applicable hazards and public safety criteria.

Public Services

Mainline utilities for Parcels 1-3 exist underground along Parrott Drive and are adjacent to existing single-family residential development. All necessary public utilities are available and, as proposed and mitigated, would have capacity for future residential development on the proposed parcels. The project involves an upgrade of a 203 linear feet portion of the Billy Goat Hill sewer line that is required to off-set system capacity for the project increase in service.

Compliance with the General Plan

Staff has reviewed the project for conformance with all applicable General Plan Policies. The key policies applicable to this project are found in Chapter 1: Vegetative, Water Fish and Wildlife Resources; Chapter 4: Visual Quality; Chapter 8: Urban Land Use; and Chapter 15: Natural Hazards. Through project design and the implementation of mitigation measures, the proposed landslide repair and creation of residential parcels are consistent with County policies.

Compliance with Resource Management

The proposal for the minor subdivision is compliant with RM Zoning District provisions related to use, density, and intensity of development, and is consistent with the required and available levels of services necessary for three new parcels (Section 6314). Single-family residences are allowed in the zoning district (Section 6315) and the reduced setback criteria can be met and would be applied to the future development. Finally, with inclusion of a conservation easement (Sections 6317, 6317A, and 6318), the project does not exceed the maximum allowed density required for the proposed development.

This project has been reviewed under, and found to comply with, zoning regulations applicable to the Resource Management (RM) District, including Chapter 20.A (Resource Management District), Section 6324 (General Review Criteria for RM District), Section 6325 (Supplementary Review Criteria for Primary Resource Areas), and Section 6451.3 of Chapter 23 (Development Review Procedure). Specifically, as proposed, mitigated, and conditioned, the project complies with the maximum density credits (plus requested bonus credits), the requirement for a conservation easement over the remainder parcel, as well as applicable Environmental Quality Criteria and Site Design Criteria requiring minimization of grading and an RM compliant tree removal.

Compliance with Subdivision Regulations

The proposed Minor Subdivision has been reviewed by Planning staff with respect to the 1992 County Subdivision Regulations, as it was originally deemed complete under these regulations. The County's Building Inspection Section, Environmental Health Services, Geotechnical Engineer, Department of Public Works, Crystal Springs Sanitary District, and Cal-Fire have reviewed and provided preliminary approval of the project.

The subdivision has been proposed in a manner which keeps the majority of the land open and undeveloped and protected under a conservation easement, and clusters future residential development on Parcels 1-3, consistent with surrounding residential development, siting future development in a manner that is not visible from the scenic corridors (Policy 4.35 *Rural Subdivisions Design Concept*) and (Policy 4.36 *Urban Area Design Concept*). As conditioned, the project is in compliance with the standards and the requirements of the County's Subdivision Regulations.

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

DATE: July 28, 2021

TO: Planning Commission

FROM: Planning Staff

SUBJECT: Consideration of a Minor Subdivision, a Resource Management Permit, and a Grading Permit, pursuant to Section 7101 of the 1992 San Mateo County Subdivision Regulations, Section 6313 of San Mateo County Zoning Regulations, and Section 9283 of the San Mateo County Grading Regulations, respectively, and adoption of the Revised Recirculated Initial Study/Mitigated Negative Declaration, pursuant to the California Environmental Quality Act, to subdivide a 60.3-acre parcel into 3 parcels, each approximately 0.7-acre in size, for future residential development, creating a 58.153±-acre remainder parcel (with approximately 48.88 acres of land to be protected by a conservation easement, and 9.27 acres of developable area including an existing single-family dwelling). The project involves an upgrade of a 203 linear foot portion of the Billy Goat Hill sewer line that is required to off-set system capacity for the project increase in service, grading including 455 cubic yards (cy) of earthwork (290 cy of cut and 165 cy of fill) for landslide repair and 30 cy of cut and 30 cy of fill for the sewer line upgrade, and no removal of protected trees. The project site is located at 1551 Crystal Springs Road, Unincorporated San Mateo County.

County File Number: PLN 2014-00410 (Zmay)

PROPOSAL

The applicant proposes to subdivide a 60.3-acre parcel to create three new parcels: Parcels 1-3 (0.669-acre, 0.707-acre, 0.734-acre in size). A 58.153-acre remainder parcel would result from the subdivision, of which 48.88 acres would be protected by a conservation easement, and 9.273 acres would be developable area. The developable area of the remainder parcel includes an existing single-family dwelling. The proposed subdivision would achieve the maximum density allowed for the subject property in the Resource Management Zoning District (RM), including additional density credits available due to the proposed establishment of a conservation easement and compliance with development criteria that encourage clustering of development to retain the natural characteristics of the land.

The project site is located in the San Mateo Highlands, adjacent to the Town of Hillsborough, and is bounded to the west by Crystal Springs Road, to the southwest by Polhemus Road, and to the northeast by Parrott Drive. Future residential development on Parcels 1-3 will require separate planning permits, which are not included in the subject application. With respect to siting, however, future residences would be built along Parrott Drive, a residential street with existing road and utility infrastructure. The Crystal Springs Sanitation District (District) would provide wastewater service to future residences via a subsystem called the Billy Goat Hill sewer pipeline. To maintain sewer line service levels, the District will require a 203 linear foot portion of the sewer pipeline to be realigned. The realignment would occur on the lower portion of the parcel, approximately 150 feet west from Crystal Spring Road, within an existing sewer easement. The sewer line upgrade work would be completed prior to the recordation of the final parcel map.

Future development of Parcels 1-3 would comply with the alternative development standards afforded by Section 6319.c of the RM Zoning District, which would better conform the rural lots to the urban setback requirements of the surrounding neighborhood (front setbacks of 20 feet and side setbacks of 10 feet) in the R-1/S-8 Zoning District (front setbacks of 20 feet and side setbacks of 5 feet).

The subject parcel has previous and active landslide activity. A geotechnical evaluation determined that the landslides can be remediated, and, with the implementation of geotechnical recommendations, residences could be constructed on Parcels 1-3. The proposed landslide stabilization work would require 455 cubic yards of earthwork (290 cy of cut and 165 cy of fill) and the installation of two stitch pier retaining walls below the proposed parcels. This activity would be completed prior to the recordation of the final parcel map.

As described in the Revised Recirculated Initial Study/Mitigated Negative Declaration (Revised Recirculated IS/MND or RRIS/MND), assessments of biological resources on the entire subject property were conducted on the proposed parcels in 2014, 2015, 2017, and 2021. The findings of the assessments remained consistent over time and are summarized below. The proposed conditions of approval require an updated biological resources survey prior to any construction disturbance.

The biological assessments identified features on the subject property that fall under both federal (U.S. Army Corps of Engineers (USACE)) and State (California Department of Fish and Wildlife (CDFW) and Regional Water Quality Control Board (RWQCB)) jurisdiction. In addition, the assessments identified habitat for four special-status species and populations of six special-status plants on the site. Biologist reports include a wetland delineation and recommendations for wetland protection during grading and construction. Measures to protect biological resources have been incorporated in the project design and mitigation measures.

RECOMMENDATION

That the Planning Commission adopt the Revised Recirculated Initial Study/ Mitigated Negative Declaration and approve the Minor Subdivision, Resource Management Permit, and Grading Permit, County File Number PLN 2014-00410, by adopting the required findings and conditions of approval listed in Attachment A.

BACKGROUND

Report Prepared By: Erica Adams, Planner III, Project Planner

Applicants: Steve and Nicholas Zmay

Owner: Z-Enterprises LP

Location: 1551 Crystal Springs Road, Hillsborough (Unincorporated)

APN: 038-131-110

Size: 60.3± acres

Existing Zoning: Resource Management (RM)

General Plan Designation: Open Space; Urban

Sphere-of-Influence: City of San Mateo

Existing Land Use: Single-Family Residential

Water Supply: The project does not require water service at this time. California Water Service would serve future residences.

Sewer Service: The project does not require sewer service at this time. Crystal Springs Sanitation District would serve future residences.

Flood Zone: Zone X Panel 06081C0165E, October 16, 2012

Environmental Evaluation: An Initial Study/Mitigated Negative Declaration (IS/MND) was prepared for an earlier version of the project which consisted of a 4-lot subdivision and a remainder parcel and circulated from April 7, 2018 to May 7, 2018. The project was revised to a 3-lot subdivision and a remainder parcel in 2018 and a Recirculated Initial Study and Mitigated Negative Declaration (Recirculated IS/MND) was circulated from January 21, 2020 through February 24, 2020. Staff has responded to comments received by providing additional information in a Revised Recirculated IS/MND when appropriate, as well as providing a brief response in this report. Per Section 15073.5. of

the CEQA Guidelines, recirculation of the Revised Recirculated IS/MND is not required because the changes do not constitute “substantial revisions,” as defined.

Setting: The subject parcel is approximately 60.3-acres. The majority of the parcel is undeveloped. There is an existing single-family residence on a portion of the subject parcel which takes access from Crystal Springs Road. The property is generally steep, with slopes varying from 2:1 to 3:1 (horizontal to vertical). The north/eastern portion of the parcel along Parrott Drive where the 3 new parcels are proposed has an approximate slope of 37 percent.

The site is bounded to the west by Crystal Springs Road, to the southwest by Polhemus Road, and to the northeast by Parrott Drive. San Mateo Creek and Polhemus Creek run along the base of the ridgeline and converge near the southern corner of the property. The Town of Hillsborough borders/surrounds the parcel to the north and west. Single-family residential neighborhoods are located to the north and east, with areas of open space to the south and west.

Chronology:

<u>Date</u>	<u>Action</u>
March 18, 2014	Applicant submitted a Major Development Pre-Application (PRE 2014-00004).
June 10, 2014	Community Major Development Pre-Application meeting.
October 17, 2014	Application submitted for subdivision of the property into four approximately 2-acre parcels and a remainder parcel, subject to the County’s 1992 Subdivision Regulations (Current Subdivision Regulations were adopted in December 2017).
June 11, 2015	Applicant revises project to address the County's geotechnical comments about landslide and repair.
April 26, 2016	Applicant revises project to address location of landslide and wetlands; Reduces parcels to approximately 0.73-acres each.
July 12, 2016	County requests additional information about grading and protection of wetlands.
November 21, 2016	Applicant submits additional biological reports, revised grading plans, and additional project details. Applicant revises Tentative Map to include wetland areas in the proposed conservation easement area.

January 9, 2017	County requests additional biological data as the previous wetland delineation expired and biological surveying of property occurred in 2014 or earlier.
September 5, 2017	Updated biological report dated August 17, 2017 received.
April 7, 2018	County releases Initial Study and Mitigated Negative Declaration (IS/MND) and a 30-day public review period begins.
May 7, 2018	IS/MND public review period ends. Highlands Community Association (HCA) raises concerns about public noticing.
October 4, 2018	Applicant submits revised plans for a 3-parcel subdivision with landslide area and wetlands within the conservation easement and no residential development directly above landslide repair area (formerly parcel 2).
November 8, 2018	County holds community meeting at the request of the HCA.
December 4, 2018	County staff attends a neighborhood meeting to discuss the project.
January 21, 2020	County releases Recirculated Initial Study and Mitigated Negative Declaration (Recirculated IS/MND) and a 30-day public review period begins.
February 24, 2020	Recirculated IS/MND comment period ends.
January 2021	Applicant finalizes agreement with Crystal Springs Sanitary District on required mitigation.
February 2021	Applicant and District staff conduct field inspection of work area.
March 11, 2021	Applicant revises project to incorporate sewer pipeline proposal as required by the District. Project application is deemed complete.
June 21 and 24, 2021	Project ecologist conducts field survey and identifies Franciscan onion plants.
July 15, 2021	Revised Recirculated Negative Declaration is released for public review in advance of the Planning Commission hearing. (No comment period is required.)

DISCUSSION

A. KEY ISSUES

1. Conformance with the General Plan

The subject parcel is designated Open Space and Urban by the General Plan. The proposed subdivision would create three parcels for future residential development, adjacent to existing residential development in both unincorporated San Mateo Highlands and the Town of Hillsborough.

Staff has reviewed the project for conformance with all applicable General Plan Policies. The key policies applicable to this project are found in Chapter 1: Vegetative, Water Fish and Wildlife Resources; Chapter 4: Visual Quality; Chapter 8: Urban Land Use; and Chapter 15: Natural Hazards. The project’s compliance with applicable General Plan policies and development guidelines is discussed below.

a. Chapter 1: Vegetative, Water, Fish and Wildlife Resources

Policy 1.21 calls for the County to consider areas designated as sensitive habitats as a priority resource requiring protection (*Importance of Sensitive Habitats*). Policies 1.23-1.24 (*Regulation and Protection of Development*) require the County to balance protection of resources with responsible development. Policy 1.25 (*Protect Vegetative Resources*) requires regulation of land uses and development activities to prevent, and, if feasible, mitigate to the extent possible “significant adverse impacts on vegetative, water, fish and wildlife resources.” As discussed below, the project has been designed and mitigated to comply with policies associated with protection and preservation of sensitive habitats.

The Project Biologist, Michael Woods of Wood Biological Consulting, Inc., identified on-site sensitive habitat during biological site evaluations conducted in 2007, 2014, 2015, and 2017. Chris Rogers, Senior Ecologist, conducted an additional survey in 2021. Special status species habitat and potential habitat for the California red-legged frog, San Francisco garter snake, Central California Coast Steelhead, and mission blue butterfly were observed on the site. The western leatherwood was identified on proposed parcel 3. None of the other five special-status plant species previously documented on the subject property was observed in the project area for proposed residential development, which covers a total of approximately 3 acres. No slide landslide repair activity is proposed or required on

Parcel 3, and the portion of the designated remainder parcel that is likely to accommodate a future residential structure is not in the vicinity of known leatherwood plants, as they are approximately 175 feet down slope from Parrott Drive and outside of a residential footprint.

A population of *Franciscan_onion* appears within about 10 feet of the lower existing sewer pipe alignment, near the Odyssey School, however no special-status plants were mapped on the existing or re-aligned segment. All observed plants were flagged by the project ecologist, Chris Rogers during a survey. The flagged plants shall be fenced off to prevent intrusion by construction activities as detailed in Mitigation Measure 4.

Three intermittent stream channels, each a tributary to San Mateo Creek, cross the slopes of the subject property and feed two (2) small stands of riparian vegetation which fall under the jurisdiction of state and federal agencies. The portion of wetland area on the parcel which qualifies as federally-protected wetlands was estimated as 0.42-acre and an additional 0.21-acre of non-wetland riparian habitat falls under State jurisdiction only. When the subdivision was revised from four parcels to three, in 2018, the wetland areas were incorporated in boundaries of the conservation easement. The project, as proposed, does not remove wetland area, although some willows may be cut back to accommodate construction. In addition, the flow of water to the wetland areas would be minimally altered based on the location of the proposed development (stitch pier walls and residential) and the slope of the hillside, and mitigation measures (MM 4-25) have been incorporated into the project to reduce potential project impacts to a less than significant level.

Policy 1.28 (*Regulate Development to Protect Sensitive Habitats*) requires protection of rare, endangered, and unique plants and animals from reduction in their range or degradation of their environment. Mitigation measures have been developed to protect the wetlands and biological resources on the site. Prior to any land disturbance, a survey for special status species and an updated delineation of the wetland boundaries will be conducted for the purpose of establishing boundaries for construction activities. Training will inform workers of the best practices required to protect biological resources (MM4 and MM5). The proposed grading work for the stitch pier walls will occur outside of, but adjacent to, the wetland willows. Some trimming may be required, but the willows will only be removed if it cannot be avoided. If removal is required, then development activities must comply with federal permit requirements (MM6 and MM7).

The second sensitive habitat is in the vicinity of the sewer pipe upgrade. The Franciscan onion was mapped in 2007 within 10 feet of the existing sewer line. A 2021 survey confirmed that the onion plants remained in the previously identified location. The onion plants are not in the footprint of the upgrade work and are protected from project-related disturbance by a grade change between them and the existing roadway, which will be used during the upgrade work. The project ecologist visited the site in June 2021 and flagged plant locations, as the onion plants are only identifiable during the months of May to June. The flags will allow a construction perimeter to be established to ensure that the plants are not disturbed. Mitigation measures 4 and 5 require the creation of protection zones and training of construction staff to protect the plants and will minimize project impacts to a less than significant level.

Policy 1.29 (*Establish Buffer Zones*) and Policy 1.27 (*Protect Fish and Wildlife Resources*) requires establishment of necessary buffer zones adjacent to sensitive habitats which include areas that directly affect the natural conditions. Mitigation Measures 11 through 14 require the applicant to implement several pre-construction and construction phase measures to protect raptors, migratory birds, and bats and special status animals. In addition, the wetlands and areas of habitat and potential habitat would be protected by the proposed conservation easement after the installation of the stitch pier retaining walls. The easement would cover nearly 49 acres of land which cannot be further subdivided. The wetland areas and a majority of areas which have had landslide activity would all be within the easement. The land will retain its Resource Management zoning which only allows for uses which are compatible with preserving open space.

The parcel sizes and configurations have been adjusted to exclude sensitive habitat boundaries and landslide areas, and future development envelopes would avoid these areas. Through project design and the implementation of mitigation measures, the proposed landslide repair, sewer line replacement, and creation of residential parcels are consistent with the Vegetative, Water Fish and Wildlife Resources policies of the General Plan.

b. Chapter 4: Visual Quality

Policy 4.15 (*Protect Scenic Corridors*) calls for the County to: a. Regulate development to promote and enhance good design, site relationships and other aesthetic considerations; and b. Regulate land divisions to promote visually attractive development. Policy 4.22 (*Appearance of New Development*) calls for the County to protect and

enhance the visual quality of scenic corridors by managing the location and appearance of structural development.

The subject property is adjacent to two County scenic routes, Crystal Springs Road and Polhemus Road. Parrott Drive, not classified as a scenic route, also borders the parcel and would provide the road access for the three proposed parcels (Parcels 1-3). Parrott Drive is approximately 300 feet in elevation above and a lineal distance of approximately 1,000 feet from Crystal Springs Road, with dense tree coverage in between the scenic route and proposed parcel locations. Polhemus Road curves eastward, with a lineal distance of approximately 2,200 feet from the proposed parcels. The proposed grading for landslide repair would not alter the scenic nature of the hillside. Disturbed areas are not visible from Polhemus or Crystal Springs Roads and would be re-vegetated with replanting of native grasses and plants.

The subdivision has been proposed in a manner which keeps the majority of the land open and undeveloped and protected under a conservation easement, and clusters future residential development on Parcels 1-3 consistent with surrounding residential development, siting future development in a manner that would not be visible from the scenic routes.

Policy 4.36 (*Urban Area Design Concept*) encourages new development in rural subdivisions to be compatible with established architectural styles and patterns. Future residential development would utilize reduced setbacks allowed when Resource Management criteria are met, to better conform to the development setbacks of existing nearby residences. Additionally, as discussed in Section A.3 of this report, the future residences would be subject to Site Design Criteria of the RM Zoning District, which requires development to be subordinate to the pre-existing character of the site, is designed to fit the natural topography, and minimize grading and modification of existing land forms and natural characteristics.

c. Chapter 8: Urban Land Use

Policy 8.15 (*Land Use Compatibility*) requires protection of the character of existing single-family areas from adjacent incompatible land use designations which would degrade the environmental quality and economic stability of the area. Policy 8.30 (*Infilling*) requires the infilling of urban areas where infrastructure and services are available and Policy 8.32 (*Overcoming Constraints to Development*) requires infrastructure (e.g., water supply, wastewater, roads) necessary to serve the level of development allowable within urban areas and

improvements which minimize the dangers of natural and manmade hazards to human safety and property.

The subject parcel is located in the urban neighborhood of the San Mateo Highlands and is designated Open Space and Urban. The subject application does not include residential development, but it does create three new parcels which would support residential development. The residential parcels along Parrott Drive have been proposed in an area on the parcel which is surrounded by urban uses, and where utilities are readily available. The development envelopes on each parcel have reduced setbacks to allow the future houses to better blend in with the surrounding residences. The proposed conservation easement over nearly 49 acres of the parcel would preserve natural resources and only allow low intensity uses.

Infill and clustered development are positive features of the proposed development which the County incentivizes through the provision of density bonuses as it allows for greater preservation of open space. Parrott Road has adequate capacity to support additional traffic; no road improvements were requested by the Department of Public Works (DPW). Connections to existing utilities would also be via Parrott Road. The applicant has received "will serve" letters from all utility agencies. Crystal Springs Sanitary District will require the applicant to upgrade a portion of the serving sewer line as a condition for service of the three parcels to maintain the current level of service when sewer demand from the three residential parcels is added to the system. The placement of the landside repair area and the site's biological resources within the area of the proposed conservation easement would prevent future development in hazard areas and result in the preservation of the natural resources on the property.

d. Chapter 15: Natural Hazards

Policy 15.20 (*Review Criteria for Locating Development in Geotechnical Hazard Areas*) requires development to avoid the siting of structures in areas where they are jeopardized by geotechnical hazards, where their location could potentially increase the geotechnical hazard, or where they could increase the geotechnical hazard to neighboring properties; wherever possible, avoid construction in steeply sloping areas (generally above 30%) and, avoid unnecessary construction of roads, trails, and other means of public access into or through geotechnical hazard areas.

The subject parcel has previous and active landslide activity. The applicant has submitted a geotechnical study from Murray Engineers, dated June 3, 2015 and a Supplemental Evaluation and Response,

dated March 18, 2015, which has been reviewed and preliminarily approved by Cotton, Shires and Associates, Inc., the County's Geotechnical Consultant on July 14, 2015. The report from Murray Engineers provides detailed recommendations for the proposed development. Additional correspondence from 2018 and 2019 confirming hillside stability resulting from the recommended landslide repair included in Attachment L of the Revised Recirculated IS/MND.

As required by the General Plan, field studies were conducted and analysis was provided by the project geotechnical consultant, Murray Engineers, Inc., and peer reviewed by the County's consultant, Cotton Shires and Associates, Inc. The landslide areas would not be located within the boundaries of the proposed parcels, however, geotechnical recommendations for the proposed subdivision include the installation of stitch pier walls to stabilize the active landslide area. The landslide repair work would include 455 cy of grading in addition to the installation of stitch pier retaining walls. Completion of the landslide repair work is required prior to recordation of the final map and any residential development.

Both geotechnical consultants have evaluated the proposal and determined that upon completion of the landslide repair, the site is suitable for future single-family residential development and that future residences will not increase the geotechnical hazard on site or on neighboring properties. Project geotechnical analysis indicates that the project, as proposed and mitigated, would result in impacts to geology and soils which are less than significant. Therefore, future residential development on the proposed parcels would meet the General Plan's location criteria.

Policy 15.20 (*Review Criteria for Locating Development in Geotechnical Hazard Areas*) allows, in extraordinary circumstances when there are no alternative building sites available, development in geotechnically hazardous and/or steeply sloping areas when appropriate structural design measures to ensure safety and reduce hazardous conditions to an acceptable level are incorporated into the project.

The County Geotechnical Section reviewed the submitted geotechnical reports in order to identify any potential alternative sites for new residential development and parcel locations. All areas where identified geological hazards exist were depicted and conceptually mapped (Attachment S of the IS/MND Attachment E). As is illustrated by the map, there are only two areas on the parcel that are entirely outside of identified geologic hazard areas: the subject project area, and an area behind the homes on Enchanted Lane.

The alternate location would require the construction of a private roadway approximately 200 feet long over an easement extending from Rainbow Drive and located over a steeply-sloped portion of the parcel. A firetruck turnaround would be required to provide adequate fire protection; however, a turnaround may not be feasible due to the parcel's slope. New utility infrastructure and trenching would also be required.

The applicant submitted analysis of this alternative site (Attachment T of IS/MND Attachment E). Development concerns expressed by the applicant included road construction of approximately 550 feet for access and a cul-de-sac, 500 feet of utility trench, an increase in excavation and retaining walls, and that the site would not fit into the existing community fabric.

There are no feasible alternative potential sites with slopes of less than 30% that would allow for clustering future home sites with existing residences in the neighborhood. Development of flatter areas of the property with homes sites would not allow for clustering of development with existing residences, would require extensive land disturbance for new utilities and access, and would significantly change views from Polhemus Road. The subject proposal would develop the portion of the parcel which is most consistent with County development policies.

2. Compliance with the Resource Management (RM) Zoning District

Per Zoning Regulations Sections 6314 through 6317, the proposal for the minor subdivision is compliant with RM Zoning District provisions related to use, density, and conservation of open space and is consistent with the required and available levels of services necessary for three new parcels. Single-family residences are allowed in the zoning district per Section 6315 with a RM Permit. With inclusion of a conservation easement (as required by Sections 6317, 6317A, and 6318), the project does not exceed the maximum allowed density for the property. The project's consistency with the RM Zoning District standards is discussed in detail below.

The RM Zoning District does not establish a minimum parcel size; maximum density of development is determined using criteria found in Section 6317 of the Zoning Regulations. The density analysis is a standardized calculation performed on parcels zoned RM using the enumerated criteria which takes into account slope, landslide susceptibility, proximity to existing public roads, and potential for agriculture. The density analysis performed by the County for the subject property resulted in three (3) density credits. A single-family residential unit requires one density credit. The existing residence on the subject property utilizes one of the credits.

The additional credit needed for the proposed development is contingent upon the acceptance of a conservation easement, per Section 6317A and the granting of two 10% density bonuses, per Section 6318 of the Zoning Regulations. Based on a total of 3 density credits, the granting of two (2) 10% bonus credits (0.3 each or 0.6 bonus credits total), would allow for a total of 3.6 density credits, which would be rounded up to 4 density credits. Four density credits allow for four (4) single-family dwelling units on the subject property, sufficient to accommodate three new residences and the one existing residence.

Staff has determined that the proposal meets the criteria for bonus credits under Sections 6318.a and b. The Section 6318.a. criteria is met because the applicant proposes a conservation easement over 48.88 acres of the 60.3-acre parcel (or 80% of the total property). Section 6318.b allows for an additional 10% development bonus for use of building and site design, structural systems, and construction methods that reduce the amount of land area to be altered from a natural state and preserve the overall natural appearance and scale of the area. The project meets these criteria because the proposed parcels are near existing residential development with access from Parrott Drive, an existing road, and therefore no new access road is required. In addition, the proposed building envelopes have reduced front setbacks of 20 feet which allows for grading to be minimized through reduced driveway lengths.

Section 6319C allows for a reduction of setbacks to 20-feet at the front property line and 10-feet at the side yards for residential projects in urban areas that preserve open space. This proposal meets all of the criteria necessary to allow this modification to setbacks, as discussed below:

- a. *The project preserves an area of open space that significantly enhances the protection of visual, habitat, or open space resources. The preservation of open space is accomplished by a conservation easement.*

Parcels 1-3 are located on the northeast edge of the parent parcel, creating a proposed subdivision with the maximum amount of contiguous open space. Future residential development would be located in a manner which protects public views from the adjoining County scenic routes due to topography and dense vegetation. All significant biological resources have been excluded from the residential parcels and would be placed in the proposed conservation easement.

- b. *The project is located in an urban area, as shown on Map 8.1M of the San Mateo County General Plan.*

The site is located in an urban area designated by the General Plan.

- c. *The home sites are located immediately contiguous to an existing, developed area.*

The home sites are located immediately contiguous to an existing, developed area along Parrott Drive.

- d. *The reduced setbacks are appropriate to conform the proposed development to existing development, thereby helping to integrate the new development into the surrounding neighborhood.*

The reduced setbacks are more compatible with nearby existing residential development than the standard minimum 50-foot front setback and 20-foot side yard setback of the RM zoning district. The parcels on east side of Parrott Drive, in unincorporated San Mateo County, are zoned R-1/S-8, have a 20-foot front setback and 5-foot side setbacks, and a 7,500 sq. ft. minimum parcel size. In addition, the parcels located to the north of Parcels 1-3, in the Town of Hillsborough, have a minimum front setback of 25 feet. The reduced setbacks proposed allow development to be closer to the roadway. Views of the future residences from Parrott Drive would be similar existing residences in the surrounding area.

- e. *The reduced setbacks will allow for increased open space by: a) Reducing the front setback allows for shallower parcels, and thereby allowing for increased open space and/or conservation easement area to be preserved in the rear area of the project or subdivision, and/or b) Reducing the side setback(s) will promote clustering of proposed residences thereby allowing more open space and/or conservation easement area to be preserved in the project or subdivision.*

As discussed in criteria 1 and 4 above, Parcels 1-3 are intentionally smaller to allow more land and associated biological and scenic resources located to the west, north and south of the parcels to be preserved within the proposed conservation easement.

- f. *The project will comply with the following development standards:*

- (1) *Minimum Lot Width of 75 feet.*

The proposed parcels have widths ranging from 82.36 feet to 107.97 feet.

- (2) *Maximum Building Site Coverage Ratio of 40%.*

All future residential development proposed on Parcels 1-3 in subsequent applications will be required to comply with the lot coverage limit.

- (3) *Accessory buildings and structures will comply with Sections 6410 and 6411 (Detached Accessory Buildings) of this Ordinance Code, except that structures will maintain the minimum 20-foot rear setback and a minimum side setback of 10 feet.*

All accessory building development proposed on Parcels 1-3 in subsequent applications will be required to comply with the accessory building setbacks.

- g. *The project will minimize grading.*

The proposed building envelopes have reduced front setbacks of 20 feet which allows for grading to be minimized through reduced driveway lengths, building envelopes that are closer to the roadway, and reduced trenching required to install utilities.

- h. *The reduction of required setbacks does not adversely impact community character, public health, safety or welfare.*

The setback reduction improves the visual cohesion of residential development along Parrott Drive. As proposed and conditioned, the building envelopes on the proposed lots would be further away from areas of landslide activity and based on geotechnical review, would not have an adverse impact to public health or welfare.

3. Compliance with Development Review Criteria (Chapter 20A.2)

In the RM Zoning District, development is required to be consistent with the development review criteria of Chapter 20A.2 of the Zoning Regulations. For this project, development review criteria are applicable to both the proposed grading activity and subdivision. A separate review of compatibility with the RM development criteria will occur at such time as residences are proposed on the proposed parcels under Section 6324. The criteria sections are 1) Environmental Quality, 2) Site Design, 3) Utilities, 4) Water Resources, 5) Cultural, and 6) Hazards to Public Safety. Additionally, Section 6325, Supplementary Review Criteria for Primary Resource Areas, includes additional criteria which apply to this project because the site is designated as Open Space. Relevant supplemental criteria sections include Primary Scenic Resources Area Criteria (Section 6325.1), Primary Fish and Wildlife Habitat Areas Criteria (Section 6325.2), and Slope instability Criteria (Section 6326.4).

Many of the criteria are similar and/or identical to thresholds of significance found in the Revised Recirculated IS/MND and are similar to General Plan Policies and Zoning Regulations discussed in earlier sections of the report. Therefore, the following discussion of the project's adherence to these criteria is condensed and consolidated, when appropriate, and includes references to sections of the Revised Recirculated IS/MND.

Section 6324.1 Environmental Quality Criteria

The criteria in Section 6324.1 requires development to conserve energy and natural resources through clustering, comply with standards for emission of air pollutions and noise, and to avoid significant adverse environmental impact upon primary wildlife resources.

The proposed development satisfies the environmental criteria through project design, mitigation measures, and conditions of approval. Energy conservation efforts for this project include the clustering of development and the location of development to reduce paving, grading, runoff, and driving times, and use of structural designs which maximize use of solar energy and reduce use of electricity and fossil fuels. Future development would demonstrate a high degree of compatibility with, and minimal adverse impact on, wildlife habitat areas through compliance with RM zoning development standards which shall be applicable for all proposed residential development.

The land division would result in a subdivision design which clusters future development by placing the proposed parcels near existing residences where utilities and services currently exist. Construction activities associated with the proposed sewer line upgrade and the stich pier retaining walls to address landslide concerns would incorporate best practices related to emissions, noise, and chemicals and pesticides; as discussed in the Air Quality section of the Revised Recirculated IS/MND (Section 3), project construction activities would not exceed emission standards, create noxious odors, or release pesticides and chemicals into the environment.

Mitigation Measures 42-55 of the Geology and Soils section of the Revised Recirculated IS/MND (Section 6) relate to grading activities for landslide repair and would minimize erosion and runoff impacts to a less than significant level. Proposed landslide repair would minimize impacts of future development to the parcel or adjoining lands. As discussed in the RRIS/MND, the project, as proposed and mitigated, would result in minimal adverse impact to wildlife habitat areas, through the design and location of parcels, building envelopes, the exclusion of sensitive areas to the greatest extent possible from project disturbance, and the implementation of protection measures during all stages of site work. There is no extensive

change in vegetation cover proposed. Detailed analysis can be found in the RRMND: Section 1 - Aesthetics, Section 4 - Biology, Section 6 - Geology and Soils, and Section 10 - Land Use and Planning. Compatibility is elaborated on further in the Site Design Criteria discussion below.

Section 6324.2 Site Design Criteria

The site design criteria primarily pertain to development of structures, requiring development to be designed such that it is subordinate to the pre-existing character of the site, fit the natural topography, and minimizes grading and modification of existing land forms and natural characteristics. Criteria also require that development not substantially detract from the scenic and visual quality of the project area, and does not substantially detract from the natural characteristics of existing major water courses or established vegetation.

The subdivision has been designed to comply with applicable site criteria, in that the majority of the parcel will remain undisturbed and future residential development would be located on a developed street. The proposed home sites would be located on the north/eastern edge of the parcel and houses would be far from scenic resources, and within an established residential community, where access to utilities would not require trenching through open space areas. Furthermore, the applicant must replace vegetation and demonstrate that the development would not contribute to the instability of the parcel or adjoining lands.

The grading associated with the landslide repair, installation of stitch pier walls and sewer upgrade has also been designed to comply with site criteria. There will not be a change in the overall topography of the site with the proposed grading. The proposed grading area is small relative to the project site, avoids sensitive areas, minimizes impact on the natural characteristics of the hillside, and graded areas will be reseeded and/or replanted. The landslide repair with stitch pier walls has been reviewed and preliminarily approved by the County as adequate to minimize landslide susceptibility on the subject parcel and adjoining lands. The project meets the criteria requiring development to not contribute to the instability of the parcel or adjoining lands.

The criteria prevent any tree removal of trees 55 inches diameter or greater which is not necessary to allow development. The project does not involve the removal of any trees 55 inches in diameter or greater. It is anticipated some tree removal would occur with future residential development. Tree removal for this application complies with the RM criteria and has been minimized by a reduced project scope and reduced parcel sizes. Mitigation Measure 45 requires the applicant to protect trees which are located within and/or adjacent to construction activity zones.

Section 6324.3 Utilities

The applicable criteria call for underground utility lines and an adequate and available water supply. In addition, where a development proposes to utilize an existing public or community sewer system, it must demonstrate that sufficient utility capacity exists to serve the proposed development.

As previously mentioned, all utilities required for residential development are available to serve the proposed parcels. The project has will serve letters from California Water Service, and Crystal Springs Sanitary District (District). The District has stated that although the system is experiencing capacity issues, they do have capacity to serve the three proposed parcels provided that the applicant upgrades an existing section of sewer pipeline as an offset for the project increase in service demand, such that overall sewer demand would not change. A 203 linear foot upgrade to the system which would serve the parcels, called the Billy Goat Hill pipeline, has been determined by the District and the applicant to be adequate mitigation to offset the increase in service demand. New utility lines would be placed underground. A public water supply is available for this project.

Section 6324.4 Water Resources Criteria

The applicable criteria require development to minimize its impact on hydrologic processes, to minimize grading and other landscape alteration, to reduce erosion and exposure of soils to the maximum extent possible by site preparation procedures and construction phasing, and to maintain surface water runoff at or near existing levels. The project complies with criteria as the potential for discharge of solid or liquid waste or water with organic nutrients is minimized to a less than significant level as discussed in Section 4.a. of the Revised Recirculated IS/MND.

The project, as proposed and conditioned, would minimize impacts to riparian environments. The applicant is required to demonstrate methods for management of vegetative cover, surface runoff, and erosion and sedimentation processes to assure the protection of wetlands and thereby assure stability of downstream aquatic environments. Surface water in a small area of the site would be collected and distributed more evenly with a catch basin and perforated pipes to improve hillside stability.

All grading activities include extensive erosion control measures that are designed to control and to reduce erosion and exposure of soils to the maximum extent possible (Mitigation Measures 42-53). Water sources to on-site wetlands are not significantly impacted; as discussed in Section 4.a. of the Revised Recirculated IS/MND, the drainage changes resulting from the construction of the stich pier walls would have minimal impact to pre-development runoff levels.

Section 6324.5 Cultural Resources Criteria

The criteria require a survey by qualified professional in the event of an archaeological or paleontological discovery. A cultural resources survey was conducted, and the report was sent to the Cultural Historical Resource Information System, and a Sacred Lands file search was conducted by the Native American Heritage Council. The site and surrounding area are not known to have contained archeological or cultural artifacts. Mitigation Measures 25, 64, and 65 require work to cease and evaluation by qualified professionals in the event of an unexpected discovery.

Section 6324.6 Hazards to Public Safety Criteria and Section 6326.4 Slope instability Criteria

These criteria prohibit development from contributing to the instability of the parcel or adjoining lands, as well as the placement of structures in areas that are severely hazardous to life and property. As discussed previously in this report and in Geology and Soils, Section 6, of the Revised Recirculated IS/MND, the geotechnical concerns associated with the landslides on the property have been evaluated and reports have been peer reviewed as part of the evaluation of this proposal. The project, as proposed and mitigated, has been designed to adequately address adverse soil characteristics and other subsurface conditions. The landslide areas are proposed to be repaired and would be located within the area of the conservation easement where development is restricted. Future residences would be located outside of hazardous areas. Therefore, the project complies with applicable hazards and public safety criteria.

Section 6325 Supplementary Review Criteria for Primary Resource Areas

This section includes additional criteria which apply to this project, as the site is, in part, designated as Open Space. These criteria are in addition to all other Development Permit Review criteria and are also often similar or identical to criteria discussed previously in this report.

Section 6325.1 Primary Scenic Resources Areas Criteria

The criteria include development standards which protect public views of scenic corridors with respect to visibility, vegetation, and access. Approximately 1,500 lineal feet of the parcel abuts Crystal Springs Road, which is a designated County Scenic Route by the San Mateo County General Plan. The southwestern corner of the parcel, 800 lineal feet, abuts a portion of Polhemus Road which is also designated as a County Scenic Route. Neither road is designated a state scenic highway. The location of the proposed parcels and the landside repair would not be visible in most situations from the Crystal Springs Road or Polhemus Road due to

topography, distance, and tree canopy. No clear cutting is proposed. The landslide repair area has a low level of vegetation, and after repair work is completed, revegetation is required and would prevent erosion. Much of the area along the scenic routes would be placed in a conservation easement. The sewer pipeline repair area is visible from Crystal Springs Road; however, the pipe installation would occur underground, no trees are proposed to be removed, associated grading would have a small footprint, and the area will be restored with seeding and replanting as necessary in the post-construction phase. No new road access routes are necessary for any stage of the project, including the sewer line upgrade, stich pier wall installation, or future residential development. Scenic resources are preserved with this proposal, as discussed in detail in Section 1-Aesthetics of the Revised Recirculated IS/MND.

Section 6325.2 Primary Fish and Wildlife Habitat Areas Criteria

The criteria prohibit significant reduction of primary habitat areas, encourage clustering of development, and require spawning and nesting areas to be excluded from development. The project does not propose any reduction of primary habitat areas. The scope of work avoids sensitive habitats based on the conducted site surveys, and mitigation measures have been added to prevent any significant adverse impacts on wildlife and habitat. Submitted plans for the proposed grading demonstrate that the grading limits avoid encroachment into the wetlands and removal of willows is not anticipated. A pre-construction survey of protected species is required, and state and federal permits would be required should protected vegetation need to be removed. Future development would be located on three adjacent parcels near existing residential development and away from sensitive habitat, as required by the RM Zoning District.

Section 6325.3 Primary Agricultural Resources Area Criteria

These criteria pertain specifically to agricultural lands in an agricultural preserve or prime farmland. The subject property is not in an agricultural preserve, the property does not contain prime soil, nor are there are currently agricultural uses on the site. The proposed development is consistent with these criteria in that the proposed parcels are clustered such that the majority of the existing parcel remains undeveloped and available for agricultural uses consistent with the conservation easement and the RM Zoning District.

Section 6325.4 Primary Water Resources Area Criteria

The applicable criteria prohibit detrimental withdrawal from groundwater. They also prohibit construction, including placement of impermeable surfacing or compaction, that would significantly disrupt or diminish natural

patterns of groundwater recharge, interfere with the existing capacity of any water body, increase erosion or the amounts of silt or chemical nutrient pollutants, or otherwise contribute to the deterioration of the quality of water in any water body.

The proposed parcels would be served by California Water Service; therefore the future residences would not rely on groundwater withdrawal. The hydrological aspects of the project are discussed in Section 9, Hydrology and Water Quality, of the Revised Recirculated IS/MND. Drainage plans and erosion plans are required for the landslide repair to minimize erosion on site. The design of the drainage system facilitates project surface water to pass through the development in a stabilized manner and return to the groundwater table. Future residential development will be evaluated when permit applications are submitted, and the same criteria will be applied. This project is consistent with these criteria.

Section 6325.7 Primary Natural Vegetative Area Criteria

These criteria prohibit significant reduction of vegetation and call for clustering of development. Additionally, public access to vegetative areas should be controlled. Vegetation within sensitive habitats on the site will be protected through mitigation measures as discussed in the Section 4, Biological Resources, of the RRIS/MND and sections 1 (Vegetative, Water, Fish and Wildlife Resources) and 2 (Environmental Quality Criteria, Site Design Criteria, and Primary Fish and Wildlife Habitat Areas Criteria) of this report. No removal of protected vegetation is proposed with this application. The development envelopes for the future residences are not in close proximity to sensitive habitats and would be clustered to preserve the majority of the site under a conservation easement. Any public use of the land would be subject to review under a Resource Management permit and intrusion into any sensitive habitat would be prohibited or mitigated to insure a less than significant impact to vegetative areas.

Section 6326 Supplementary Review Criteria for Special Hazard Areas

The project is also subject to additional the special hazard area review criteria, as the development falls within the Special Hazards Area for landslide susceptibility. The criteria are 1) 6326.1 - Flood Plain Area Criteria, 2) 6326.2 - Tsunami Inundation Area Criteria, 3) 6326.3 - Seismic Fault/Fracture Area Criteria, and 4) 6362.4 - Slope Instability Area Criteria. The only applicable criteria are found in Section 6326.4 Slope Instability Area Criteria, as the site is not in a flood plain, tsunami inundation area, or on a seismic fault.

The subject parcel is identified on the United States Geological Survey Landslide Susceptibility Area Map of the County and has a history of landslide activity. Section 6326.4 allows for low-density residential uses in areas with landslide activity, when the applicant can demonstrate that 1) no other locations less susceptible to such hazards are reasonably available on the site for development; 2) through geologic site investigations and adequate engineering design, that proposed locations are suitable for the uses proposed; and 3) that direct damage to such uses or indirect threat to public health and safety would be unlikely.

Regarding criteria one, two potential sites were discussed in Section A.1 (Natural Hazards Chapter of the General Plan) of this report, and no alternative site was deemed feasible.

Regarding criteria two (geologic site investigations and engineering) and three (direct damage to the proposed uses or indirect threat to public health or safety), these issues have been discussed in Sections A.1 and A.2. As previously discussed in Section 6 of the Revised/Recirculated IS/MND and Section A.1 (General Plan: Natural Hazards) of this report, two geotechnical consultants have investigated the landslide area, provided recommendations, and concluded that the landslide repair will allow single-family residences to be constructed and occupied safely. Drainage plans have been developed for the stich pier walls by the applicant's civil engineer and evaluated by County's civil engineering section, and are discussed in Sections 4, Biological Resources and Hydrology/Water Quality for the RRIS/MND and Section 6325.4 Primary Water Resources Area Criteria in this report. The plan design and mitigations measures ensure that direct damage to future residential uses and indirect threat to public health and safety are unlikely.

4. Compliance with Subdivision Regulations

The proposed Minor Subdivision has been reviewed by Planning staff for compliance with the 1992 County Subdivision Regulations. The subdivision regulations were updated in 2017; however, the project was submitted and initially deemed complete under the 1992 regulations, and therefore has been processed under the 1992 regulations.

The County's Building Inspection Section, Geotechnical Engineer, Environmental Health Services, Department of Public Works, Cal-Fire, and Crystal Springs Sanitary District have also reviewed the proposed subdivision. As conditioned, the project is in compliance with the requirements of the County's Subdivision Regulations and the applicable standards of the reviewing agencies. Conditions of project approval have been included in Attachment A of this report. The following contains a

discussion of project compliance with eight specific findings required to approve the Minor Subdivision:

- a. *Find that, in accordance with Section 7013.3.b of the County Subdivision Regulations, this tentative map, together with the provisions for its design and improvement, is consistent with the San Mateo County General Plan.*

Planning staff has reviewed the tentative map and found it, as proposed and conditioned, to be consistent with the County General Plan as discussed in Section A.1 of this report, above.

- b. *Find that the site is physically suitable for the type and proposed density of development.*

As described in Sections A.1, A.2, and A.3 of this report, the project complies with both the General Plan land use density designation and the maximum density of development of the RM Zoning District. The project, as proposed and mitigated, would not result in any significant impacts to the environment. As described in Section C of this report, potential geologic hazards to the project site and immediate vicinity have been avoided or minimized, by adhering to geotechnical recommendations and would further be addressed with installation of the stitch pier walls. Project and County geotechnical consultants indicated that the proposed lots were suitable for residential development.

- c. *Find that the design of the subdivision and the proposed improvements are not likely to cause serious public health problems, substantial environmental damage, or substantially and avoidably injure fish or wildlife or their habitat.*

The proposed subdivision would not create public health problems. Potential impacts related to Geology and Soils, discussed in Section 6 of the Revised Recirculated IS/MND, include exposure of people and structures to landslide hazards; instability of underlying units due to differential settlement, soil creep, increased peak discharges, surface runoff, the triggering of localized slumps or landslides; substantial soil erosion; and exposure of people and structures to strong seismic ground shaking. Specifically, potential project impacts to public safety associated with landslide susceptibility have been evaluated and, as mitigated, found not to pose a significant environmental impact. As proposed and mitigated, project-related significant environmental impacts are not anticipated and biological resource mitigation measures have been added to the project to minimize project impacts to the dusky-footed woodrat, native bird species, native bat species,

California red-legged frogs, and the willow-scrub habitat and Franciscan onion. These mitigation measures require close monitoring and avoidance of these resources whenever possible. Implementation of mitigation measures in the Revised Recirculated IS/MND would reduce potential project environmental impacts to less than significant levels.

- d. *Find that the design of the subdivision and the proposed improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.*

There are no access easements recorded on the subject property.

- e. *Find that the design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities.*

Future development on the parcels could make use of passive heating and cooling to the greatest extent practicable to meet building standards and will be reviewed at time of application.

- f. *Find that the discharge of waste from the proposed subdivision into an existing community sewer system would not result in violation of existing requirements prescribed by a State Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the State Water Code.*

Sanitary sewer service would be provided to the project site by the Crystal Springs County Sanitation District (District). The District has indicated that they can serve the three proposed parcels (Parcels 1-3) via the Billy Goat Pipeline sewer line. The District has indicated that the system has capacity constraints, however the additional service for three houses would not exceed the system's capacity. Per Mitigation Measure 60, the applicant would be required to upgrade a 203 linear foot section of impacted areas of the Billy Goat Pipeline sewer line, with construction plans subject to District approval. The project-generated increase in sewer flow will be off-set by reducing the amount of existing Inflow and Infiltration (INI) into the District sewer system. Construction of improvements, as approved by the District, would be required to be completed prior to the recordation of the final parcel map. Therefore, as proposed and conditioned, the project would comply with requirements of the State Regional Water Quality Control Board.

- g. *Find that the land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965 ("the Williamson Act")*

and that the resulting parcels following a subdivision of that land would not be too small to sustain their agricultural use.

The property is not subject to a Williamson Act contract, does not currently contain any agricultural land uses, and is located within a zoning district which allows both agricultural and single-family residential uses. Given the amount of land to be placed in the proposed conservation easement, the potential for land to be utilized for agriculture would remain unchanged.

- h. *Find that, per Section 7005 of the San Mateo County Subdivision Regulations, the proposed subdivision would not result in a significant negative effect on the housing needs of the region.*

The project would result in the creation of three new residential parcels where only open space use currently exists and would preserve the existing residence. Therefore, the project would provide opportunities for additional housing and would not result in a negative effect on regional housing needs.

Park Dedication Requirement

Section 7055.3 of the County Subdivision Regulations requires that, as a condition of approval of the tentative map, the subdivider dedicate land or pay an in-lieu fee. The applicant proposes to pay the in-lieu park fee which will be calculated based on the formula contained in regulations at the time of recordation. Payment of this fee is consistent with this policy.

5. Conformance with the Grading Regulations

Per Section 9290 of the County Ordinance Code, the following findings must be made in order to issue a grading permit for this project. Staff's review of the project is discussed below:

- a. *That the granting of the permit will not have a significant adverse effect on the environment.*

As previously stated, both geotechnical consultants, the applicant's and the County's, have evaluated the proposal and determined that upon completion of the stich pier wall installation, the site is suitable for future single-family residential development and the location of future residences will not increase the geotechnical hazard on site or on neighboring properties.

Landslide considerations and repair in particular was reviewed, and specific recommendations were made by the applicant's geotechnical

team and peer reviewed by the County. The recommendations are included as Mitigation Measures 26-44. The grading plan has been prepared by a licensed civil engineer and has been reviewed and preliminarily approved by the Department of Public Works. Mitigation Measures 45-66 have been included in the project design, and, once implemented, would minimize the potential for a significant adverse impact on the environment.

- b. *That the project conforms to the criteria of Chapter 8, Division VII, of the San Mateo County Ordinance Code, including the standards referenced in Section 9296.*

Proposed grading plans meet the standards referenced in Section 9296 pertaining to Erosion and Sediment Control, Grading, Geotechnical Reports, Dust Control Plans, Fire Safety, and Time Restrictions. Erosion and sediment control measures are proposed and would be required to remain in place before, during, and immediately after construction and grading, and measures would be monitored throughout these operations. Performance standards for grading have been added as conditions of approval and would be implemented and monitored (Condition Nos. 2-4 and 28-55). Dust control measures must be implemented on the site. The proposed grading plan was prepared by a licensed civil engineer and reviewed by the San Mateo County Department of Public Works. A geotechnical report was also prepared for the site and reviewed by the County's Geotechnical Section. Grading is only allowed during the dry season between April 30 and October 1, unless reviewed and recommended by the project geotechnical consultant and approved, in writing, by the Community Development Director.

The design of the project and conditions of approval assure that the development would be accomplished in a manner that minimizes the potential for erosion. In addition, the proposed grading is subject to standard conditions of approval that include grading stage, during- and post-construction measures to ensure that the project is in compliance with the San Mateo County Grading Regulations.

B. COMPLIANCE WITH HOUSING ACCOUNTABILITY ACT

The Housing Accountability Act (HAA), among other things, prohibits a local agency from disapproving, or conditioning approval in a manner than renders infeasible, a housing development project unless the local agency makes written findings that the project would have a specific, adverse impact on the public health or safety, based upon a preponderance of evidence in the record. (Gov. Code § 65589.5.) The HAA is applicable to all housing development projects, including subdivisions. For this project, objective standards are the applicable standards of

the County's General Plan, RM Zoning Regulations, Subdivision Regulations, and Grading Regulations. The project's conformance with those objective standards are discussed in this report, and there are no conditions of approval proposed that would reduce the project's density or amount to a denial of the project.

C. ENVIRONMENTAL REVIEW

Scope of Revised Recirculated IS/MND

As required by the California Environmental Quality Act (CEQA), an Initial Study/Mitigated Negative Declaration (IS/MND) was prepared for an earlier version of the project, which consisted of a 4-lot subdivision and a remainder parcel, and was circulated from April 7, 2018 to May 7, 2018. The project was revised in 2018 to a 3-lot subdivision and a remainder parcel and a Recirculated Initial Study and Mitigated Negative Declaration (Recirculated IS/MND or RIS/MND) was circulated from January 21, 2020 through February 24, 2020. Comments were received and reviewed. A Revised Recirculated IS/MND (RRIS/MND) responds to the comments, and where appropriate, expands discussion and offers clarifications. The RRIS/MND is attached to this report as Attachment X and was posted on the Department's website on July 15, 2021.

Future Home Development

While residential development is not included in the proposed project and any such future development will require discretionary RM Permits and potentially Grading Permits through a separate permitting process, development of three single-family residences on the lots created by the minor subdivision is a reasonably foreseeable result of approval of the current application. As such, the Revised Recirculated Initial Study/Mitigated Negative Declaration evaluates the environmental impact associated with such foreseeable development.

At the time of application for a permit for residential development, such future development will be subject to environmental review as required by CEQA. Depending on the timing and specific details of a future development application, possible CEQA review would likely include a tiered review based on the Revised Recirculated Initial Study/Mitigated Negative Declaration.

Public Comments and Revisions to the Revised IS/MND

Public comments on the RIS/MND were received concerning a variety of aspects of the project, including comments requesting further clarification or information on project details and potential impacts as well as comments expressing personal opinions. Copies of the correspondence is attached to Revised Recirculated IS/MND which is Attachment E of this report. The Revised Recirculated IS/MND responds to the comments, and where appropriate, expands discussion and offers clarifications. Some of the comments received related to the details of the

required sewer district mitigation measure. As a result, the 203 linear foot upgrade to the system which would serve the parcels, called the Billy Goat Hill pipeline, has been determined by the District to be adequate mitigation to offset the increase in service demand. The details of the sewer line upgrade were added to the RRIS/MND and evaluated. The revisions to the RIS/MND can be identified in the document by underlining for added text and strikethrough marks for deleted text.

Staff has reviewed the sewer upgrade plans and analyzed the impacts of the proposed sewer improvements in applicable sections of this document and found that the sewer improvements would not increase project environmental impacts from the levels previously analyzed in the RIS/MND. Staff has updated mitigation measures of the RRIS/MND to reflect the planned implementation of required sewer improvements and to add a standard requirement regarding the construction of sewer improvements prior to the recordation of the Subdivision Map. No new mitigation measures are necessary and re-circulation was not required per Section 15073.5 of the CEQA Guidelines.

CEQA Guidelines Section 15073.5 provides that a lead agency is required to recirculate a negative declaration when it has been “substantially revised” after public notice of its availability, but prior to its adoption. A substantial revision means:

- a new, avoidable significant effect is identified, and mitigation measures or project revisions must be added in order to reduce the effect to a less-than-significant level, or
- previously proposed mitigation measures or project revisions will fail to reduce potential effects to a less-than-significant level, and new measures or revisions are required.

Recirculation is not required when:

- mitigation measures are replaced with equal or more effective measures pursuant to the process provided by CEQA Guidelines Section 15074.1;
- new project revisions are added to respond to comments on the project’s effects identified in the proposed negative declaration which are not new avoidable significant effects;
- measures or conditions of approval are added that are not required to mitigate an avoidable significant effect; or
- new information is added to the negative declaration that merely clarifies, amplifies, or makes insignificant modifications to the negative declaration.

In this case, substantial revisions within the meaning of the CEQA Guidelines Section 15073.5 were not required. Certain mitigation measures (MMs 4-8, 10, 44, 60, 61) which appeared in the January 21, 2020 Recirculated IS/MND were modified with equal or more effective measures. Such modifications are permitted without recirculation pursuant to CEQA Guidelines Section 15074.1, which requires a public hearing prior to substituting a mitigation measure and a finding that the new measure is equivalent or more effective in mitigating potential significant effects and that the measure in itself will not cause any potentially significant effect on the environment. The Planning Commission hearing to consider the project satisfies this public hearing requirement. The substituted mitigation measures involved The Revised Recirculated IS/MND analyzed whether the updated mitigation measures could themselves result in any potentially significant effects on the environment, and, as documented in the RRIS/MND, the measures would not have such effects.

Therefore, the revisions constitute minor revisions to clarify and amplify the analysis, and recirculation of the Revised Recirculated IS/MND is not required. The RRIS/MND analysis concluded that the project, as proposed and mitigated, would not result in any significant impacts.

D. PROJECT ALTERNATIVES

While no detailed, formal project alternative has been developed or proposed, this section describes previous proposals for the property that were abandoned based on protection of environmental resources and other reasons as described below, as well other development siting alternatives.

A proposal for a 20-lot Major Subdivision and General Plan Text Amendment for the property was reviewed in 1987 but was not pursued, due to conflicts with numerous General Plan policies. In 2014, a proposal for a 4-lot subdivision and remainder parcel was considered as a Major Development Pre-Application, and subsequently a formal application was submitted for a Minor Subdivision that would result in 4 parcels, each approximately 2 acres in size. The 4-lot proposal included a developable lot within identified landslide repair and wetland areas.

After consideration of site analysis by reviewing agencies and Department staff, the applicant revised the proposal to a 3-lot subdivision, approximately 0.70 acres each, and a remainder parcel. The revised proposal includes re-configuration and shrinking of the parcels to allow the future building sites to avoid sensitive habitats and landslide areas and to consolidate these areas within the area of the proposed conservation easement.

At the December 4, 2018, Highlands community meeting, members of the public requested identification of an alternative location for the three proposed parcels. One recommendation was to locate the parcels on the southern side of the parcel, along Crystal Springs Road. As discussed previously, placement of new

residences in a location visible from Crystal Springs Road, a scenic route, would decrease project compliance with County policies relating to clustering of development, preservation of scenic resources, and use of existing road and utility access.

As landslide stabilization was a principle concern, staff asked the County's Geotechnical Engineer to review the geotechnical report for an area on the site which would not be susceptible to landscape activity. A possible alternative to the lot locations was identified in an approximately 80,000 sq. ft. area to the east of Enchanted Lane. The site would be only be accessible via a "paper street", and easement from Rainbow Drive about 400 feet to the south. As discussed in Section 1 of this report, under Natural Hazards, this location was found to be unacceptable due to its proximity to existing residences, need for lot line adjustments, access issues, vegetation removal, and the amount grading and trenching required to provide utilities and access, as discussed earlier in Section 6326 Supplementary Review Criteria for Special Hazard Areas. The applicant summarized the challenges with this alternative configuration in a comment letter (Attachment S).

E. REVIEWING AGENCIES

California Department of Fish and Game

California Regional Water Quality Control Board

California Water Service Company

City of San Mateo

Crystal Springs County Sanitation District

Local Agency Formation Commission (LAFCo)

San Mateo County Building Inspection Section

San Mateo County Department of Public Works

San Mateo County Environmental Health Services

San Mateo Highlands Community Association

Town of Hillsborough

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
- B. Vicinity Map
- C. Subdivision Map
- D. Grading Plan
- E. Revised Recirculated Initial Study with attachments (listed below)
(Document is viewable online at <https://planning.smcgov.org/ceqa-docs>)
 - a. Floristic Analysis for the Beeson Property, San Mateo County, by Wood Biological Consulting, Dated September 30, 2007
 - b. Letter Report for Mission Blue Butterfly Habitat Survey at Lands of Zmay Property, by Coast Ridge Ecology, dated July 22, 2016
 - c. Wetland Delineation and Preliminary Jurisdictional Determination for the Beeson Property, by Wood Biological Consulting, dated June 18, 2007
 - d. Revised Wetland Evaluation, by Wood Biological Consulting, Dated March 11, 2015, revised June 6, 2017
 - e. Revised Wetlands Evaluation, by Wood Biological Consulting, dated August 16, 2017
 - f. Biological Site Assessment for the Proposed Zmay Property Subdivision, by Wood Biological Consulting, Inc., dated August 13, 2014 and revised March 10, 2015
 - g. Revised Botanical Evaluation, Zmay Property Subdivision, by Wood Biological Consulting, Inc., dated March 11, 2015
 - h. Revised Creek Setback Evaluation, Zmay Property Subdivision, by Wood Biological Consulting, Inc., dated March 11, 2015
 - i. Arborist report, by Kielty Arborist Services LLC, dated September 6, 2016
 - j. Applicant EECAP Development Checklist
 - k. Engineering Geologic and Geotechnical Investigation, by Murray Engineers, dated February 2014
 - l. Geotechnical Plan Review, Zmay 4 Lot Subdivision, by Murray Engineers, Inc., dated June 3, 2015 and Supplemental Evaluation and Response, dated March 18, 2015, email correspondence dated September 24, 2020

- m. Supplemental Geologic and Geotechnical Peer Review comments, by Cotton Shires and Associates, dated December 4, 2014, June 24, 2014 and July 14, 2015
- n. Draft Conservation Easement
- o. Cultural Resources Survey Report, by Daniel Shoup RPA, dated August 10, 2015
- p. Parrott Drive Sanitary Sewer Alternatives Study by Crystal Springs County Sanitation District, dated February 2003
- q. Sewer Service for Proposed Parrott Drive Subdivision, by County of San Mateo, Department of Public Works, dated December 3, 2013
- r. Project plans dated October 3, 2018
- s. Landside Impact Analysis map, prepared by County Geotechnical Section, prepared January 15, 2019
- t. Applicant statement, submitted June 17, 2019
- u. Photos of Parcels 1-3 on Parrott Drive
- v. Sewer Mitigation Plan with photos
- w. Email from Chris Rogers, dated June 7, 2021 regarding Franciscan onion
- x. Correspondence received during comment period

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County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2014-00410

Hearing Date: July 28, 2021

Prepared By: Erica Adams
Project Planner

For Adoption By: Planning Commission

RECOMMENDED FINDINGS

For the Environmental Review, Find:

1. That the Planning Commission does hereby find that the Revised Recirculated Initial Study/Mitigated Negative Declaration (Mitigated Negative Declaration) reflects the independent judgment of San Mateo County.
2. That the Revised Recirculated Initial Study/Mitigated Negative Declaration is complete, correct, and adequate and prepared in accordance with the California Environmental Quality Act (CEQA) and applicable State and County Guidelines.
3. That on the basis of the Revised Recirculated Initial Study/Mitigated Negative Declaration, comments received hereto, and testimony presented and considered at the public hearing, there is no substantial evidence that the project will have a significant effect on the environment.
4. That the Mitigation Measures (numbered 1 through 66) in the Revised Recirculated Initial Study/Mitigated Negative Declaration and agreed to by the applicant and placed as conditions of approval on the project, which serves as the Mitigation Monitoring and Reporting Plan, in conformance with the California Public Resources Code Section 21081.6.
5. That the revisions to the Revised Recirculated Initial Study/Mitigated Negative Declaration do not constitute substantial revisions and recirculation is not required pursuant to CEQA Guidelines Section 15073.5.
6. That the mitigation measures substituted in the Revised Recirculated Initial Study/Mitigated Negative Declaration (MMs 4-8, 10, 44, 60, 61) are equivalent or more effective in mitigating or avoiding potential significant effects and the substituted mitigation measures will not cause any potentially significant effect on the environment.

For the Resource Management Permit, Find:

7. That this project has been reviewed under, and found to comply with, zoning regulations applicable to the Resource Management (RM) District, including Chapter 20.A (Resource Management District), Section 6324 (General Review Criteria for RM District), Section 6325 Supplementary Review Criteria for Primary Resource Areas, and Section 6326 (Supplementary Review Criteria for Special Hazard Area). Specifically, as proposed, mitigated, and conditioned, the project complies with the maximum density credits (plus requested bonus credits), requirement for a conservation easement over the remainder parcel, as well as applicable Environmental Quality Criteria and Site Design Criteria requiring clustering, preservation of features of the site post development, minimization of grading and tree removal. The analysis in Section 2 of the staff report supporting this finding are incorporated herein.

Regarding the Minor Subdivision, Find:

8. That, in accordance with Section 7013.3.b of the County Subdivision Regulations, this tentative map, together with the provisions for its design and improvement, is consistent with the San Mateo County General Plan, specifically, Policies 8.14 (Land Use Compatibility) and 8.35 (Uses), requiring consistency of proposed parcels with surrounding residential land uses, and Policy 8.29 (Infilling) which encourages the infilling of urban areas where infrastructure and services are available. As proposed and conditioned, the subdivision would result in home sites compatible with surrounding home sites which are zoned R-1/S-8 (minimum parcel size of 7,500 sq. ft.). Also, each of the three (3) proposed residential lots would adjoin existing homes and be served by existing roads and utilities.
9. That the site is physically suitable for the type, and proposed density of, development. As described in Sections A.1 and A.2 of the staff report accompanying these findings and incorporated herein, the project complies with both the General Plan land use density designation and the Resource Management (RM) Zoning District maximum density of development. As discussed in the Revised Recirculated Initial Study/Mitigated Negative Declaration, the project, as proposed and mitigated, would not result in any significant impacts to the environment.
10. That the design of the subdivision and the proposed improvements are not likely to cause serious public health problems, substantial environmental damage, or substantially and avoidably injure fish or wildlife or their habitat. Implementation of mitigation measures in the Revised Recirculated Initial Study/Mitigated Negative Declaration would reduce project environmental impacts to less than significant levels.

11. That future development on the parcels could make use of passive heating and cooling to the extent practicable to comply with energy-efficiency building standards.
12. That, subject to the mitigation measures contained in the Revised Recirculated Initial Study/Mitigated Negative Declaration, the discharge of waste from the proposed subdivision into an existing community sewer system would not result in violation of existing requirements prescribed by a State Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the State Water Code. Sanitary sewer service would be provided to the project site by the Crystal Springs County Sanitation District, which has capacity to serve the additional parcels.
13. That the land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (“the Williamson Act”) nor does the property currently contain any agricultural land uses.
14. That, pursuant to Section 7005 of the San Mateo County Subdivision Regulations, the proposed subdivision would not result in a significant negative effect on the housing needs of the region. The project would result in the creation of three (3) new residential parcels that can accommodate future single-family residences, where only vacant land currently exists.

For the Grading Permit, Find:

15. That this project, as conditioned, will not have a significant adverse effect on the environment. The project has been reviewed for potential environmental impacts, and it has been determined that the project can be completed with the implementation of proposed mitigation measures and without significant negative impacts to the environment.
16. That the project conforms to the criteria of Chapter 8, Division VII, San Mateo County Ordinance Code (Grading Regulations), including the grading standards referenced in Section 8605. The applicant has submitted grading and drainage plans as well as erosion control plans for the three (3) residential lots. As discussed in Section 4.3 of the Revised Recirculated Initial Study (Geology and Soils), the project geotechnical consultant has concluded that the proposed development is feasible with the implementation of proposed mitigation measures. These include (1) the stabilization of existing landslides on the project site, (2) the use of appropriate foundations, (3) compliance with the State’s National Pollution Discharge Elimination System (NPDES) General Permit, including preparation of a Storm-water Pollution Prevention Plan (SWPPP), and (4) implementation of the Bay Area Air Quality Management District’s (BAAQMD) Particulate Matter (PM) reduction practices during grading and construction. In addition, a condition of approval will prohibit grading within the wet season (October 1 through April 30), unless an exception is approved by the Community Development Director.

- 17. That the project is consistent with the General Plan. As proposed, mitigated, and conditioned, the project complies with the policies of the Soil Resources Chapter of the General Plan, including policies requiring the minimization of erosion.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

- 1. This approval applies only to the proposal as described in the plans, supporting materials, and reports as approved by the Planning Commission on July 28, 2021. 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. Alternatively, the Community Development Director may refer consideration of the revisions to the Planning Commission, with applicable fees to be paid.
- 2. This subdivision approval is valid for two years, during which time a parcel map shall be recorded. An extension to the time period, pursuant to Section 7013.5 of the County Subdivision Regulations, may be issued by the Planning Department upon written request and payment of any applicable extension fees prior to the expiration date.
- 3. A building permit shall be applied for and obtained from the Building Inspection Section for all grading activities, slope repair, and stitch pier wall construction. The permit shall obtain final approval prior to recordation of the parcel map.
- 4. Prior to recordation of the parcel map, the applicant shall pay to the San Mateo County Planning and Building Department in-lieu park fees as required by County Subdivision Regulations, Section 7055.3. The fees shall be based upon the assessed value of the project parcel at the time of recordation and calculated as shown on the attached worksheet.
- 5. The applicant shall submit a check in the amount of \$2,530.25, payable to San Mateo County, prior to and required for filing of the Mitigated Negative Declaration Notice of Determination with the County Clerk, as required by the California Department of Fish and Wildlife (\$2,480.25 + \$50 County Clerk processing fee) within **four (4) working days of the final approval date** of this project.
- 6. Conservation Easement: The open-space parcel shall be subject to a conservation easement in perpetuity, and to a deed restriction, each in forms to be approved by County Counsel and the County Board of Supervisors. The easement shall be identified on the Vesting Tentative Map and on the Parcel Map. Recordation of the Parcel Map and conservation easement shall be handled by the Department of Public Works (DPW) working cooperatively with Planning staff to ensure the proper order and timing of the recordation of both documents. DPW

and Planning staff shall ensure that the Parcel Map is recorded and ensure recordation of the approved conservation easement immediately following (allowing no other documents to be recorded on the project parcels between the recordings of the Final Map and the conservation easement).

7. The Final Map will include a note stating that “any development of the project parcels must comply with the conditions of approval, as approved by the Planning Commission on July 28, 2021.”
8. The applicant shall enter into a contract with the San Mateo County Planning and Building Department for all mitigation monitoring for this project prior to the issuance of any grading permit “hard card” for the project. The fee shall be staff’s cost, plus 10 %, as required in the current Planning Service Fee Schedule. Planning staff may, at their discretion, contract these services to an independent contractor at cost, plus an additional 10 % for contract administration.
9. No site disturbance shall occur, including any grading or tree/vegetation removal, until a building permit has been issued. A meeting to review preliminary site improvement and construction plans with Planning and Building staff shall occur prior to the submittal of grading and building permit applications.
10. This permit does not authorize the removal of any trees with trunk circumference of more than 55 inches.

Grading Conditions

11. No grading activities shall commence until the property owner has been issued a grading permit (issued as the “hard card” with all necessary information filled out and signatures obtained) by the Current Planning Section.
12. An applicant-completed and County-issued grading permit “hard card” is required prior to the start of any land disturbance/grading operations. Along with the “hard card” application, the applicant shall submit a letter to the Current Planning Section, at least two (2) weeks prior to commencement of grading, stating the date when grading operations will begin, anticipated end date of grading operations, including dates of revegetation and estimated date of establishment of newly planted vegetation.
13. The provisions of the San Mateo County Grading Regulations shall govern all project-related grading. Per San Mateo County Ordinance Code Section 8605.5, all equipment used in grading operations shall meet spark arrester and firefighting tool requirements, as specified in the California Public Resources Code.
14. It shall be the responsibility of the engineer of record to regularly inspect the erosion control measures for the duration of all grading remediation activities, especially after major storm events, and determine that they are functioning as

designed and that proper maintenance is being performed. Deficiencies shall be immediately corrected, as determined by and implemented under the observation of the engineer of record.

Mitigation Measures of the Revised Recirculated Initial Study/Mitigated Negative Declaration:

15. **Mitigation Measure 1:** The applicant shall submit an Air Quality Best Management Practices Plan to the Planning and Building Department prior to the issuance of any grading permit “hard card” or building permit that, at a minimum, includes the “Basic Construction Mitigation Measures” as listed in Table 8-2 of the BAAQMD California Environmental Quality Act (CEQA) Guidelines (May 2017). The following Bay Area Air Quality Management District Best Management Practices for mitigating construction-related criteria air pollutants and precursors shall be implemented prior to beginning any grading and/or construction activities and shall be maintained for the duration of the project grading and/or construction activities:
 - a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
 - b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
 - c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day.
 - d. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
 - e. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485, of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
 - f. Roadways and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - g. Idling times shall be minimized either by shutting equipment or vehicles off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485, of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.

- h. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications.
 - i. Minimize the idling time of diesel-powered construction equipment to two minutes.
 - j. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.
16. **Mitigation Measure 2:** Prior to the beginning of any grading construction activities, including landslide repair work, the applicant shall submit to the Planning and Building Department for review and approval an erosion and drainage control plan for each phase of grading (e.g., landslide repair, site preparation for residential construction) showing conformance with mitigation measures and the County Erosion Control Guidelines. The plan shall be designed to minimize potential sources of sediment, control the amount of runoff and its ability to carry sediment by diverting incoming flows and impeding internally generated flows, and retain sediment that is picked up on the project site through the use of sediment-capturing devices. The plan shall also limit application, generation, and migration of toxic substances, ensure the proper storage and disposal of toxic materials, apply nutrients at rates necessary to establish and maintain vegetation without causing significant nutrient runoff to surface waters. Said plan shall also demonstrate adherence to the following measures recommended by Murray Engineering Inc., in their geotechnical studies of the project (Attachments K and L).
- a. Sequence construction to install sediment-capturing devices first, followed by runoff control measures and runoff conveyances. No construction activities shall begin until after all proposed measures are in place.
 - b. Minimize the area of bare soil exposed at one time (phased grading).
 - c. Clear only areas essential for construction.
 - d. Within five days of clearing or inactivity in construction, stabilize bare soils through either non-vegetative Best Management Practices (BMPs), such as mulching or vegetative erosion control methods such as seeding. Vegetative erosion control shall be established within two weeks of seeding/planting.
 - e. Construction entrances shall be stabilized immediately after grading and frequently maintained to prevent erosion and control dust.
 - f. Control wind-born dust through the installation of wind barriers such as hay bales and/or sprinkling.

- g. Soil and/or other construction-related material stockpiled on-site shall be placed a minimum of 200 feet from all wetlands and drain courses. Stockpiled soils shall be covered with tarps at all times of the year.
 - h. Intercept runoff above disturbed slopes and convey it to a permanent channel or storm drains by using earth dikes, perimeter dikes or swales, or diversions. Use check dams where appropriate.
 - i. Provide protection for runoff conveyance outlets by reducing flow velocity and dissipating flow energy.
 - j. Install storm drain inlet protection that traps sediment before it enters any adjacent storm sewer systems. This barrier shall consist of filter fabric, straw bales, gravel, or sand bags.
 - k. Install sediment traps/basins at outlets of diversions, channels, slope drains, or other runoff conveyances that discharge sediment-laden water. Sediment traps/basins shall be cleaned out when 50% full (by volume).
17. **Mitigation Measure 3:** Prior to the issuance of the grading permit “hard card,” the applicant shall submit a dust control plan for review and approval by the Current Planning Section. The plan, at a minimum, shall include the following measures:
- a. Water all construction and grading areas at least twice daily.
 - b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
 - c. Pave, apply water two times daily, or (non-toxic) soil on all unpaved access roads, parking areas and staging areas at the project site.
 - d. Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
 - e. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
18. **Mitigation Measure 4:** Prior to the issuance of a grading permit and any site disturbance, the contractor and the biologist shall meet in the field to survey and identify with fencing the limits of wetlands, riparian habitat, and special-status plant populations, and shall determine the extent of excavation abutting and/or within them. The survey methods shall be consistent with the California Fish and Game’s “Protocols for Surveying and Evaluating Impacts in Special-Status Native Plant Populations and Natural Communities”. A report/letter summarizing the meeting and containing an analysis of whether the project would require permits from or additional consultation with USACE, RWQCB, and/or CDFW, shall be

submitted to the Planning and Building Department, and approved by the Community Development Director or his designee, prior to the commencement of such grading. If permits or additional consultation is required, they shall be obtained prior to commencement of any grading or ground disturbing activity.

19. **Mitigation Measure 5:** Prior to the commencement of any land disturbing activities, the project biologist shall provide a copy of and explain in detail Mitigation Measures 6 - 10, regarding protection of wetlands and special-status plants to the construction site manager. The biologist shall provide environmental awareness training to all construction crews on the job site. More detailed training shall be provided to the construction site manager, who shall be responsible for ensuring training is given to all construction crews, and particularly those who are working (i.e., grading, slope stabilization, drainage, foundations, and landscaping) within 25 feet of the wetland or other buffer zone area.
20. **Mitigation Measure 6:** Removal, but not trimming, of any willow trees is prohibited without a federal or state permit. Grading near willow trees is only permitted if excavation avoids work within the canopy of the willows, or if work extends within the canopy of the willows, such work does not involve root disturbance or tree removal.
21. **Mitigation Measure 7:** A federal permit is required for any excavation that requires the removal of willows within the limits of federal jurisdiction. Should removal be deemed necessary, at that time, work shall cease until all appropriate permits have been issued by the USACE and RWQCB, and by CDFW and the Planning and Building Department shall be notified. CDFW must be notified prior to commencing any activity that may substantially change or use any material from the bed, bank, or channel of any river, stream, or lake (including the removal of riparian vegetation). Prior to resumption of grading activities, copies of all regulatory permits and proof of the successful implementation of all permit conditions and mitigation measures shall be provided to the Planning and Building Department.
22. **Mitigation Measure 8:** If a Clean Water Act permit is required for impacts to waters of the U.S., consultation with the USFWS under Section 7 of Federal Endangered Species Act (FESA) is required. USFWS may require formal or informal consultation and issue a Biological Opinion, which may include an incidental take permit and an outline of mandatory minimization and/or mitigation measures. Compliance with Section 7 of the Federal Endangered Species Act (FESA) can also facilitate compliance with the California Endangered Species Act (CESA). Conditions of all permits issued by these agencies shall be implemented in full to reduce impacts to special-status species. If the project results in temporary or permanent disturbance to wetlands or riparian areas, a revegetation plan shall be prepared by a qualified biologist, and shall include, at a minimum, restoration to pre-project conditions, revegetation of disturbed areas with native plant species that complement the native vegetation of adjacent habitats,

maintenance, and long-term monitoring of plant survival and habitat condition. The revegetation plan shall be subject to the approval by the County and other regulatory agencies and proper execution of the plan shall be evaluated and be confirmed by a biologist with written confirmation submitted to the County.

23. **Mitigation Measure 9:** At the conclusion of ground disturbance, a biological report shall be submitted to the Planning and Building Department which describes the erosion control and restoration measures implemented and whether any additional restoration measures were implemented, or if extended monitoring is required.
24. **Mitigation Measure 10:** No earlier than thirty (30) days prior to development of a residence on the remainder parcel, the project biologist shall complete a survey identifying any western leatherwood plants on the parcel. Any plants that are identified outside of the residential footprint shall be protected by fencing to prevent damage from construction activities, at the discretion of the project biologist. If western leatherwood plants are located within the residential footprint, then a mitigation plan shall be developed in coordination with CDFW to offset the loss of plants. The mitigation plan shall be implemented by the Project Biologist. The plan shall include, at a minimum, measures for salvage and transplanting, if feasible, or for planting new western leatherwood plants in suitable sites identified by the project biologist; recommended activities to improve habitat condition; recommendations for post-project monitoring and reporting to the County; and recommended criteria for measuring success. New plants should be planted at a ratio of 3:1 for each plant displaced.
25. **Mitigation Measure 11:** If the removal or pruning of trees at any of the project sites is proposed, a preconstruction survey should be performed no more than 2 weeks prior to the initiation of any construction activities. The preconstruction survey shall be performed by a qualified biologist who should inspect each work site to identify the following:
 - a. Presence of raptor nests. This is required regardless of season. If a suspected raptor nest is discovered, the CDFW shall be notified. Pursuant to CFGC Section 3503.5, raptor nests, whether or not they are occupied, may not be removed until approval is granted by the CDFW.
 - b. Suitable bat roosting habitat. This includes snags, stumps, and decadent trees with broken limbs, exfoliating bark, and cavities. If no suitable roost sites or evidence of bat roosting is identified, no further impact avoidance or minimization measures are necessary.
 - c. Nesting or breeding activity of migratory birds. If none is observed, work may proceed without restrictions. All active migratory bird nests identified within 76 m (250 ft.) for raptors and 15 m (50 ft.) for passerines shall be mapped.

26. **Mitigation Measure 12:** If suitable bat roosting habitat is identified, the following measures shall be implemented:
- a. Trees with suitable bat roosting sites should be removed or pruned during the non-breeding season between September 1 and February 1 to avoid disturbance to maternal colonies or individuals.
 - b. A qualified biologist should survey suitable roost sites immediately prior to initiation of work.
 - c. Removal of suitable tree roost sites should be conducted by first removing limbs smaller than 7.6 cm (3 in) in diameter and peeling away loose bark. The tree should then be left overnight to allow any bats using the tree/snag to find another roost during their nocturnal activity period.
 - d. A qualified biologist should survey the trees/snags a second time the following morning prior to felling or pruning.
 - e. Tree removal or pruning should occur during daylight hours, to avoid impacts on bats that may utilize adjacent trees for night-roosting.
27. **Mitigation Measure 13:** For any active bird nests found near the construction limits (i.e., within 76 m [250 feet.] for raptors and 15 m [50 feet.] for passerines of the limits of work) the Project Biologist shall make a determination as to whether or not construction activities are likely to disrupt reproductive behavior. If it is determined that construction would not disrupt breeding behavior, construction may proceed. If it is determined that construction may disrupt breeding, a no-construction buffer zone shall be designated by the Project Biologist; avoidance is the only mitigation available. The ultimate size of the no-construction buffer zone may be adjusted by the Project Biologist based on the species involved, topography, lines of site between the work area and the bird nest, physical barriers, and the ambient level of human activity. Site evaluations and buffer adjustments shall be made in consultation with the CDFW and/or the USFWS Division of Migratory Bird Management. If it is determined that construction activities are likely to disrupt raptor breeding, construction activities within the no-construction buffer zone may not proceed until the Project Biologist determines that the nest is long longer occupied.
28. **Mitigation Measure 14:** If maintenance of a no-construction buffer zone is not feasible, the Project Biologist shall monitor the bird nest(s) to document breeding and rearing behavior of the adult birds. If it is determined that construction activities are causing distress of the adult birds and are thus likely to cause nest abandonment, work shall cease immediately. Work may not resume in the area until the Project Biologist has determined that the young birds have fledged and the bird nest is no longer occupied.

29. **Mitigation Measure 15:** The applicant shall implement the following measures to avoid or minimize impacts to special status animals including: (1) a qualified biologist shall perform pre-construction surveys for snakes within the work areas prior to ground disturbance, and weekly during construction to ensure the exclusion fence is in good condition; (2) a USFWS-approved biologist shall be on-site during work during initial ground disturbance, including clearing of vegetation and grading; (3) a qualified biologist shall provide environmental awareness training to the contractor; (4) the contractor shall construct exclusion fencing along the perimeter of grading no more than 30 days prior to ground disturbance; and (5) the contractor shall refuel vehicles/equipment off-site.
30. **Mitigation Measure 16:** A qualified biologist shall perform a ground survey to locate and mark all woodrat nests in the proposed grading and construction area. The survey shall be performed no less than 30 days prior to the initiation of ground disturbing activity. The contractor shall participate in the ground survey to help the qualified biologist understand the scope and extent of the construction activities.
31. **Mitigation Measure 17:** Any woodrat nest that cannot be avoided shall be manually disassembled by a qualified biologist following authorization from CDFW to give any resident woodrats the opportunity to disperse to adjoining undisturbed habitat. Nest building materials shall be immediately moved off-site and disposed of to prevent woodrats from reassembling nests on-site.
32. **Mitigation Measure 18:** To ensure woodrats do not rebuild nests within the construction area, a qualified biologist shall inspect the construction areas no less than once per week during vegetation clearing, initial site grading, and landslide repair. If new nests appear, they shall be disassembled and the building materials disposed of off-site. If there is a high degree of woodrat activity, more frequent monitoring shall be performed, as recommended by a qualified biologist.
33. **Mitigation Measure 19:** To ensure woodrats do not rebuild nests within the construction area, a qualified biologist shall inspect the construction areas no less than once per week during construction activities. If new nests appear, they shall be disassembled and the building materials disposed of off-site. If there is a high degree of woodrat activity, more frequent monitoring shall be performed, as recommended by a qualified biologist.
34. **Mitigation Measure 20:** Whenever possible, trees shall be planted in areas of grading disturbance for hillside stabilization, to minimize the visual impact of the grading activities, and compliance with the County's RM Zoning District Regulations.
35. **Mitigation Measure 21:** A discovery of a paleontological specimen during the project shall result in a work stoppage in the vicinity of the find until it can be evaluated by a professional paleontologist. The applicant shall immediately notify

- the County of such a finding. Should loss or damage be detected, additional protective measures or further action (e.g., resource removal by a professional paleontologist) may be needed to mitigate the impact, as determined by a professional paleontologist.
36. **Mitigation Measure 22:** Contractors and workers shall use existing roads to the maximum extent feasible to avoid additional surface disturbance.
 37. **Mitigation Measure 23:** The applicant shall keep equipment and vehicles within the limits of the previously disturbed construction area. The applicant shall delineate all areas to remain undisturbed on the Erosion Control and Staging Plan and the plan shall include measures, such as chain-link fencing or other kinds of barriers, to demarcate the “limit of disturbance.” The property owner shall demonstrate the implementation of these measures prior to issuance of the grading permit “hard card.”
 38. **Mitigation Measure 24:** The property owner, applicant, and contractors must be prepared to carry out the requirements of California law with regard to the discovery of human remains during construction, whether historic or prehistoric including but not limited to the following:
 - a. That all excavation crews, including landscapers, receive cultural sensitivity training for Native American cultural resources;
 - b. That a California-trained Archaeological Monitor with field experience be present for all earth movement including landscaping; and
 - c. That a qualified and trained Native American Monitor be present for all earth-moving activities, including landscaping.
 39. **Mitigation Measure 25:** In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately and the County coroner shall be notified immediately. If the coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within 24 hours. A qualified archaeologist, in consultation with the Native American Heritage Commission, shall recommend the subsequent measures for disposition of the remains.
 40. **Mitigation Measure 26:** The improvements shall be designed and constructed in accordance with current earthquake resistance standards.
 41. **Mitigation Measure 27:** All future development shall meet or exceed the standards prescribed in the Murray Engineers, Inc., report dated February 2014.
 42. **Mitigation Measure 28:** Prior to final approval of the grading permit, the property owner shall ensure the performance of the following activities within thirty (30)

days of the completion of grading for the slope stabilization and any future residential development:

- a. The engineer who prepared the approved grading plan shall be responsible for the inspection and certification of the grading as required by Section 8606.2 of the Grading Ordinance. The Engineer's responsibilities shall include those relating to noncompliance detailed in Section 8606.5 of the Grading Ordinance.
 - b. The engineer shall submit written certification that all grading has been completed in conformance with the approved plans, conditions of approval, mitigation measures, and the County's Grading Regulations, to the Department of Public Works and the Planning and Building Department's Geotechnical Engineer.
 - c. The geotechnical consultant shall observe and approve all applicable work during construction and sign Section II of the Geotechnical Consultant Approval form, for submittal to the Planning and Building Department's Geotechnical Engineer and Current Planning Section.
43. **Mitigation Measure 29:** For any future residential development, as part of the building permit application, the applicant shall provide documentation demonstrating that the proposed residences and associated retaining walls shall be supported on drilled pier foundations extending through the fill and colluvium and gaining support in the underlying bedrock.
 44. **Mitigation Measure 30:** Prior to the recordation of the Subdivision Map, the stich pier walls for landslide repair on the remainder parcel shall be completed to the satisfaction of the County's Geotechnical Section, to ensure that landslide repair occurs prior to the construction of any residential structures.
 45. **Mitigation Measure 31:** The final design shall include intermediate surface drainage control measures. Construction plans at the building permit stage shall demonstrate compliance with this mitigation measure.
 46. **Mitigation Measure 32:** A surveyed, as-built subdrain plan shall prepared and added to the proposed landslide repair plan. Grading plans at the building permit stage shall demonstrate compliance with this mitigation measure.
 47. **Mitigation Measure 33:** A modified design plan shall be prepared, with approval by the Project Geotechnical Consultant, and submitted to the County for approval prior to the initiation of grading for landslide repair work.
 48. **Mitigation Measure 34:** No cut or fill exceeding 5 feet in vertical dimension shall be permitted on Parcels 1, 2, or 3 unless supported by an engineered retaining

wall. Construction plans at the building permit stage for each new residence shall demonstrate compliance with this mitigation measure.

49. **Mitigation Measure 35:** Grading and drainage plans for each lot shall be reviewed by the County Geotechnical Section, or designated consultant, prior to approval of building or grading permits on Parcels 1, 2, or 3.
50. **Mitigation Measure 36:** No new construction shall be located between or directly upslope of the two proposed stitch pier walls between Parcels 1 and 2.
51. **Mitigation Measure 37:** Final geotechnical design parameters to be utilized for residential construction on Parcels 1, 2, and 3 shall fully meet or exceed design recommendations presented in the Engineering Geologic and Geotechnical Report by Murray Engineers, Inc., dated February 10, 2014. Construction plans at the building permit stage for each new residence shall demonstrate compliance with this mitigation measure.
52. **Mitigation Measure 38:** Future residences shall be supported on 12-inch diameter piers, extending at least 8 feet into competent materials.
53. **Mitigation Measure 39:** All subdrain alignments within the landslide repair area shall be accurately surveyed during construction so that future pier-support foundations do not interfere with constructed subdrain systems. Construction plans at the building permit stage for each new residence shall demonstrate compliance with this mitigation measure.
54. **Mitigation Measure 40:** Unsupported large cuts and fills shall be avoided. Grading plans at the building permit stage shall demonstrate compliance with this mitigation measure.
55. **Mitigation Measure 41:** If site conditions vary from those described in the 2014 Murray Engineers, Inc. report, the geotechnical design of the project recommendations shall be updated and submitted to San Mateo County Planning and Building Department for approval, prior to associated project construction.
56. **Mitigation Measure 42:** The applicant shall use silt fence and/or vegetated filter strips to trap sediment contained in sheet flow. The maximum drainage area to the silt fence shall be 0.5-acre or less per 100 feet of fence. Silt fences shall be inspected regularly and sediment removed when it reaches 1/3 the fence height. Vegetated filter strips shall have relatively flat slopes and be vegetated with erosion-resistant species.
57. **Mitigation Measure 43:** The applicant shall seed all disturbed areas with a native grassland mix as soon as grading activities are completed for each phase in order to minimize the potential establishment and expansion of exotic plant species into newly-graded areas, and to prevent potential future erosion.

58. **Mitigation Measure 44:** No site disturbance shall occur, including any land disturbance, grading, or vegetation or tree removal, until a building permit has been issued.
59. **Mitigation Measure 45:** An Erosion Control and/or Tree Protection Inspection is required prior to the issuance of a building permit for grading and construction, as the project requires tree protection of significant trees and a grading permit. Once all review agencies have approved the building permit, the applicant will be notified that an approved job copy of the Erosion Control and/or Tree Protection Plan is ready for pick-up at the Planning counter of the Planning and Building Department. Once the Erosion Control and/or Tree Protection measures have been installed per the approved plans, the applicant must contact the Building Section at 650/599-7311, to schedule a pre-site inspection. A \$144 inspection fee will be assessed to the building permit for the inspection. If the initial pre-site inspection is not approved, an additional inspection fee will be assessed for each required re-inspection until the job site passes the Pre-Site Inspection, or as determined by the Building Inspection Section.
60. **Mitigation Measure 46:** Erosion and sediment control during the course of any grading work shall be according to a plan prepared and signed by the Engineer of record, and approved by the Department of Public Works and the Current Planning Section. Revisions to the approved erosion and sediment control plan shall be prepared and signed by the engineer, and require approval by the Planning Section.
61. **Mitigation Measure 47:** The applicant's engineer shall regularly inspect the erosion control measures and determine that they are functioning as designed and that proper maintenance is being performed. Deficiencies shall be immediately corrected to the satisfaction of County Building Inspectors.
62. **Mitigation Measure 48:** Prior to the issuance of the grading permit, the applicant shall submit, to the Department of Public Works for review and approval, a plan for any off-site hauling operations. This plan shall include, but not be limited to, the following information: size of trucks, haul route, disposal site, dust and debris control measures, and time and frequency of haul trips. As part of the review of the submitted plan, the County may place such restrictions on the hauling operation as it deems necessary to avoid any impacts to traffic.
63. **Mitigation Measure 49:** For the final approval of the grading permit, the property owner shall ensure the performance of the following activities within thirty (30) days of the completion of grading at the project site:
 - a. The engineer shall submit written certification that all grading has been completed in conformance with the approved plans, conditions of approval/mitigation measures, and the Grading Regulations, to the

Department of Public Works and the Planning and Building Department's Geotechnical Engineer.

- b. The geotechnical consultant shall observe and approve all applicable work during construction and sign Section II of the Geotechnical Consultant Approval form, for submittal to the Planning and Building Department's Geotechnical Engineer and Current Planning Section.
64. **Mitigation Measure 50:** At the completion of all earthwork work, the engineer who prepared the approved grading plan shall submit a signed "as-graded" grading plan conforming to the requirements of the Grading Regulations.
65. **Mitigation Measure 51:** Prior to the issuance of the grading permit "hard card," the applicant shall revise the Erosion Control and Sediment Control Plan, dated December 21, 2012, to include the proposed measures and additional measures as follows, subject to the review and approval of the Community Development Director:
- a. Provide stabilized construction entrance(s) using a minimum 3"-4" fractured aggregate over geo-textile fabric and stabilize all on-site unpaved construction access routes (e.g., aggregate over path of travel). For unpaved routes, use ridges running diagonally across the road that run to a stabilized outlet
 - b. Provide a designated area for parking of construction vehicles, using aggregate over geo textile fabric.
 - c. Show re-vegetation of fill deposit areas, to be performed immediate after soils spreading. Use seeding and/or mulching and the following, as necessary:
 - i. (For slopes 3:1 or greater) Anchored erosion control blankets (rice straw or coconut).
 - ii. (For slopes less than 3:1) Anchored fiber fabric/netting or surface roughening.
 - d. Protect areas to remain undisturbed. These areas shall be delineated and protected using a fence or other kind of barrier.
 - e. Use diversion berms to divert water from unstable or denuded areas (top and base of a disturbed slope, grade breaks where slopes transition to a steeper slope).
 - f. Show location of office trailer(s), temporary power pole, and scaffold footprint.
 - g. Show location of utility trenches, indicate utility type.

- h. Show location, installation and maintenance of a concrete/stucco mixer, washout, and pits.
 - i. Show storage location and containment (as necessary) of construction materials for during work, as well as afterhours/weekends).
 - j. Show areas for stockpiling. Cover temporary stockpiles using anchored-down plastic sheeting. For longer storage, use seeding and mulching, soil blankets or mats.
 - k. Show location of garbage and dumpster(s).
 - l. If these measures conflict with measures prescribed by the geotechnical consultant, measures as recommended by the geotechnical consultant shall rule.
66. **Mitigation Measure 52:** The applicant 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 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. Stabilization shall include both proactive measures, such as the placement of hay bales or coir netting, and passive measures, such as re-vegetating disturbed areas with plants propagated from seed collected in the immediate area.
 - e. Proper storage, handling, and disposal of construction materials and wastes, 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 stormwater permits.

- h. Avoiding cleaning 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 site shall be clear and running slowly at all times.
67. **Mitigation Measure 53:** Once approved, erosion and sediment control measures of the Erosion Control and Sedimentation Plan shall be installed prior to beginning any site work and maintained throughout the term of the grading permit and building permit. Failure to maintain these measures will result in stoppage of construction until the corrections have been made and fees paid for staff enforcement time. Revisions to the approved erosion and sediment control plan shall be prepared and signed by the engineer and subject to review and approval of the Department of Public Works and the Community Development Director.
68. **Mitigation Measure 54:** No grading shall be allowed during the winter season (October 1 to April 30) to avoid potential soil erosion unless reviewed and recommended by the project geotechnical consultant and approved, in writing, by the Community Development Director. An applicant-completed and County-issued grading permit "hard card" is required prior to the start of any land disturbance/grading operations. The applicant shall submit a letter to the Current Planning Section, at least, two (2) weeks prior to commencement of grading with the project geotechnical consultants review recommendations (if any) for winter grading, stating the date when erosion controls will be installed, date when grading operations will begin, anticipated end date of grading operations, and date of re-vegetation. If the schedule of grading operations calls for grading to be completed in one grading season, then the winterizing plan shall be considered a contingent plan to be implemented if work falls behind schedule. All submitted schedules shall represent the work in detail and shall project the grading operations through to completion.

69. **Mitigation Measure 55:** Should the area of disturbance equal one area or more, the applicant shall file a Notice of Intent (NOI) with the State Water Resources Board to obtain coverage under the State General Construction Activity NPDES Permit. A copy of the project's NOI (containing the WDID No.) shall be submitted to the Current Planning Section and the Department of Public Works, prior to the issuance of the grading permit "hard card."
70. **Mitigation Measure 56:** The applicant shall implement the following basic construction measures at all times:
- a. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxic Control Measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
 - b. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
 - c. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person, or his/her designee, shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
71. **Mitigation Measure 57:** All roofing, attic ventilation, exterior walls, windows, exterior doors, decking, floors and underfloor protection shall meet the latest version of the California Residential Code, R327 or California Building Code Chapter 7A requirements.
72. **Mitigation Measure 58:** At the time of application for a building permit, the applicant shall submit a permanent stormwater management plan to the Department of Public Works in compliance with Municipal Stormwater Regional Permit Provision C.3.i and the County's Drainage Policy.
73. **Mitigation Measure 59:** Projects subject to Provision C.3.i (individual single-family home projects that create and/or replace 2,500 sq. ft. or more of impervious surface, and other projects that create and/or replace at least 2,500 sq. ft. of impervious surface but are not C.3 Regulated Projects) shall implement at least one (1) of the six (6) site design measures listed below:
- a. Direct roof runoff into cisterns or rain barrels and use rainwater for irrigation or other non-potable use.
 - b. Direct roof runoff onto vegetated areas.

- c. Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas.
 - d. Direct runoff from driveways and/or uncovered parking lots onto vegetated areas.
 - e. Construct sidewalks, walkways, and/or patios with permeable surfaces.
 - f. Construct bike lanes, driveways, and/or uncovered parking lots with permeable surfaces.
74. **Mitigation Measure 60:** The project shall minimize its impact on the downstream systems by completing capital improvement projects within the Crystal Springs Sanitation District (District) that would reduce inflow and infiltration into the District's system in an amount equal to the projected sewage discharge amount to the District from the project. The applicant shall submit detailed plans of the preliminary-approved sewer line (203 linear feet) upgrade to the Crystal Spring Sanitation and the Planning and Building Department for review and approval prior to construction of improvements.
75. **Mitigation Measure 61:** The developer shall upgrade the sewer lines to accommodate this subdivision. The applicant shall demonstrate that the District sewer mains utilized to transport sewage from the subdivision have the peak wet weather capacity for conveying the additional flow generated from the three residences. Construction of off-set improvements shall be completed prior to recordation of the Subdivision Map.
76. **Mitigation Measure 62:** Should a pump system be utilized to deliver sewage from the three lots to the District's sewer main on Parrott Drive, the District will require that a covenant for each parcel be prepared, signed, notarized, recorded with the San Mateo County Recorder's Office, and a copy provided to the District prior to final sewer sign-off for the building permit.
77. **Mitigation Measure 63:** Each new parcel will require a 4-inch lateral with a minimum of 2% slope and a standard cleanout installed at the property line or the property within 5 feet of the property line.
78. **Mitigation Measure 64:** In the event that tribal cultural resources are inadvertently discovered during project implementation, all work shall stop until a qualified professional can evaluate the find and recommend appropriate measures to avoid and preserve the resource in place, or minimize adverse impacts to the resource, and those measures shall be approved by the Current Planning Section prior to implementation and continuing any work associated with the project.

79. **Mitigation Measure 65:** Any inadvertently discovered tribal cultural resources shall be treated with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resource, including, but not limited to, protecting the cultural character and integrity of the resource, protecting the traditional use of the resource, and protecting the confidentiality of the resource.
80. **Mitigation Measure 66:** The applicant shall meet EECAP goals by including tree replanting, using a zero-waste approach, use of 15% recycled materials, installation of energy-efficient equipment, reduced hardscape, and compliance with the Green Building Ordinance.

Local Agency Formation Committee

81. Prior to the issuance of any building permits for residential construction at the newly created parcels on Parrott Drive (Proposed Lots 1-3), an application to annex the subject parcels into the boundaries of County Service Area-1 shall be submitted by the project applicants and be approved by the San Mateo Local Agency Formation Commission (LAFCo). The applicants shall submit all required application material and applicable fees to LAFCo to process the annexation proposal.

Building Inspection Section

82. Prior to the recordation of the parcel map, the applicant shall have prepared, by a Registered Civil Engineer, a preliminary drainage analysis of the proposed subdivision and submit it to the Drainage Section for review and approval. The drainage analysis shall consist of a written narrative and a plan. The flow of the stormwater onto, over, and off of the property being subdivided 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 predeveloped state. Recommended measures shall be designed and included in the street improvement plans and submitted to the Drainage Section for review and approval. Applicant shall have geotechnical engineer review and approve proposed drainage system to determine if additional measures are required to ensure the stability of land and or minimize the potential for debris, mud, and/or land flows. The results of the review shall be documented in the geotechnical report and submitted for review by the Drainage Section and the Planning Department.
83. The requirements of the Municipal Regional Stormwater NPDES Permit Provision C.3. shall apply to parcels created by this subdivision. Please refer to the San Mateo Countywide Water Pollution Prevention Program's (SMCWPPP) C.3 Stormwater Technical Guidance Manual for assistance in implementing LID measures at the site. Prior to the final approval of the building permit for any residence at the site, an Operation and Maintenance Agreement (O&M

Agreement) with the County (executed by the Community Development Director) is required to ensure long-term maintenance and servicing by the property owner of stormwater site design and treatment control and/or HM measures according to the approved Maintenance Plan(s), for the life of the project. The O&M Agreement shall provide County access to the property for inspection. The Maintenance Agreement(s) shall be recorded for the property and/or made part of the CC&Rs.

Department of Public Works

84. 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.
85. Prior to the issuance of the building permit, the applicant will be required to provide payment of "roadway mitigation fees" based on the square footage (assessable space) of the proposed building per Ordinance #3277.
86. The applicant shall submit written certification from the appropriate utilities to the Department of Public Works and the Planning and Building Department stating that they will provide utility (e.g., sewer, water, energy, communication, etc.) services to the proposed parcels of this subdivision.
87. The applicant shall submit a Parcel Map to the Department of Public Works for review, to satisfy the State of California Subdivision Map Act. The final map will be recorded only after all conditions of approval have been met.
88. Future development of any and all parcels resulting from the approved subdivision must comply with these requirements. The applicant shall note the requirement in the deeds for each parcel, copies of which shall be provided to the Planning Department and shall disclose the requirement to any potential buyer(s). Each parcel shall be tagged by the Planning Department with this requirement, and no permits shall be issued for any development of the parcel(s) until this requirement is met. For future structures to be built on the individual parcels, prior to the issuance of a building permit for any structure on the project site, all plans shall be reviewed by the Planning Department for conformance with this condition.
89. The applicant shall submit to the Department of Public Works, for review, documentation of stormwater easements for the applicant's use and/or the use of others.
90. Contractor shall be responsible for the repair of any damages to the road as a result of the hauling activity to the satisfaction of the County Road Inspector.

Environmental Health Services

91. The three (3) proposed 0.70± acre lots must obtain necessary approval for connection to sanitary sewer (Crystal Springs Sanitary District/County of San Mateo) and water service (Cal Water).
92. Any future development of the existing developed 9.27-acre parcel shall obtain approval from Environmental Health.

Cal-Fire

93. All new public water systems, extensions from a public water system or replacement of any main or line of an existing public water system shall have a minimum diameter of six inches (6-inch). If the pipes are not linked in grid, or if individual legs are over 600 feet in length, then the minimum diameter shall be eight inches (8-inch).

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County of San Mateo
Planning and Building Department

**INITIAL STUDY
ENVIRONMENTAL EVALUATION CHECKLIST**

1. **Project Title:** Zmay Minor Subdivision, Grading Permit and Resource Management (RM) Permits of a 60.3 acre parcel to create four parcels approximately, 0.73-acre each, for future residential development and, a 57.48± acre remainder parcel (with approximately 48.21 acres of land to be protected by a conservation easement, and 9.27 acres, including an existing single family dwelling, of developable area, and a Grading Permit for 11,200 cubic yards of earthwork (5,600 cubic yards (cy) of cut and 5,600 cy of fill) for landslide repair. No residential development is proposed with this application.
2. **County File Number:** PLN 2014-00410
3. **Lead Agency Name and Address:** San Mateo County Planning and Building Department
455 County Center, 2nd Floor, Redwood City, CA 94063
4. **Contact Person and Phone Number:** Erica D. Adams, Project Planner 650/363-1828
5. **Project Location:** 1551 Crystal Springs Road, San Mateo Highlands Area of Unincorporated San Mateo County
6. **Assessor's Parcel Number and Size of Parcel:** 038-131-110; 60.3 acres
7. **Project Sponsor's Name and Address:** Nicholas Zmay, 751 Laurel Street, Suite 409, San Carlos, CA 94070
8. **General Plan Designation:** Open Space; Urban
9. **Zoning:** Resource Management (RM)
10. **Description of the Project:** The applicant proposes a Minor Subdivision of a 60.3-acre parcel. The subdivision will create four parcels for future residential development (four single-family residences on Proposed Parcels 1-4) and a designated remainder parcel which will contain an existing single-family residence. The subject parcel is adjacent to existing residential development in the City of Hillsborough and in the sphere of influence of the City of San Mateo. The four parcels created by the subdivision will be 0.67- 0.73 acres in size, with house locations along Parrott Drive.

A 57.48 acre remainder parcel will be comprised of approximately 48.21 acres of land to be protected by a proposed conservation easement and a developable area of 9.27 acres including an existing single family dwelling. The subject parcel contains landslide areas which the applicant proposes to mitigate through repair work to be completed prior to the recording of the final map. A Grading Permit for 11,200 cubic yards of earthwork is required for the landslide repair work on the proposed parcels.

The project would be implemented in two phases. In Phase 1, which is the current project (PLN 2014-00410), the applicant intends to gain County approval of a tentative map for the

Minor Subdivision and the associated RM Permit and Grading Permit. The County's Geotechnical consultant has recommended that prior to recordation of the Parcel Map for the Minor Subdivision, the applicant perform grading activities limited to the completion of landslide repair work within the boundaries of Proposed Parcels 2 and 3. In Phase 2, the applicant proposes to apply for additional land use permits necessary to construct houses on the 4 new lots. Residential development is not included in this project and will require Resource Management (RM) Permits and potentially Grading Permits through a separate permitting process.

All necessary public utilities exist and services are available for future residential development. No new roads are required for future residential development.

11. Surrounding Land Uses and Setting:

The subject parcel is approximately 60.3-acres. The majority of the parcel is undeveloped. There is an existing single-family residence on a portion of the subject parcel which takes access from Crystal Spring Road.

The site is bounded to the west by Crystal Springs Road, to the southwest by Polhemus Road, to the northeast by Parrott Drive. The City of Hillsborough borders/surrounds the parcel to the north and west. Single-family residential neighborhoods are located to the east and west, with areas of open space to the north and south. The property is within the sphere of influence of the City of San Mateo.

The property is generally steep with slopes varying from 2:1 to 3:1 (horizontal to vertical). San Mateo Creek and Polhemus Creek run along the base of the ridgeline and converge near the southern corner of the property. The portion of the parcel along Parrot Drive where 4 new parcels and future residences are proposed, has an approximate slope of 37%.

Hillside areas of the property have experienced landslide activity in the past. One active landslide is mapped over a large portion of Proposed Parcel 2 and to a limited extent on Proposed Parcel 3. As proposed, landslide repair work, which includes 11,200 cy of grading, will precede recordation of the final map and any residential development.

12. Other Public Agencies Whose Approval is Required: None

13. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, has consultation begun?: *(NOTE: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process (see Public Resources Code Section 21083.3.2.). Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality).*

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” or “Significant Unless Mitigated” as indicated by the checklist on the following pages.

X	Aesthetics	X	Hazards and Hazardous Materials		Recreation
	Agricultural and Forest Resources	X	Hydrology/Water Quality		Transportation/Traffic
X	Air Quality		Land Use/Planning		Tribal Cultural Resources
X	Biological Resources		Mineral Resources	X	Utilities/Service Systems
X	Cultural Resources	X	Noise		Mandatory Findings of Significance
X	Geology/Soils		Population/Housing		
	Climate Change		Public Services		

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant with Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in 5. below, may be cross-referenced).

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063(c)(3)(D)). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are “Less Than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources. Sources used or individuals contacted should be cited in the discussion.

1. AESTHETICS. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
1.a. Have a significant adverse effect on a scenic vista, views from existing residential areas, public lands, water bodies, or roads?		X		
<p>Discussion: The subject parcel is 60± acres with approximately 2,300 feet of road frontage along Crystal Springs Road and Polhemus Road, with the exception of about 600 feet where The Odyssey School (a private school) is located between Polhemus Road and the property. Approximately 1,500 lineal feet of the parcel abuts Crystal Springs Road, which is also a designated County Scenic Route by the San Mateo County General Plan. The southwestern corner of the parcel, 800 lineal feet, abuts a portion of Polhemus Road which is also designated as a County Scenic Route. Neither road is designated a state scenic highway.</p> <p>The four proposed parcels will take access from Parrot Drive which is along the northwestern edge of the parcel. The four proposed parcels will not be visible from Crystal Springs Road nor Polhemus Road due to distance, intervening vegetation, and topography. Crystal Springs Road is a lineal distance of approximately 1,000 feet from the parcel locations on Parrot Drive. Polhemus Road curves eastward, away from the proposed parcels and is a lineal distance of approximately 2,200 feet from the proposed parcels. In addition, the proposed parcels would be located approximately 300 feet in elevation above the scenic routes, with dense tree coverage in between the scenic route and parcel locations on Parrot Drive. The view from both roads will remain</p>				

unchanged due to these factors. These factors also minimize the visibility of future residential structures from either road.

The proposed development primarily consists of the creation of four new parcels (Parcels 1 to 4) along Parrott Drive. These parcels will be located in an area adjacent to and across from existing residences located on Parrott Drive in the City of Hillsborough. The new parcels are proposed to be smaller than the typical parcel size found in Resource Management (RM) Zoning District, in order to be more compatible in size to residential parcels on Parrott Drive which are zoned R-1/S-8, and have a minimum lot size of 7,500 square feet.

The four proposed parcels along Parrott Drive will retain the existing RM zoning, which requires development to conform to development review criteria. Residential uses are allowed in the RM Zoning Districts, are consistent with the property's General Plan designation of Open Space, and require a RM Permit. The development review criteria of the RM Zoning District prohibits the removal of trees \geq 55 inches in circumference except with an RM Permit. The removal of trees less than 55 inches in circumference is permitted. Development on these parcels would conform to the front and side setbacks of the S-8 Zoning District, per Section 6319.c of the RM Zoning District, with the intent of blending in with existing residences along Parrott Drive. New houses would be restricted to a 36-foot height limit.

There is no new development proposed at this time on the remainder parcel, which contains an existing single-family residence. The existing residence, while accessed from Crystal Springs Road, is minimally visible from the public right-of-way due to intervening vegetation. New development on the remainder parcel would require an RM Permit and compliance with applicable development review criteria.

Prior to recording of the final map, the applicant proposes to perform grading necessary for landslide repair an existing landslide. The landslide area is located primarily on proposed parcels numbers two and three. Phase one of this application will require grading activity to repair the landslide areas. The landslide repair area is mostly free of trees; however, 10 trees which are greater than 55" in circumference have been identified on the four proposed parcels, and may need to be removed so equipment can access the site. The required grading would not alter the scenic nature of the hillside as viewed from public roads, since, as previously mentioned, the area is not visible from Polhemus or Crystal Springs Roads.

In the intervening timeframe between when the repair work is complete and when construction of the residences occurs, the hillside will be seeded for stabilized using erosion control measures as recommended by the project geologist and approved by the County, as required by Mitigation Measure 1. These measures will be temporary and not visible from Polhemus Road and Crystal Springs Road.

Future residential development will further modify the hillside but the impacts from scenic roads will remain insignificant as the proposed building locations would infill an undeveloped area between existing houses on Parrot Drive. Replanting of trees is required by Mitigation Measure 2 to achieve compliance with the County's RM Zoning Regulations and to improve hillside stabilization and minimize the potential visual impact of the new development.

Adherence to the Mitigation Measures 1 and 2 would reduce potential aesthetic impacts to a less than significant level.

Mitigation Measure 1: Immediately upon completion of the landslide repair work, the disturbed areas of the hillside shall be stabilized using erosion control measures as recommended by project geologist and approved by the County. If seeds are to be applied, the applicant shall use a local, non-invasive seed mixture consistent with the surrounding vegetation. Measures shall remain in place and replaced/repared as necessary to provide adequate erosion control, as determined by the County, until grading/construction of future houses has commenced.

Mitigation Measure 2: A comprehensive tree replacement plan shall be developed for all protected trees (55-inches or greater in circumference), which are removed during landslide repair, grading, and future construction activities associated with residential development. Replacement shall occur at completion of future residential development. The replanting ratio shall achieve either a 1:1 replacement with 5-gallon sized trees, or a 3:1 replacement ratio with trees 15 gallons or greater in size proposed, of native species. A master planting and monitoring plan, including any necessary irrigation, for all four lots shall be prepared by a landscape designer or architect and submitted to the Planning and Building Department for review. The tree replanting for lots shall be made a condition of the final approval of the certificate of occupancy for each new residence.

Source: San Mateo County Zoning Regulations - Resource Management (RM) Zoning District

1.b. Significantly damage or destroy scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
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Discussion: The proposed area of grading work and the site of future residences is not visible from the scenic roads due to distance, topography and vegetation.

Source: Site Visit, San Mateo County Maps

1.c. Significantly degrade the existing visual character or quality of the site and its surroundings, including significant change in topography or ground surface relief features, and/or development on a ridgeline?		X		
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Discussion: The proposed grading will be mitigated with replacement vegetation and occurs in an area which is minimally visible from Parrott Drive, as it is located below street level, on a steep slope. (See discussion for Question 1.a.) The project does not involve development on a ridgeline.

Source: Site Visit, San Mateo County Maps

1.d. Create a new source of significant light or glare that would adversely affect day or nighttime views in the area?			X	
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Discussion: No development is proposed with this application. Future residential development will be subject to a Resource Management Permit and must comply with RM development review criteria pertaining to lighting such as minimization of exterior lighting.

Source: Project Scope, RM Zoning District

1.e. Be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor?		X		
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Discussion: See discussion for Question 1.a.

Source: Project Scope, San Mateo County Maps

1.f.	If within a Design Review District, conflict with applicable General Plan or Zoning Ordinance provisions?				X
<p>Discussion: The project is not located within a Design Review District.</p> <p>Source: San Mateo County General Plan and Zoning Regulations</p>					
1.g.	Visually intrude into an area having natural scenic qualities?		X		
<p>Discussion: See discussion for Question 1.a.</p> <p>Source: Site Visit, Project Scope</p>					

<p>2. AGRICULTURAL AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State's inventory of forestland, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.</p>					
		<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
2.a.	For lands outside the Coastal Zone, convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	
<p>Discussion: The subject property is within the RM Zoning District, which allows for agricultural uses. The area to be subdivided consists of soil comprised of Fagan Loam and with slopes ranging from 15% to 50%. The project site does not contain land shown to be Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency.</p> <p>The site contains a single-family residence, and has not been used in the recent past for agriculture. The parcel is surrounded by residential uses in the City of Hillsborough and is located within the sphere of influence of the City of San Mateo. With the exception of the existing dwelling, on a proposed 9-acre remainder parcel the proposed 48.21-acre remainder parcel will retain its current open space use through the recordation of a conservation easement. The proposed Draft Conservation Easement is included as Attachment N.</p>					

Source: University of California Natural Resources Conservation Service: http://casoilresource.lawr.ucdavis.edu/gmap/				
2.b. Conflict with existing zoning for agricultural use, an existing Open Space Easement, or a Williamson Act contract?				X
<p>Discussion: Both agriculture and residential uses are allowed uses within the RM Zoning District. An RM-zoned parcel's development density is determined by density analysis. The proposed density, is consistent with the RM zoning regulations and the approved density analysis completed by the County on May 21, 2013 (DEN2013-00001). With the recordation of a Conservation Easement (which will allow agricultural uses) a density bonus can be allowed by the RM zoning regulations and the determined density for the subject parcel will allow for a total of five single-family residences (four new and one existing) along with a conservation easement for 57 acres.</p> <p>The property currently does not contain any existing open space easements and is not subject to a Williamson Act contract. No conversion of farmland will occur with this proposal.</p> <p>Source: San Mateo County Maps and Zoning Regulations</p>				
2.c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forestland to non-forest use?			X	
<p>Discussion: See discussion of potential impacts to farmland for Question 2.a. There are no forestlands on the subject property.</p> <p>Source: San Mateo County Maps</p>				
2.d. For lands within the Coastal Zone, convert or divide lands identified as Class I or Class II Agriculture Soils and Class III Soils rated good or very good for artichokes or Brussels sprouts?				X
<p>Discussion: The subject parcel is not within the Coastal Zone.</p> <p>Source: San Mateo County Maps</p>				
2.e. Result in damage to soil capability or loss of agricultural land?			X	
<p>Discussion: See discussion of potential impacts to agricultural land for Question 2.a.</p> <p>Source: San Mateo County Maps</p>				
2.f. Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland				X

<p>Production (as defined by Government Code Section 51104(g))?</p> <p><i>Note to reader: This question seeks to address the economic impact of converting forestland to a non-timber harvesting use.</i></p>				
<p>Discussion: The subject parcel does not contain timberland or forestland, nor does the parcel adjoin such areas or uses.</p> <p>Source: San Mateo County Maps</p>				

<p>3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</p>				
	Potentially Significant Impacts	Significant Unless Mitigated	Less Than Significant Impact	No Impact
<p>3.a. Conflict with or obstruct implementation of the applicable air quality plan?</p>		X		
<p>Discussion: The project would result in temporary air quality impacts, including dust from grading activities and exhaust from construction vehicles, to occupants of residences in the immediate project area during the landslide repair, grading and construction phases. The Bay Area Air Quality Management District (BAAQMD) exempts construction and operation of residential uses from permit requirements (Regulation 2-1-113). The project involves the eventual construction and operation of up to an additional four, single-family residences; however, the majority of the parcel will remain as open space use through a conservation easement. The project also includes grading for landslide repair. Density credits, which are necessary for additional residential parcels will be exhausted for the property.</p> <p>The proposed grading would involve a small number of construction vehicles. The majority of grading will be balanced on the site, however it is estimated that 3,022 cy of soil will be relocated to and from the site for the landslide repair. This quantity of soil will require an average of five trucks a day over a 4-6 week period of time. All construction equipment will be required to comply with BAAQMD standards for idling times. The pollutants associated with the grading activity and residential development will be conducted in adherence with the Mitigation Measures below and dust control measures in Section 3.f. of this report. Adherence to these mitigation measures would reduce potential air quality impacts to a less than significant level.</p> <p>Mitigation Measure 3: Prior to the beginning of any grading construction activities, including landslide repair work, the applicant shall submit to the Planning Department for review and approval an erosion and drainage control plan for each phase (landslide repair, grading, and construction) showing conformance with applicable erosion control related mitigation measures and County Erosion Control Guidelines. The plan shall be designed to minimize potential sources of sediment, control the amount of runoff and its ability to carry sediment by diverting incoming flows and impeding internally generated flows, and retain sediment that is picked up on the project site through the use of sediment-capturing devices. The plan shall also limit application, generation, and migration of toxic substances, ensure the proper storage and disposal of toxic materials, apply nutrients at rates necessary to establish and maintain vegetation without causing significant nutrient runoff to surface waters. Said plan shall also demonstrate adherence to the following measures</p>				

recommended by Murray Engineering Inc., (Attachments K and L):

- a. Sequence construction to install sediment-capturing devices first, followed by runoff control measures and runoff conveyances. No construction activities shall begin until after all proposed measures are in place.
- b. Minimize the area of bare soil exposed at one time (phased grading).
- c. Clear only areas essential for construction.
- d. Within five days of clearing or inactivity in construction, stabilize bare soils through either non-vegetative Best Management Practices (BMPs), such as mulching or vegetative erosion control methods such as seeding. Vegetative erosion control shall be established within two weeks of seeding/planting.
- e. Construction entrances shall be stabilized immediately after grading and frequently maintained to prevent erosion and control dust.
- f. Control wind-born dust through the installation of wind barriers such as hay bales and/or sprinkling.
- g. Soil and/or other construction-related material stockpiled on-site shall be placed a minimum of 200 feet from all wetlands and drain courses. Stockpiled soils shall be covered with tarps at all times of the year.
- h. Intercept runoff above disturbed slopes and convey it to a permanent channel or storm drains by using earth dikes, perimeter dikes or swales, or diversions. Use check dams where appropriate.
- i. Provide protection for runoff conveyance outlets by reducing flow velocity and dissipating flow energy.
- j. Install storm drain inlet protection that traps sediment before it enters any adjacent storm sewer systems. This barrier shall consist of filter fabric, straw bales, gravel, or sand bags.
- k. Install sediment traps/basins at outlets of diversions, channels, slope drains, or other runoff conveyances that discharge sediment-laden water. Sediment traps/basins shall be cleaned out when 50% full (by volume).

Mitigation Measure 4: Prior to the issuance of the grading permit “hard card,” the applicant shall submit a dust control plan for review and approval by the Current Planning Section. The plan, at a minimum, shall include the following measures:

- a. Water all construction and grading areas at least twice daily.
- b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
- c. Pave, apply water two times daily, or (non-toxic) soil on all unpaved access roads, parking areas and staging areas at the project site.
- d. Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
- e. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).

Source: San Mateo County Energy Efficiency Climate Action Plan; BAAQMD

3.b. Violate any air quality standard or contribute significantly to an existing or projected air quality violation?			X	
<p>Discussion: The project will not violate air quality standards or contribute significantly to any air quality violation. See discussion of potential air quality impacts for Question 3.a.</p> <p>Source: San Mateo County Energy Efficiency Climate Action Plan</p>				
3.c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				X
<p>Discussion: The project will not create pollutants that will have a cumulative impact or prevent attainment of regional or federal quality standards. See discussion for Question 3.a.</p> <p>Source: San Mateo County Energy Efficiency Climate Action Plan</p>				
3.d. Expose sensitive receptors to significant pollutant concentrations, as defined by BAAQMD?		X		
<p>Discussion: The project would result in temporary air quality impacts, including dust from grading activities and exhaust from construction vehicles, to occupants of residences in the immediate project area during the landslide repair, grading and construction phases. Mitigation Measure Numbers 3 and 4 would reduce this impact to a less than significant level.</p> <p>Source: San Mateo County Energy Efficiency Climate Action Plan</p>				
3.e. Create objectionable odors affecting a significant number of people?			X	
<p>Discussion: The project may result in temporary generation of odors associated with project grading and construction of four new single-family dwellings. However, this impact is temporary and would be minimized by Mitigation Measures 3 and 4.</p> <p>Source: San Mateo County Energy Efficiency Climate Action Plan</p>				
3.f. Generate pollutants (hydrocarbon, thermal odor, dust or smoke particulates, radiation, etc.) that will violate existing standards of air quality on-site or in the surrounding area?			X	
<p>Discussion: See discussion for Question 3.a.</p> <p>Source: San Mateo County Energy Efficiency Climate Action Plan</p>				

4. BIOLOGICAL RESOURCES. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
4.a. Have a significant adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?		X		

Discussion: The evaluation of the subject parcel revealed the presence of special-status natural communities. The primary biological concerns related to this project involve wetlands and plant and wildlife special status species, as the site has habitat and potential habitat for the California red-legged frog, San Francisco garter snake, Central California Coast Steelhead, and mission blue butterfly.

These special communities are defined differently by each jurisdictional agency. Definitions/descriptions include: (1) being considered rare in the region, (2) support special-status plant or wildlife species, or (3) receive regulatory protection under Section 404 of the Clean Water Act (CWA) and/or the California Fish and Wildlife Code (CFWC) Section 1600.

The identified communities qualify as California Natural Diversity Data Base (CNDDB) rare communities and these communities are given the highest inventory priority (CNDDB 2014, CDFG 2010). The San Mateo County General Plan defines sensitive habitats as those supporting rare or unique species, riparian corridors, wetlands, and important nesting, feeding, breeding or spawning areas, and oak woodlands.

The project must comply with the Clean Water Act (§§401 and 404), California Fish and Game Code (§1600), State water quality certification from the RWQCB, and endangered species consultation with the U.S. Fish and Wildlife Service (USFWS), National Oceanic and Atmospheric Administration (NOAA) Fisheries, and California Department of Fish and Wildlife (CDFW).

The subject property was surveyed in 2006 and the observations summarized in the 2007 Floristic Analysis (Attachment A). The survey was conducted on foot and the entire parcel was covered. The location of all populations of special-status plants were mapped and the approximate size of each population was enumerated. This report was updated in 2014 to address the new proposal of a smaller subdivision proposals; then later revised in 2015 after a second reconnaissance-level survey was performed (June 26, 2014) over an area of eight acres, encompassing the proposed new parcels. (Attachment F) The survey results are also documented in the Biological Site Assessment for the Proposed Zmay Property Subdivision. The results are discussed in the March 11, 2015 Revised Botanical Evaluation (Attachment G).

A visual evaluation of the site for purposes of wetland delineation was undertaken on July 16, 2017 to identify willow habitat located below to proposed parcels 2 and 3. These efforts are discussed in the August 16, 2017, Revised Wetland Evaluation. (Attachment E)

The biological discussion of potential project impacts to special status and regulated features is divided into four sections: wetlands, plants, migratory birds, and special-status animals.

Wetlands

A wetland delineation and preliminary jurisdictional determination was prepared and verified by the U.S. Army Corps of Engineers (USACE) in 2007 for an earlier, 20-lot version of the subdivision. In 2007 the qualifying area on the parcel was identified as 0.42 acre and including 4,624 linear feet of stream channels. There are three intermittent stream channels that cross the slopes of the subject property with two originating on proposed Parcels 2 and 4 within the reduced study area. Each is a tributary to San Mateo Creek. Another 0.21-acre of non-wetland riparian habitat falls under state jurisdiction only. Due to the passage of 10 years' of time from the original wetland survey, the 2007 verification has expired.

In 2014 the original subdivision project was revised to a four-lot subdivision with parcels approximately 2 acres in size. A reconnaissance-level survey of a reduced study area, containing the area of the proposed subdivision, was performed by biologist Michael Wood on June 26, 2014. The 2014 survey supplements several previous surveys of the site. During the 2014 site reconnaissance, conditions in the reduced study area were not found to have appreciably changed since 2007.

The 2014 survey by biologist Michael Wood also identified California Department of Fish and Wildlife (CDFW) special-status natural communities (wetlands), consisting of three incised tributaries to San Mateo Creek that cross the slopes on-site, scattered willows, and coast live oak trees adjacent to these channels that might be regarded as riparian habitat, potentially falling under CDFW jurisdiction restricted to waters of the U.S./waters of the State. In addition to the presence of the wetlands, the parcel also contains habitat or potential habitat for the previously mentioned, four federal and/or state-listed endangered, threatened or fully protected species.

Michael Wood's 2015 evaluation (Revised Creek Setback Evaluation, Zmay Property Subdivision) of a modified subdivision proposal, with a further reduced study area, states the study area supports two small stands of typical riparian vegetation. Proposed parcel sizes were reduced less than an acre to avoid intersection with wetlands and the landslide area. A land survey was not conducted at this time; the document was an analysis of the reduced project area and policies impacting wetland biology. The document identified the use of buffers to minimize impacts to the wetlands. The use of buffers is incorporated in both project design and Mitigation Measures 5 and 6.

In a 2017 wetland evaluation of the property, a formal wetland delineation was performed in conformance to the guidelines of the USACE (2006, 2008) and Environmental Laboratory (1987). The primary purpose of the August 2017 delineation effort was to revisit the limits of jurisdiction of a stand of willows growing below Parcels 2 and 3. The need for this arises from the identification of an existing landslide located predominantly on Parcel 2 and because 10 years have passed since the completion of the original wetland survey.

Utilizing field data, site observations and recent and historic aerial photographs, the wetland/upland boundary was mapped (see Attachment A, Figure 3 of letter delineation letter (Attachment E)). A total of two data points were sampled and data on vegetation, soils and hydrology were collected and recorded (field data forms are attached as Attachment D (of letter delineation letter (Attachment E)). In addition to the limits of jurisdiction of the USACE, the limits of jurisdiction of CDFW were also mapped.

In all evaluations, the subject property was found to contain an area of aquatic features falling under both federal (U.S. Army Corps of Engineers) and state (California Department of Fish and Wildlife and the Regional Water Quality Control Board), jurisdiction. Based on the current wetland delineation, the anticipated limits of grading for the proposed slide repair would not encroach upon habitat features regulated under the CWA (i.e., waters of the U.S.) so long as site conditions remain consistent to previous biological surveys.

A new evaluation of the site is required prior to any disturbance (Mitigation Measures 5 and 6), and

should the project require a permit from a jurisdiction, said permit shall be obtained prior to the issuance of a grading hard card.

Mitigation Measures (Numbers 5-13) will protect the riparian and wetland habitat and ensure that impacts are limited to a less than significant level. As proposed and mitigated, potential impacts to wetland habitat would be reduced to a less-than-significant level.

Mitigation Measure 5: Prior to the issuance of a grading permit, the contractor and the biologist shall meet in the field to identify the limits of riparian and wetland habitat and the extent of excavation within the environmentally sensitive area (ESA). A report/letter summarizing the meeting and with details of how construction may impact the ESA and/or reduce the efficacy of any mitigation measures or conditions, shall be submitted to the County prior to the commencement of such grading.

Mitigation Measure 6: Under the supervision of the biologist, the limits of wetland habitat shall be marked in the field with high visibility construction fencing, and the area shall be designated as an ESA. No equipment shall be permitted to operate within the ESA without prior coordination with and inspection by the project biologist.

Mitigation Measure 7: Prior to the commencement of any land disturbing activities, all mitigation measures contained in this document which are applicable to the protection of the wetlands shall be explained in detail by the biologist to the construction site manager so they can be implemented in the field.

Mitigation Measure 8: Removal of any willow trees is prohibited without a federal or state permit. Grading shall be permissible only if excavation that extends within the canopy of the willows does not involve root disturbance or removal.

Mitigation Measure 9: A federal permit is required for any excavation that requires the removal of willows within the limits of federal jurisdiction. Should removal be deemed necessary, at this point, work shall cease until all appropriate permits have been issued by the USACE and Regional Water Quality Control Board (RWQCB) pursuant to the Clean Water Act, and by the California Department of Fish and Wildlife (CDFW) and the County of San Mateo shall be notified. Prior to commencement of grading activities copies of all regulatory permits and proof of the successful implementation of all permit conditions and mitigation measures shall be provided to the Planning and Building Department.

Mitigation Measure 10: If a Clean Water Act permit is required for impacts to waters of the U.S., a formal consultation with the USFWS under Section 7 of Federal Endangered Species Act (FESA) shall be required, and the USFWS would issue a Biological Opinion, which would include an incidental take permit and an outline of mandatory minimization and/or mitigation measures. Compliance with Section 7 of the Federal Endangered Species Act (FESA) can also facilitate compliance with the California Endangered Species Act (CESA). Conditions of all permits issued by these agencies shall be implemented in full to reduce impacts to special-status species.

Mitigation Measure 11: At the conclusion of ground disturbance, a biological report shall be submitted to the County which discusses if the measures were executed correctly and which if any additional restoration measures need to be implemented and/or monitored.

Mitigation Measure 12: All temporarily disturbed aquatic habitat shall be restored to pre-project conditions, which may include revegetation of denuded areas with native aquatic or emergent vegetation that complement the native vegetation of adjacent habitats. A revegetation plan shall be prepared by a biologist, reviewed and subject to the approval by the County and proper execution of the plan shall be confirmed by a biologist, and written confirmation shall be submitted to the County.

Mitigation Measure 13: Regulatory permits may be expected to require mitigation for temporal or permanent impacts to riparian habitat. All required mitigation from any required regulatory permit for

temporal or permanent impacts to riparian habitat shall be implemented. Mitigation may include in situ restoration by planting, and long-term monitoring for plant survival and habitat restoration.

Mitigation Measure 14: The Project sponsor shall comply with the federal and State Endangered Species Acts for all species with potential habitat which may be impacted.

Special-Status Plant Species

In 2007, a floristic survey was conducted which identified a total of six special-status plant species that occurred on the subject property, two of which were also on the California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants. Special-status plant species include those listed as endangered, threatened, rare, or as candidates for listing by the U.S. Fish and Wildlife Service (USFWS 2014), the CDFW (2014a,b), and the CNPS (2014). The CNPS Inventory of Rare and Endangered Plants (2014) focuses on native plants that are rare in California or that face the threat of extinction or extirpation in the state.

The six plants are (1) San Mateo woolly sunflower (*Eriophyllum latilobum*), (Malacothamnus arcuatus), (2) Arcuate bush mallow (*Allium peninsulare* var. *franciscanum*), (3) Franciscan onion (*Dirca occidentalis*), (4) Western leatherwood (*Elymus californicus*), (5) California bottle-brush grass (*Collinsia multicolor*; formerly *C. franciscana*), and (6) San Francisco (*collinsia*) a.k.a. Franciscan blue-eyed Mary. Of these, western leatherwood (*Dirca occidentalis*; CNPS List 1B) was mapped as occurring in the vicinity of the proposed Parcel 4.

A follow-up survey was conducted by botanist Michael Wood in August 2014 for the revised project. Mr. Wood found the presence of western leatherwood plants within the boundary of Parcel 4. None of the remaining five special-status plant species previously documented on the subject property was observed as occurring in the project area, which covers a total of approximately 5 acres. No slide repair activity occurs on Parcel 4 and residential development is not in the vicinity of known leatherwood plants.

Pre-construction identification of any plants and protection measures will prevent any significant impacts from the proposed development.

Mitigation Measure 15: Thirty days prior to development of the residence on Parcel 4, a survey identifying any western leatherwood plants shall occur. Any plants which are identified shall be protected by fencing to prevent damage from construction activities.

Migratory Birds

Mr. Wood's biological report states that "Oak woodland, scrub and grassland habitats on-site provide nesting habitat for one state-listed fully protected raptor (white-tailed kite) and ten other special-status bird species (Allen's hummingbird, Cooper's hawk, grasshopper sparrow, Lawrence's goldfinch, loggerhead shrike, merlin, Nuttall's woodpecker, oak titmouse, sharp-shinned hawk, and yellow warbler), and numerous species of migratory birds."

The report continues, with "The proposed four new parcels support suitable nesting habitat for numerous species of migratory raptors and passerines. Based on the amount of vegetative cover on site, there is a high potential for the utilization of these habitat for breeding by such birds. Site clearing activities could result in a take of migratory birds protected under the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Commission (CFGF). Disturbance during the nesting season could result in the potential nest abandonment and mortality of young, which would be a significant adverse effect pursuant to CEQA."

Construction activities, including the proposed grading would necessitate the removal of approximately, 16 trees greater than 17.5 inches in diameter (55 inches in circumference) at breast height (DBH) and result in direct or indirect impacts to nesting birds by causing destruction or abandonment of occupied nests. This number is a small fraction of the hundreds of trees located on the subject

parcel, and with planting of replacement trees, careful site planning and incorporation of mitigation measures for surveying and monitoring for the presence of nests, potential impacts from site development could be reduced to levels that are less than significant.

Mitigation Measure 16: Prior to the removal or significant pruning of any trees, they shall be inspected by a qualified biologist for the presence of raptor nests. This is required regardless of season. If a suspected raptor nest is discovered, the California Department of Fish and Wildlife (CDFW) shall be notified. Pursuant to CFGC Section 3503.5, raptor nests, whether or not they are occupied, may not be removed until approval is granted by the CDFW.

Mitigation Measure 17: If clearing, grubbing or tree removal/pruning are to be conducted outside of the breeding season (i.e., September 1 through January 31), no preconstruction surveys for nesting migratory birds is necessary.

If clearing, grubbing or tree removal or pruning are to be conducted during the breeding season (i.e., February 1 through August 31), a preconstruction nesting bird survey shall be conducted. The survey shall be performed by a qualified biologist no more than two weeks prior to the initiation of work. If no nesting or breeding activity is observed, work may proceed without restrictions. To the extent allowed by access, all active bird nests identified within 250 feet for raptors and 50 feet for passerines shall be mapped.

Mitigation Measure 18: For any active bird nests found near the construction limits (i.e., within 250 feet for raptors and 50 feet for passerines of the limits of work) the Project Biologist shall make a determination as to whether or not construction activities are likely to disrupt reproductive behavior. If it is determined that construction would not disrupt breeding behavior, construction may proceed. If it is determined that construction may disrupt breeding, a no-construction buffer zone shall be designated by the Project Biologist; avoidance is the only mitigation available. The ultimate size of the no-construction buffer zone may be adjusted by the Project Biologist based on the species involved, topography, lines of site between the work area and the bird nest, physical barriers, and the ambient level of human activity. Site evaluations and buffer adjustments shall be made in consultation with the CDFW and/or the USFWS Division of Migratory Bird Management.

If it is determined that construction activities are likely to disrupt raptor breeding, construction activities within the no-construction buffer zone may not proceed until the Project Biologist determines that the nest is no longer occupied.

Mitigation Measure 19: If maintenance of a no-construction buffer zone is not feasible, the Project Biologist shall monitor the bird nest(s) to document breeding and rearing behavior of the adult birds. If it is determined that construction activities are causing distress of the adult birds and are thus likely to cause nest abandonment, work shall cease immediately. Work may not resume in the area until the Project Biologist has determined that the young birds have fledged and the bird nest is no longer occupied.

Mitigation Measure 20: Preconstruction surveys for nesting migratory birds and roosting bats shall be conducted no more than two weeks prior to the start of grading and construction for work for each phase scheduled to occur during the breeding season (February 1 to August 31) or wintering period for each phase (September 1 to January 31).

Mitigation Measure 21: If active nests/roosts of migratory birds and roosting bats are identified within 300 feet of the project site, non-disturbance buffers shall be established at a distance sufficient to minimize disturbance based on the nest/roost location, topography, cover and species' tolerance to disturbance. Buffer size shall be determined in cooperation with the CDFW and the USFWS.

Mitigation Measure 22: If active nests/roosts of migratory birds are found within 300 feet of the project site and non-disturbance buffers cannot be maintained, a qualified biologist shall be on-site to monitor the nests/roosts for signs of nest disturbance. If it is determined that grading and/ or

construction activity is resulting in nest/roost disturbance, work shall cease immediately and the USFWS and CDFW shall be contacted.

Special-Status Animals

Mr. Wood states that based on knowledge of the geographic range and habitat affinities of special-status animals recorded from the region, and evaluation of on-site habitats, a total of 24 special-status animal species have the potential to occur on site or in the immediate project vicinity. The presence within the reduced study area of one special-status mammal, San Francisco dusky-footed woodrat, was confirmed during the 2014 follow-up reconnaissance survey. Another 14 special-status wildlife species are considered to have the potential to occur within the reduced study area, including ten birds and five bat species. Four federal and/or state-listed endangered, threatened or fully protected species are considered to have the potential to occur on the subject property. However, Mr. Wood, in a reported titled Wood Biological Consulting, Inc. – Biological Site Assessment, Zmay Property, dated August 13, 2014, and revised March 10, 2015, states that in the study area only the mission blue butterfly and white-tailed kite are considered to have a potential for occurrence; the potential for occurrence of California red-legged frog and San Francisco garter snake and steelhead is considered to be low. Nonetheless, development of the four new parcels could indirectly affect these species through erosion and sedimentation.

Impacts to Federal and State-listed species are regulated under the California and Federal Endangered Species Acts, and impacts to other special-status species would be considered significant under the guidelines of the California Environmental Quality Act (CEQA). Development of the project site could result in direct impacts to these species (i.e., mortality of individuals, loss of host plants, nest failure, etc.) or indirect (i.e., loss of foraging habitat, noise disturbance, nest disturbance, etc.).

The 2014 survey determined that within the project site there is one special-status mammal, San Francisco dusky-footed woodrat. With this exception, there were no existing habitats or features which function as wildlife movement corridors other special status species. The potential for habitat does exist. However, the fact that (1) the proposed development will be limited to approximately 2.8 acres of the a 60-acre site (4.6%), (2) land disturbance will occur in areas that are adjacent to disturbed and/or developed land, and (3) the mitigation measures as recommended by Mr. Wood, as listed below, would be made conditions of approval for the proposal, the potential project impacts to biological resources would be reduced to a less than significant.

Mitigation Measure 23: For each phase, the applicant shall implement the following measures to avoid or minimize impacts to special status animals including performing pre-construction surveys for snakes within the daily work area, having a USFWS-approved biologist on-site during work within suitable habitat, conducting environmental awareness training, constructing exclusion fencing along the project perimeter within suitable habitat 30 days prior to disturbance, implementing erosion control BMPs, refueling vehicles/equipment off-site, and restoring the habitat to pre-project conditions.

Mitigation Measure 24: A qualified biologist should perform a ground survey to locate and mark all woodrat nests in the proposed grading and construction area. The survey shall be performed no less than 30 days prior to the initiation of ground disturbances for each phase. The contractor shall also walk the site to assist in determining which nests would be affected.

Mitigation Measure 25: The woodrat nests to be avoided shall be fenced off with orange construction fencing and their locations marked on construction plans as being off limits to all activities.

Mitigation Measure 26: Any woodrat nest that cannot be avoided shall be manually disassembled by a qualified biologist pending authorization from CDFW to give any resident woodrats the opportunity to disperse to adjoining undisturbed habitat. Nest building materials shall be immediately

removed off-site and disposed of to prevent woodrats from reassembling nests on-site.

Mitigation Measure 27: To ensure woodrats do not rebuild nests within the construction area, a qualified biologist shall inspect the construction corridor no less than once per week. If new nests appear, they shall be disassembled and the building materials disposed of off-site. If there is a high degree of woodrat activity, more frequent monitoring shall be performed, as recommended by a qualified biologist.

Mitigation Measure 28: All appropriate erosion and sediment control BMPs shall be implemented. Application of erosion control BMPs shall utilize native weed-free and plastic-free fiber rolls, mats, straw mulch, hydroseed, etc., to the maximum extent possible.

Source: Wetland Evaluation by Wood Biological Consulting, Inc., dated March 11, 2015; Biological Site Assessment for the Proposed Zmay Property Subdivision, San Mateo County, California, dated August 13, 2014, revised March 10, 2015; Wood Biological Consulting, Inc. Revised Botanical Evaluation, Zmay Property Subdivision, San Mateo County Letter, dated March 11, 2015; and Revised Wetland Evaluation, Zmay Property Subdivision, dated, August 6, 2017

<p>4.b. Have a significant adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?</p>		X		
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Discussion: See discussion for Question 4.a.

Source: See Question 4.a.

<p>4.c. Have a significant adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</p>		X		
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Discussion: See discussion for Question 4.a.

Source: See Question 4.a.

<p>4.d. Interfere significantly with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?</p>		X		
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Discussion: See discussion for Questions 4.a.

Source: Biological Site Assessment for the Proposed Zmay Property Subdivision, San Mateo County, California, dated August 13, 2014, revised March 10, 2015, Prepared by: Wood Biological

Consulting, Inc.				
4.e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (including the County Heritage and Significant Tree Ordinances)?		X	
<p>Discussion: Phase one of this application will require a small number of small trees and some trees greater than 17.5 inches in diameter (55 inches in circumference) be removed as part of grading activity to repair the landslide areas. The landslide repair area is mostly free of trees, but equipment will need to access the site and some trees in close proximity to where work will occur will be impacted. There are approximately 10 trees greater than 17.5 inches in diameter, which are on the proposed parcels, and subject to potential removal in order to gain access to the site for grading. Replanting of trees shall be required for hillside stabilization, to minimize the visual impact of the grading activities, and compliance with the County's RM Zoning District Regulations.</p> <p>Mitigation Measure 29: All future development shall comply the County policies and ordinances for removal and replacement.</p> <p>Mitigation Measure 30: Whenever possible, trees shall be planted in areas of grading disturbance for hillside stabilization, to minimize the visual impact of the grading activities, and compliance with the County's RM Zoning District Regulations.</p> <p>Source: San Mateo County RM Zoning District Regulations</p>				
4.f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or State habitat conservation plan?		X	
<p>Discussion: The property is not within an area subject to an adopted Habitat Conservation Plan, Natural Conservation Community Plan or other local, regional habitat plan. As discussed in the response to Question 4.a. the proposal, as proposed and mitigated, reduces impacts to biological resources to a less than significant level.</p> <p>Source: Biological Site Assessment for the Proposed Zmay Property Subdivision, San Mateo County, California, dated August 13, 2014 Revised March 10, 2015, Prepared by: Wood Biological Consulting, Inc.</p>				
4.g.			X	
<p>Discussion: There is no marine or wildlife reserve within 200 feet of the subject parcel.</p> <p>Source: San Mateo County Maps</p>				
4.h.	Result in loss of oak woodlands or other non-timber woodlands?		X	
<p>Discussion: There are scattered trees on the subject parcel, including oaks. As discussed in Section 4.e., a small portion of the trees on the site will be removed for grading and construction activity. These trees will be replaced with native species as required by Mitigation Measure 2. The project involves the creation and development of four parcels within a 0.73-acre area for future residential development, and a 57.48± acre remainder parcel, with approximately 48.21 acres of</p>				

land to be protected by a conservation easement. The conservation easement would retain the open space use of this area which contains many oak trees.

Source: Project Scope

5. CULTURAL RESOURCES. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
5.a. Cause a significant adverse change in the significance of a historical resource as defined in CEQA Section 15064.5?			X	
<p>Discussion: In July 2015, Dr. Daniel Shoup of Archaeological/Historical Consultants (A/H/C) conducted a comprehensive record search for previously recorded cultural resources in the project area and within a half-mile radius. The Northwest Information Center, California Historical Resources Information System (NWIC File #14-1853) other resources were consulted. In addition, A/H/C staff reviewed the National Register of Historic Places, the California Register of Historic Resources, California Historical Landmarks, and the California Inventory of Historical Resources. No recorded cultural resources and no historic resources were identified.</p> <p>Dr. Shoup also carried out a pedestrian archaeological survey of the Area of Potential Effects (APE), including the four proposed parcels and the area of the landslide repair, on July 28, 2015. All open areas were inspected for cultural evidence such as historic structures, artifacts, and features; and indicators of prehistoric archaeological deposits like midden soil, flaked lithics, groundstone, and shell. No prehistoric archaeological resources were discovered in the course of the survey. No artifacts that appeared over 45 years' of age were observed. No built environmental resources were discovered in the course of the survey.</p> <p>Source: California Historical Resources information System letter, dated July 8, 2015, Cultural Resource Survey Report, Prepared by Daniel Shoup, RPA, dated August 10, 2015</p>				
5.b. Cause a significant adverse change in the significance of an archaeological resource pursuant to CEQA Section 15064.5?			X	
<p>Discussion: See discussion for Question 5.a.</p> <p>Source: Cultural Resources Survey Report, by Daniel Shoup, RPA, dated August 10, 2015</p>				
5.c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		
<p>Discussion: The grading associated with the project involves land disturbance of an area approximately 126,701 sq. ft. in size on the project site. The area of disturbance does not contain any mapped or observed unique geologic features. Due to the significant level of earthwork associated with landslide repair, the project has the potential to directly or indirectly destroy a unique paleontological resource or site. The following general mitigation measures,</p>				

as provided by the Tribal Energy and Environmental Information Clearinghouse, Office of Indian Energy and Economic Development, have been included to mitigate any potential impact to paleontological resources to a less than significant level:

Mitigation Measure 31: A discovery of a paleontological specimen during any phase of the project could result in a work stoppage in the vicinity of the find until it can be evaluated by a professional paleontologist. Should loss or damage be detected, additional protective measures or further action (e.g., resource removal by a professional paleontologist) may be needed to mitigate the impact, as determined by a professional paleontologist.

Mitigation Measure 32: Contractors and workers shall use existing roads to the maximum extent feasible to avoid additional surface disturbance.

Mitigation Measure 33: During all phases of the project, the applicant shall keep equipment and vehicles within the limits of the previously disturbed construction area. The applicant shall delineate all areas to remain undisturbed on the Erosion Control and Staging Plan and the plan shall include measures, such as chain-link fencing or other kind of barrier, to demarcate the “limit of disturbance.” The property owner shall demonstrate the implementation of these measures prior to issuance of the grading permit “hard card.”

Source: Project Scope, Cultural Resources Survey Report, by Daniel Shoup, RPA, dated August 10, 2015

5.d. Disturb any human remains, including those interred outside of formal cemeteries?		X		
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Discussion: The landslide repair activity involves land disturbance of an area of approximately 126,701 sq. ft. and movement of 5,600 cy, extracted and re-compacted, on the project site. Future residential development will also involve additional grading work for site access and house construction. Due to the significant level of earthwork associated with landslide repair, the project has the potential to disturb human remains interred outside of formal cemeteries. Mitigation Measure 34 below, requires the property owner, applicant, and contractors to comply with the requirements of California State law with regard to the discovery of human remains during construction, whether historic or prehistoric. The implementation of this mitigation measure would mitigate any potential impact to interred human remains to a less than significant level:

Mitigation Measure 34: The property owner, applicant, and contractors must be prepared to carry out the requirements of California State law with regard to the discovery of human remains during construction, whether historic or prehistoric. In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately and the County coroner shall be notified immediately. If the coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within 24 hours. A qualified archaeologist, in consultation with the Native American Heritage Commission, shall recommend the subsequent measures for disposition of the remains, including but not limited to the following:

- a. That all excavation crews, including landscapers, receive cultural sensitivity training for Native American cultural resources;
- b. That a California-trained Archaeological Monitor with field experience be present for all earth movement including landscaping; and
- c. That a qualified and trained Native American Monitor be present for all earth-moving activities, including landscaping.

Source: Tribal Energy and Environmental Information Clearinghouse website:

6. GEOLOGY AND SOILS. Would the project:				
	Potentially Significant Impacts	Significant Unless Mitigated	Less Than Significant Impact	No Impact
6.a. Expose people or structures to potential significant adverse effects, including the risk of loss, injury, or death involving the following, or create a situation that results in:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other significant evidence of a known fault? <i>Note: Refer to Division of Mines and Geology Special Publication 42 and the County Geotechnical Hazards Synthesis Map.</i>		X		

Discussion: A report by Murray Engineers, Inc., dated February 2014, states federal and regional seismologic and geologic experts have concluded that there is a 63 percent probability for at least one “large” earthquake of magnitude 6.7 or larger in the Bay Area before the year 2038. The northern portion of the San Andreas fault is estimated to have a 21 percent probability of producing a magnitude 6.7 or larger earthquake by the year 2038.

A peer review geotechnical report, by Cotton, Shires and Associates, Inc., dated June 24, 2015, concurs that the subject parcel is located in an active seismic area. The report states there are three major faults in the San Francisco Bay Area. The San Andreas and San Gregorio faults are located approximately 1.1 and 8.3 miles southwest of the site, respectively. The Hayward and Calaveras faults are located approximately 17 and 25 miles northeast of the site, respectively.

Moderate to large earthquakes are probable along several active faults in the greater Bay Area over a 30- to 50-year design life. Strong ground shaking should therefore be expected several times during the design life of any new structure, as is typical for sites throughout the Bay Area. However, the distance of the project site from the fault lines is great and the probability of damage for future development is low.

A slope stability analysis was performed by William Cotton and Associates (WCA) through the large mapped landslide and reported a factor of safety of 2.5 for static conditions and 1.1 for seismic conditions. WCA concluded that the proposed building site is likely situated on top of an ancient landslide, but based on the slope stability analysis the landslide deposit should remain stable.

Murray Engineers developed site-specific earthquake design parameters based on the current California Building Code. The February 2014 report states that “These procedures utilize State standardized spectral acceleration values for maximum considered earthquake ground motion taking into account historical seismicity, available paleoseismic data, and activity rate along known fault

traces, as well as site specified soil and bedrock response characteristics.”

The following mitigation measures have been included to mitigate potential impacts related to earthquakes and ground shaking to a less than significant level:

Mitigation Measure 35: The improvements shall be designed and constructed in accordance with current earthquake resistance standards.

Mitigation Measure 36: All future development shall meet or exceed, the standards prescribed in the Murray Engineers, Inc., report dated February 2014.

Mitigation Measure 37: For the final approval of the grading permit, the property owner shall ensure the performance of the following activities within thirty (30) days of the completion of grading for each phase, at the project site:

- a. The Engineer who prepared the approved grading plan shall be responsible for the inspection and certification of the grading as required by Section 8606.2 of the Grading Ordinance. The Engineer’s responsibilities shall include those relating to noncompliance detailed in Section 8606.5 of the Grading Ordinance.
- b. The engineer shall submit written certification that all grading has been completed in conformance with the approved plans, conditions of approval, mitigation measures, and the County’s Grading Regulations, to the Department of Public Works and the Planning and Building Department’s Geotechnical Engineer.
- c. The geotechnical consultant shall observe and approve all applicable work during construction and sign Section II of the Geotechnical Consultant Approval form, for submittal to the Planning and Building Department’s Geotechnical Engineer and Current Planning Section.

Mitigation Measure 38: At the building permit application stage, the applicant shall provide documentation demonstrating that the proposed residences and associated retaining walls shall be supported on drilled pier foundations extending through the fill and colluvium and gaining support in the underlying bedrock.

Source: Cotton, Shires and Associates, Inc., Supplemental Geologic and Geotechnical Peer Review, dated June 24, 2015, and Murray Engineers, Inc., Geotechnical Plan Review, dated June 3, 2015.

ii. Strong seismic ground shaking?		X		
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Discussion: See discussion for Question 6.a.

Source: See Question 6.a.

iii. Seismic-related ground failure, including liquefaction and differential settling?			X	
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Discussion: The Geotechnical Investigation prepared by Murray Engineers, Inc., does not identify liquefaction and differential settling as potential geologic hazards for the project site.

Source: Cotton, Shires and Associates, Inc., Supplemental Geologic and Geotechnical Peer Review, dated June 24, 2015, and Murray Engineers, Inc., Geotechnical Plan Review, dated June 3, 2015 and July 14, 2015.

iv. Landslides?		X		
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Discussion: A geotechnical report prepared for the project by Murray Engineers, Inc., (MEI), dated

February 2014, states that three relatively large landslides are mapped in the central portion of the property according to the geologic map, the Geotechnical Hazard Synthesis Map for San Mateo County (Leighton and Associates, 1976), and the Preliminary Map of Landslide Deposits in San Mateo County (Brabb & Pampeyan, 1972). This document was subjected to peer review for the County by Cotton, Shires and Associates, Inc. (CSA) with the results documented in a letter dated July 14, 2015. (Attachment M)

Recommendations by CSA, to facilitate stabilization work and avoid coordination complexities associated with stabilizing a landslide that crosses a property line were: “(1) slope stabilization measures must be designed and constructed prior to individual lot residential development, or (2) consideration should be given to modifying property lines so that the entire landslide is within a single parcel, or that active landslide repair be proposed as a subdivision-level improvement.”

The initial review by both firms of an earlier version of the project’s subdivision map included proposed parcels that were larger in size. Subsequently, the project was revised to incorporate both recommendations. The applicant’s project scope was revised to include the completion landslide repair prior to the recordation of the Parcel Map for the Minor Subdivision as part of the subdivision permit. The property lines for the parcels of the proposed subdivision have been modified to minimize exposure to the areas which encountered landslide activity and contain it on one parcel to respond to the geotechnical comments.

The revised tentative subdivision map has smaller parcels and the landslide area within Parcels 1 and 3 was reduced, while remaining virtually unchanged on Parcel 2. The active landslide feature measures approximately 900 feet in length and 600 feet in width, and is located approximately 350 feet to the west (downhill) of Parrott Drive and extends down to Crystal Springs Road, crossing Parcel 2 and portions of Parcels 1 and 3. The second mapped landslide is approximately 700 feet long and 500 feet wide and is located immediately south of the first landslide.

As the parcels have been made smaller, Parcel 4 boundaries have been shifted west and references to landslide activity on this parcel in the earlier reports is no longer relevant to the current proposal

Phase 1 of the project would include the repair of an active landslide feature located predominantly within Parcel 2, with slight encroachment on Parcel 1 and 3 of the referenced subdivision. Landslide repair activities would include the excavation, regrading and recompaction of the displaced slide mass. The existing landslide would be replaced with an engineered fill slope, designed with a keyway and benches gaining support in the underlying competent bedrock material. Additional improvements in the immediate vicinity of the landslide would include improved subsurface and surface drainage controls.

In the opinion of MEI’s geotechnical investigation, the proposed residential subdivision is feasible from an engineering geologic and geotechnical perspective. The primary constraints to the project include the potential for shallow landsliding and/or debris flows developing along the steeper portions of the property, consolidation, creep, and/or shallow landsliding of the undocumented fill along the downhill side of Parrott Drive, and the potential for strong to very strong ground shaking during a moderate to large earthquake on the nearby San Andreas fault or one of the other nearby active faults. In general, the proposed residences will be located in the uphill portion of the lots, adjacent to Parrott Drive.

Peer review of the MEI, by CSA, stated that geotechnical feasibility of residential development of Parcels 1 through 4 was demonstrated as long as the area of active land sliding within Parcels 2 and 3 is stabilized as a subdivision-level improvement. CSA concluded that existing drainage and diversion wall improvements have historically mitigated significant landslide and debris flow hazards concerns to offsite areas. This improvement has been required by the County a part of the subdivision approval with the following mitigation measures to reduce the potential of landsliding to a

less than significant level:

Mitigation Measure 39: Prior to the recordation of the Subdivision Map, the landslide repair on Parcel 2 shall be completed to the satisfaction of the County's Geotechnical Section, to ensure that repair occurs prior to the construction of any residential structures.

Mitigation Measure 40: All fill material for the repair shall be keyed and benched into competent bedrock (not into soil as indicated on the referenced C-1). Construction plans at the building permit stage shall demonstrate compliance with this mitigation measure.

Mitigation Measure 41: The final design shall include intermediate surface drainage control measures. Construction plans at the building permit stage shall demonstrate compliance with this mitigation measure.

Mitigation Measure 42: A surveyed, as-built subdrain plan shall be prepared and added to the proposed repair plan. Grading plans at the building permit stage shall demonstrate compliance with this mitigation measure.

Mitigation Measure 43: A modified design plan shall be prepared, with approval by the Project Geotechnical Consultant, and submitted to the County for approval prior to the initiation of grading repair work.

Mitigation Measure 44: No cut or fill exceeding 5 feet in vertical dimension shall be permitted on Parcels 1 through 4 unless supported by an engineered retaining wall. Construction plans at the building permit stage for each new residence shall demonstrate compliance with this mitigation measure.

Mitigation Measure 45: Grading and drainage plans for each lot shall be reviewed by the County Geotechnical Section, or designated consultant, prior to approval of building or grading permits on Parcels 1 through 4.

Mitigation Measure 46: Foundation design on Parcel 2 shall be checked against the as-built subdrain plan for the landslide repair. Construction plans at the building permit stage for the residence on Parcel 2 shall demonstrate compliance with this mitigation measure.

Mitigation Measure 47: Geotechnical Design Parameters – Final geotechnical design parameters to be utilized for residential construction on Parcels 1 through 4 shall fully meet or exceed design recommendations presented in the Engineering Geologic & Geotechnical Report by Murray Engineers, Inc., dated February 10, 2014. Construction plans at the building permit stage for each new residence shall demonstrate compliance with this mitigation measure.

Mitigation Measure 48: Future residences shall be supported on 12-inch diameter piers, extending at least 8 feet into competent materials. In addition, the property owner shall implement Cotton, Shires and Associates, Inc., recommendation to construct an earth flow deflection wall above Building Site 1. Construction plans at the building permit stage for each new residence shall demonstrate compliance with this mitigation measure.

Mitigation Measure 49: All subdrain alignments within the repair shall be accurately surveyed during construction so that future pier-support foundations do not interfere with constructed subdrain systems. Construction plans at the building permit stage for each new residence shall demonstrate compliance with this mitigation measure.

Mitigation Measure 50: Unsupported large cuts and fills shall be avoided. Grading plans at the building permit stage shall demonstrate compliance with this mitigation measure.

Mitigation Measure 51: If site conditions vary from those described in the 2014 Murray Engineers, Inc. report, the geotechnical design of the project recommendations shall be updated and submitted to San Mateo County Planning and Building Department for approval, prior to associated project

construction.

Source: Figure A-4, San Mateo County Landslide Map and Figure A-5, San Mateo County Geotechnical Hazard Synthesis Map; Cotton, Shires and Associates, Inc., Supplemental Geologic and Geotechnical Peer Review, dated June 24, 2015; and Murray Engineers, Inc., Geotechnical Plan Review, dated June 3, 2015 and July 14, 2015

v. Coastal cliff/bluff instability or erosion?

Note to reader: This question is looking at instability under current conditions. Future, potential instability is looked at in Section 7 (Climate Change).

X

Discussion: The project site is not located on or adjacent to the coast.

Source: San Mateo County Maps

6.b. Result in significant soil erosion or the loss of topsoil?

X

Discussion: The project involves a significant amount of earthwork, 5,600 cubic yards of cut and 5,600 cubic yards of fill, for landslide repair (Phase 1). House construction on Parcels 1 – 4 (Phase 2) will also require grading. The County requires the issuance of a grading permit “hard card” prior to the start of grading for each phase. Should there be any precipitation during project grading there is the potential for sedimentation in on-site areas downslope from the project area (off-site areas would not be affected due to the size of the parcel and project location). The applicant proposes an Erosion Control and Staging Plan, included as Page C-2 of Attachment R, which include measures that would contain and slow run-off, while allowing for natural infiltration.

Mitigation Measures listed below have been included to require that the Erosion Control and Staging Plan to include additional stormwater pollution prevention measures and require compliance with the San Mateo Countywide Stormwater Pollution Prevention Program “General Construction and Site Supervision Guidelines.” Implementation of erosion control measures are required throughout the term of the grading permit and building permit. Limits have been placed on project grading to confine it to the dry season, unless reviewed and recommended by the project geotechnical consultant and approved, in writing, by the Community Development Director. Erosion control measures must be inspected and maintained under the supervision of the project civil engineer. The applicant is required to obtain coverage under the State General Construction Activity NPDES Permit should the area of disturbance equal 1 acre or more (currently estimated at 33,215 sq. ft). Implementation of these mitigation measures would reduce potential impact related to erosion to a less than significant level:

Mitigation Measure 52: The applicant shall use silt fence and/or vegetated filter strips to trap sediment contained in sheet flow. The maximum drainage area to the silt fence shall be 0.5 acre or less per 100 feet of fence. Silt fences shall be inspected regularly and sediment removed when it reaches 1/3 the fence height. Vegetated filter strips shall have relatively flat slopes and be vegetated with erosion-resistant species.

Mitigation Measure 53: The applicant shall seed all disturbed areas with a native grassland mix as soon as grading activities are completed for each phase in order to minimize the potential establishment and expansion of exotic plant species into newly-graded areas, and to prevent potential future erosion.

Mitigation Measure 54 No site disturbance shall occur, including any land disturbance, grading, or vegetation or tree removal, until a building permit has been issued, and then only those trees

approved for removal shall be removed. Trees to be removed, including approximate size, species, and location, shall be shown on a plan.

Mitigation Measure 55: Erosion and sediment control during the course of this grading work shall be according to a plan prepared and signed by the Engineer of record, and approved by the Department of Public Works and the Current Planning Section. Revisions to the approved erosion and sediment control plan shall be prepared and signed by the engineer.

Mitigation Measure 56: It shall be the responsibility of the applicant's engineer to regularly inspect the erosion control measures and determine that they are functioning as designed and that proper maintenance is being performed. Deficiencies shall be immediately corrected.

Mitigation Measure 57: Prior to the issuance of the grading permit, the applicant shall submit, to the Department of Public Works for review and approval, a plan for any off-site hauling operations. This plan shall include, but not be limited to, the following information: size of trucks, haul route, disposal site, dust and debris control measures, and time and frequency of haul trips. As part of the review of the submitted plan, the County may place such restrictions on the hauling operation as it deems necessary.

Mitigation Measure 58: At the completion of work, the engineer who prepared the approved grading plan shall certify, in writing, that all grading, lot drainage, and drainage facilities have been completed in conformance with the approved plans, as conditioned, and the Grading Regulations.

Mitigation Measure 59: At the completion of work, the engineer who prepared the approved grading plan shall submit a signed "as-graded" grading plan conforming to the requirements of the Grading Regulations.

Mitigation Measure 60: Prior to the issuance of the grading permit "hard card," the applicant shall revise the Erosion Control and Sediment Control Plan, dated December 21, 2012, to include the proposed measures and additional measures as follows, subject to the review and approval of the Community Development Director:

- a. Provide stabilized construction entrance(s) using a minimum 3"-4" fractured aggregate over geo-textile fabric and stabilize all on-site unpaved construction access routes (e.g., aggregate over path of travel). For unpaved routes, use ridges running diagonally across the road that run to a stabilized outlet
- b. Provide a designated area for parking of construction vehicles, using aggregate over geo-textile fabric.
- c. Show re-vegetation of fill deposit areas, to be performed immediate after soils spreading. Use seeding and/or mulching and the following, as necessary:
 - i. (For slopes 3:1 or greater) Anchored erosion control blankets (rice straw or coconut).
 - ii. (For slopes less than 3:1) Anchored fiber fabric/netting or surface roughening.
- d. Protect areas to remain undisturbed. These areas shall be delineated and protected using a fence or other kind of barrier.
- e. Use diversion berms to divert water from unstable or denuded areas (top and base of a disturbed slope, grade breaks where slopes transition to a steeper slope).
- f. Show location of office trailer(s), temporary power pole, and scaffold footprint.
- g. Show location of utility trenches, indicate utility type.
- h. Show location, installation and maintenance of a concrete/stucco mixer, washout, and pits.
- i. Show storage location and containment (as necessary) of construction materials for during

work, as well as afterhours/ weekends)

- j. Show areas for stockpiling. Cover temporary stockpiles using anchored-down plastic sheeting. For longer storage, use seeding and mulching, soil blankets or mats.
- k. Show location of garbage and dumpster(s).
- l. If these measures conflict with measures prescribed by the geotechnical consultant, measures as recommended by the geotechnical consultant shall rule.

Mitigation Measure 61: The applicant 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 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. Stabilization shall include both proactive measures, such as the placement of hay bales or coir netting, and passive measures, such as re-vegetating disturbed areas with plants propagated from seed collected in the immediate area.
- 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 site shall be clear and running slowly at all times.

Mitigation Measure 62: Once approved, erosion and sediment control measures of the Erosion Control and Sedimentation Plan shall be installed prior to beginning any site work and maintained throughout the term of the grading permit and building permit. Failure to maintain these measures will result in stoppage of construction until the corrections have been made and fees paid for staff enforcement time. Revisions to the approved erosion and sediment control plan shall be prepared

and signed by the engineer and reviewed by the Department of Public Works and the Community Development Director.

Mitigation Measure 63: No grading shall be allowed during the winter season (October 1 to April 30) to avoid potential soil erosion unless reviewed and recommended by the project geotechnical consultant and approved, in writing, by the Community Development Director. An applicant-completed and County-issued grading permit “hard card” is required prior to the start of any land disturbance/grading operations. The applicant shall submit a letter to the Current Planning Section, at least, two (2) weeks prior to commencement of grading with the project geotechnical consultants review recommendations (if any) for winter grading, stating the date when erosion controls will be installed, date when grading operations will begin, anticipated end date of grading operations, and date of re-vegetation. If the schedule of grading operations calls for grading to be completed in one grading season, then the winterizing plan shall be considered a contingent plan to be implemented if work falls behind schedule. All submitted schedules shall represent the work in detail and shall project the grading operations through to completion.

Mitigation Measure 64: Should the area of disturbance equal one area or more, the applicant shall file a Notice of Intent (NOI) with the State Water Resources Board to obtain coverage under the State General Construction Activity NPDES Permit. A copy of the project’s NOI (containing the WDID No.) shall be submitted to the Current Planning Section and the Department of Public Works, prior to the issuance of the grading permit “hard card.”

Source: Murray Engineers, Inc. Supplemental Evaluation and Response to Review Comments Response Letter, dated April 15, 2015.

6.c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, severe erosion, liquefaction or collapse?			X	
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Discussion: The Geotechnical Investigation prepared by Murray Engineers, Inc., does not lateral spreading, liquefaction or collapse as geologic hazards for the project site. For erosion, see discussion for Question 6.b of this section.

Source: Murray Engineers, Inc. Supplemental Evaluation and Response to Review Comments Response Letter, dated March 18, 2015, Project erosion control plan.

6.d. Be located on expansive soil, as noted in the 2010 California Building Code, creating significant risks to life or property?			X	
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Discussion: The Geotechnical Investigation prepared by Murray Engineers, Inc., does not identify expansive soil as a geologic hazard for the project site.

Source: Cotton Shire and Associates, Inc., Supplemental Geologic and Geotechnical Peer Review, dated June 24, 2015, and Murray Engineers, Inc., Geotechnical Plan Review, dated June 3, 2015.

6.e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the				X
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disposal of wastewater?				
<p>Discussion: The subject parcel is within the service area of Crystal Springs County Sanitation District. Any new residences will connect to this sewer system.</p> <p>Source: Crystal Springs County Sanitation District, Parrott Drive Sanitary Sewer Alternative Study, dated February 2003</p>				

7. CLIMATE CHANGE. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
7.a. Generate greenhouse gas (GHG) emissions (including methane), either directly or indirectly, that may have a significant impact on the environment?			X	
<p>Discussion: A minor, temporary increase in greenhouse gasses during grading act may occur. Vehicles are subject to California Air Resources Board emission standards. The landslide repair activity, which will precede residential development, will be required to comply with Mitigation Measure below, including minimizing of construction vehicle idling to minimize energy consumption.</p> <p>The County has identified Energy Efficient Climate Action Plan (EECAP) goals which can be implemented in new development projects. Per Mitigation Measures X and Y below, the project is required to incorporate applicable measures from the County’s Energy Efficiency Climate Action Plan (EECAP) Development Checklist and BAAQMD Best Management Practices (BMPs) that, once implemented, will reduce project impact on climate change.</p> <p>Mitigation Measure 65: The applicant shall implement the following basic construction measures at all times:</p> <ol style="list-style-type: none"> Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxic Control Measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified visible emissions evaluator. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person, or his/her designee, shall respond and take corrective action within 48 hours. The Air District’s phone number shall also be visible to ensure compliance with applicable regulations. <p>Source: California Air Resources Board, San Mateo County Energy Efficiency Climate Action Plan</p>				
7.b. Conflict with an applicable plan (including a local climate action plan),		X		

policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				
<p>Discussion: The project does not conflict with the San Mateo County Energy Efficiency Climate Action Plan provided that the mitigation measure outlined in 7.a, above, is implemented.</p> <p>Source: San Mateo County Energy Efficiency Climate Action Plan</p>				
7.c. Result in the loss of forestland or conversion of forestland to non-forest use, such that it would release significant amounts of GHG emissions, or significantly reduce GHG sequestering?				X
<p>Discussion: Construction activities, including the proposed grading would necessitate the removal of approximately, 16 trees greater than 17.5 inches in diameter (55 inches in circumference) at breast height (DBH). However, the property does not contain forestland and no conversion will occur.</p> <p>Source: Project Scope</p>				
7.d. Expose new or existing structures and/or infrastructure (e.g., leach fields) to accelerated coastal cliff/bluff erosion due to rising sea levels?				X
<p>Discussion: The project is not located on or adjacent to a coastal cliff or bluff.</p> <p>Source: San Mateo County Map</p>				
7.e. Expose people or structures to a significant risk of loss, injury or death involving sea level rise?				X
<p>Discussion: The project is not located on or adjacent to the San Francisco Bay or Pacific Ocean.</p> <p>Source: San Mateo County Map</p>				
7.f. Place structures within an anticipated 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
<p>Discussion: The subject parcel, and specifically the land to be subdivided, is located in Flood Zone X (Area of minimal flood hazard, usually depicted on FIRMs as above the 500-year flood level), per FEMA Panel No. 06081C0165E, effective October 16, 2012.</p> <p>Source: FEMA Panel No. 06081C0165E, effective October 16, 2012</p>				
7.g. Place within an anticipated 100-year flood hazard area structures that would impede or redirect flood flows?				X

Discussion: The subject parcel, and specifically the land to be subdivided, is located in Flood Zone X (Area of minimal flood hazard, usually depicted on FIRMs as above the 500-year flood level), per FEMA Panel No. 06081C0165E, effective October 16, 2012.

Source: FEMA Panel No. 06081C0165E, effective October 16, 2012

8. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
8.a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials (e.g., pesticides, herbicides, other toxic substances, or radioactive material)?				X
<p>Discussion: No such uses are proposed. Neither the subdivision of land, nor grading associated with the landslide repair, nor the construction or operation of four new single-family dwellings would result in a significant impact involving the transport, use, or dispersal of hazardous material or toxic substances.</p> <p>Source: Project Scope</p>				
8.b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
<p>Discussion: No significant use of hazardous materials is proposed. The project involves land division, earthwork to repair a landslide, residential construction, and permanent residential uses.</p> <p>Source: Project Scope</p>				
8.c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
<p>Discussion: No use involving significant emission of or handling of hazardous materials or waste is proposed. The project involves land division, earthwork to repair a landslide, residential construction, and permanent residential uses.</p> <p>Source: Project Scope</p>				

8.d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
<p>Discussion: The project site is not a listed hazardous materials site.</p> <p>Source: San Mateo County Maps</p>				
8.e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area?				X
<p>Discussion: The site is not located within an area regulated by an airport land use plan nor is it located within 2 miles of a public airport or public use airport.</p> <p>Source: San Mateo County Maps</p>				
8.f. For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area?				X
<p>Discussion: The project is not within the vicinity of a private airstrip.</p> <p>Source: San Mateo County Maps</p>				
8.g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
<p>Discussion: The project involves the division of land, grading to repair a landslide, and construction of single-family residences only and would not permanently or significantly impede access on existing public roads. The plan has been reviewed by Cal-Fire for emergency vehicle access.</p> <p>Source: San Mateo County Maps</p>				
8.h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?		X		
<p>Discussion: The subject parcel is located in the very high severity zone. To address high fire risk, Cal-Fire, which is the servicing fire district, has material requirements which would mitigate the risk of fire.</p>				

<p>Mitigation Measure 66: All roofing, attic ventilation, exterior walls, windows, exterior doors, decking, floors and underfloor protection shall meet California Residential Code, R327 or California Building Code Chapter 7A requirements.</p> <p>Source: San Mateo County Maps</p>					
8.i.	Place housing within an existing 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
<p>Discussion: The subject parcel, and specifically the land to be subdivided, is located in Flood Zone X (Area of minimal flood hazard, usually depicted on FIRMs as above the 500-year flood level), per FEMA Panel No. 06081C0165E, effective October 16, 2012. Crystal Springs Dam is located approximately .75 miles away at a lower elevation than the subject property. The site of future development is along one of highest elevations of the property. Flooding from a dam is not possible.</p> <p>Source: FEMA Panel No. 06081C0165E, effective October 16, 2012</p>					
8.j.	Place within an existing 100-year flood hazard area structures that would impede or redirect flood flows?				X
<p>Discussion: See discussion for Question 8.i.</p> <p>Source: FEMA Panel No. 06081C0165E, effective October 16, 2012</p>					
8.k.	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
<p>Discussion: See discussion for Question 8.i.</p> <p>Source: FEMA Panel No. 06081C0165E, effective October 16, 2012</p>					
8.l.	Inundation by seiche, tsunami, or mudflow?				X
<p>Discussion: Risk of inundation by seiche, tsunami, or mudflow is considered nil, as the project site is located within a forested area and is not located near any large bodies of water.</p> <p>Source: Project Scope, San Mateo County Maps</p>					

<p>9. HYDROLOGY AND WATER QUALITY. Would the project:</p>				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>

<p>9.a. Violate any water quality standards or waste discharge requirements (consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g., heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash))?</p>		X		
<p>Discussion: As discussed in Section 6.b (above), should there be any precipitation during project grading or construction, there is the potential for sedimentation in on-site areas downslope from the Parrott Drive border of the parcel (off-site areas would not be affected due to the size of the parcel and project location). With the implementation of Mitigation Measures 41-49, potential project impacts related to sedimentation would be reduced to a less than significant level.</p> <p>Source: Project Scope</p>				
<p>9.b. Significantly deplete groundwater supplies or interfere significantly with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?</p>				X
<p>Discussion: The parcel is in a community water and sewer district. New water and sanitary connections will be installed in association with new residential development.</p> <p>Source: Crystal Springs County Sanitation District, Parrot Drive Sanitary Sewer Alternative Study, California Water Service Company Will Serve Letter, dated October 10, 2013.</p>				
<p>9.c. Significantly alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in significant erosion or siltation on- or off-site?</p>		X		
<p>Discussion: The proposed grading and construction of four new residences would alter the existing drainage pattern of the site through the alteration of existing grades and construction of new impervious surface, including houses and driveways. The project will result in approximately 20,110 sq. ft. of new impervious surface, the project could potentially alter the existing drainage pattern of the site or area. Compliance with the County's Drainage Policy and Provision C.3.i of the San Francisco Bay Region Municipal Regional Permit is mandatory and would prevent the significant degradation of surface or groundwater water quality.</p> <p>Mitigation Measures 67 and 68 below, requires post-construction project run-off to comply with Municipal Regional Permit Provision C.3.i and the County's Drainage Policy. Project compliance</p>				

with these regulations will prevent the significant alteration of existing drainage patterns of the site and area. The project does not involve alteration of the course of a stream or river.

Mitigation Measure 67: At the time of application for a building permit, the applicant shall submit a permanent stormwater management plan to the Department of Public Works in compliance with Municipal Stormwater Regional Permit Provision C.3.i and the County’s Drainage Policy.

Mitigation Measure 68: Projects subject to Provision C.3.i (individual single-family home projects that create and/or replace 2,500 sq. ft. or more of impervious surface, and other projects that create and/or replace at least 2,500 sq. ft. of impervious surface but are not C.3 Regulated Projects) shall implement at least one (1) of the six (6) site design measures listed below:

- a. Direct roof runoff into cisterns or rain barrels and use rainwater for irrigation or other non-potable use.
- b. Direct roof runoff onto vegetated areas.
- c. Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas.
- d. Direct runoff from driveways and/or uncovered parking lots onto vegetated areas.
- e. Construct sidewalks, walkways, and/or patios with permeable surfaces.
- f. Construct bike lanes, driveways, and/or uncovered parking lots with permeable surfaces.

A site drainage plan will be required for construction of the new residences that will demonstrate how roof drainage and site runoff will be directed to an approved location. In compliance with the County’s Drainage Policy, this plan must demonstrate that post-development flows and velocities to adjoining private property and the public right-of-way shall not exceed those that existed in the pre-developed state.

Source: San Mateo County’s Drainage Policy and Provisions

9.d. Significantly alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or significantly increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?			X	
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Discussion: The project does not involve alteration of the course of a stream or river. All development will be on a hillside where flooding would not occur. Existing drainage patterns will be altered by proposed grading and construction of impervious surface; however, site design measures would reduce stormwater runoff and would prevent a significant increase in the rate or amount of surface runoff.

Source: San Mateo County’s Drainage Policy and Provisions

9.e. Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide significant additional sources of polluted runoff?			X	
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Discussion: Compliance with the County’s Drainage Policy and Provision C.3.i of the San Francisco Bay Region Municipal Regional Permit is mandatory and would prevent the creation of significant additional sources of polluted runoff. There are no existing or planned stormwater

drainage systems in the area as the project site is undeveloped. Source: San Mateo County's Drainage Policy and Provisions					
9.f.	Significantly degrade surface or ground-water water quality?			X	
Discussion: See discussion for Question 9.c. Source: San Mateo County's Drainage Policy and Provisions					
9.g.	Result in increased impervious surfaces and associated increased runoff?		X		
Discussion: See discussion for Question 9.e. Source: San Mateo County's Drainage Policy and Provisions					

10. LAND USE AND PLANNING. Would the project:					
		<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
10.a.	Physically divide an established community?				X
Discussion: The subject parcel is adjacent to residential development in the city of Hillsborough on two sides. The proposed parcels will be developed with residences along Parrott Drive. Residential development is the prevalent land use in the vicinity. Source: San Mateo County Maps					
10.b.	Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
Discussion: The project complies with the County's General Plan land use designation and density limit for the property, proposing 1 dwelling unit /0.67-acre where the density minimum is one per parcel and maximums are determined by the development potential of a parcel. The project complies with the existing RM Zoning District regulations. Source: San Mateo County Maps					
10.c.	Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

<p>Discussion: There is no habitat conservation plans which will conflict with the proposal. The proposed subdivision includes a proposal for the creation of a conservation easement over approximately 48 acres of the 60-acre parcel.</p> <p>Source: Project Scope</p>				
10.d. Result in the congregating of more than 50 people on a regular basis?				X
<p>Discussion: The subdivision of land, landslide repair, residential construction, nor permanent residential uses would not result in the congregation of 50 or more people on a regular basis.</p> <p>Source: Project Scope</p>				
10.e. Result in the introduction of activities not currently found within the community?				X
<p>Discussion: The project site is located within the residential community of the San Mateo Highlands and is adjacent to residential development in the Town of Hillsborough. Development of the property with a residential use would not result in the introduction of activities not currently found vicinity. The subject parcel is adjacent to both undeveloped rural land and residential development.</p> <p>Source: San Mateo County Zoning Maps, Project Scope</p>				
10.f. Serve to encourage off-site development of presently undeveloped areas or increase development intensity of already developed areas (examples include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)?				X
<p>Discussion: The project site is a 60-acre parcel within the existing unincorporated County region of San Mateo Highlands. It is adjacent to residential development in the Town of Hillsborough. The project includes the provision of services to meet the demands of the proposed project only and would not encourage off-site development of presently undeveloped areas or increase development intensity of already developed areas. The proposed conservation easement would prevent additional residential development of the remainder parcel.</p> <p>Source: Project Scope</p>				
10.g. Create a significant new demand for housing?			X	
<p>Discussion: The project would provide four additional units of housing and would not increase the demand for housing in any other areas.</p> <p>Source: Project Scope</p>				

11. MINERAL RESOURCES. Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
11.a. Result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State?				X
<p>Discussion: The project does not involve any mining or commercial extraction of minerals. Source: Project Scope</p>				
11.b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
<p>Discussion: The project would not affect any nearby mineral resource recovery site, if such a site should exist nearby. Source: Project Scope</p>				

12. NOISE. Would the project result in:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
12.a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
<p>Discussion: The project will generate temporary noise associated with grading and construction and drilling of piers. However, such noises will be temporary, where volume and hours are regulated by Section 4.88.360 (<i>Exemptions</i>) of the County Ordinance Code. Source: Project Scope, San Mateo County Noise Ordinance</p>				
12.b. Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?			X	
<p>Discussion: See discussion for Question 12.b. Source: Project Scope, San Mateo County Noise Ordinance</p>				

12.c. A significant permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
<p>Discussion: The project will result in permanent residential uses only, but will generate temporary noise associated with grading and construction. The project does not involve a significant permanent increase in ambient noise levels in the project vicinity.</p> <p>Source: Project Scope, San Mateo County Noise Ordinance</p>				
12.d. A significant temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
<p>Discussion: See discussion for Question 12.a.</p> <p>Source: Project Scope, San Mateo County Noise Ordinance</p>				
12.e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, exposure to people residing or working in the project area to excessive noise levels?				X
<p>Discussion: The site is not located within an area regulated by an airport land use plan nor is it located within 2 miles of a public airport or public use airport. The nearest airport, San Francisco International, is approximately 9 miles to the northeast.</p> <p>Source: San Mateo County Maps</p>				
12.f. For a project within the vicinity of a private airstrip, exposure to people residing or working in the project area to excessive noise levels?				X
<p>Discussion: The project is not within the vicinity of a private airstrip.</p> <p>Source: San Mateo County Maps</p>				

13. POPULATION AND HOUSING. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
13.a. Induce significant population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
<p>Discussion: The project is a minor land subdivision that will create four new parcels that can be developed with single-family residences in an area that is an existing residential area served by public utilities. The project does not require the expansion or extension of facilities or infrastructure. The required infrastructure is available on Parrot Drive and can be brought to each parcel. The project will result in the development of four single family residences which can be sold separately, based on development density credits allocated to the property which allowed four residences. Therefore, the project will not be growth inducing directly or indirectly.</p> <p>Source: Project Scope</p>				
13.b. Displace existing housing (including low- or moderate-income housing), in an area that is substantially deficient in housing, necessitating the construction of replacement housing elsewhere?				X
<p>Discussion: The project site is a large parcel developed with a single-family residence and is adjacent to the residential Town of Hillsborough. The project would provide four additional units of housing and would not displace any existing housing.</p> <p>Source: Project Scope</p>				

14. PUBLIC SERVICES. Would the project result in significant adverse physical impacts associated with the provision of new or physically altered government facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
14.a. Fire protection?			X	
14.b. Police protection?			X	
14.c. Schools?			X	
14.d. Parks?			X	

14.e. Other public facilities or utilities (e.g., hospitals, or electrical/natural gas supply systems)?			X	
<p>Discussion: The project involves the creation of four residential parcels where single-family residences will be developed. The new parcels are bordered by existing residential development and would not significantly increase the use of existing neighborhood or regional parks or other recreational facilities. The County's Subdivision Regulations require the applicant to pay in-lieu park fees for each new parcel. Building permit fees will include school impact fees. Additionally, the property owners of the new parcels will be taxed to contribute to the support and maintenance of these facilities. The increase use of public services related to this project is minor and would not result in significant adverse physical impacts associated with the provision of new or physically altered government facilities or the need for new or physically altered governmental facilities.</p> <p>Source: Utility Will Serve Letters</p>				

15. RECREATION. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
15.a. Increase the use of existing neighborhood or regional parks or other recreational facilities such that significant physical deterioration of the facility would occur or be accelerated?				X
<p>Discussion: The project involves the creation of four new parcels which will allow for future construction of four single-family residences next to and across from existing residential development. The development of four new residences would not significantly impact existing public service levels. Also, the County's Subdivision Regulations requires the applicant to pay in-lieu park fees for each new parcel.</p> <p>Source: Project Scope</p>				
15.b. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	
<p>Discussion: The project involves the creation of four new parcels which will allow for the construction of one single-family residence on each. This low density development will not significantly increase the use of existing neighborhood or regional parks or other recreational facilities. The project does not include any recreational facilities. The County's Subdivision Regulations requires the applicant to pay in-lieu park fees for each new parcel.</p> <p>Source: Project Scope</p>				

16. TRANSPORTATION/TRAFFIC. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
16.a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including, but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?				X
<p>Discussion: The project involves the creation of four new parcels from one larger parcel, which will allow for future construction of four single-family residences (one per parcel) next to and across from existing residential development. The proposed parcels take access from Parrott Drive, an existing public road. No travel demand or level of service concerns were identified by San Mateo County Department of Public Works.</p> <p>The grading work and any future construction associated with the new residences will result in a temporary increase in traffic levels and a negligible permanent increase in traffic levels after construction. It is estimated that there will be 4-6 truck trips for approximately 45 days. Therefore, the project does not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system. The proposed grading will have no impact on transportation.</p> <p>Source: Project Scope, Review by San Mateo County Department of Public Works</p>				
16.b. Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the County congestion management agency for designated roads or highways?			X	
<p>Discussion: See discussion for Question 16.a.</p> <p>Source: Project Scope, Review by San Mateo County Department of Public Works</p>				
16.c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in significant safety risks?			X	

<p>Discussion: The project involves the creation of four new parcels for single-family residences and will not require or result in a change in air traffic patterns, such that the change poses significant safety risks.</p> <p>Source: Project Scope, San Mateo County Airport Overlay Maps</p>					
16.d.	Significantly increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
<p>Discussion: The project involves the creation of four new driveways from Parrott Drive. Preliminary driveway designs have been reviewed and approved by the Department of Public Works and would not create a new traffic hazard. Residential housing use is considered a compatible use to the RM Zoning District.</p> <p>Source: Project Scope, San Mateo County Zoning Regulations</p>					
16.e.	Result in inadequate emergency access?				X
<p>Discussion: The project has been reviewed and approved by Cal-Fire and would not result in inadequate emergency access.</p> <p>Source: Review by Cal-Fire</p>					
16.f.	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X
<p>Discussion: The proposed parcels have existing road frontage on Parrott Drive. New houses will be required to incorporate a pedestrian sidewalk. There are no changes required to any transportation modalities to accommodate the future construction of four single-family residences.</p> <p>Source: Project Scope, San Mateo General Plan Transportation Element</p>					
16.g.	Cause noticeable increase in pedestrian traffic or a change in pedestrian patterns?				X
<p>Discussion: See discussion for Question 16.f.</p> <p>Source: Project Scope, San Mateo General Plan Transportation Element</p>					
16.h.	Result in inadequate parking capacity?				X
<p>Discussion: The proposed use is the creation of four parcels for private, single-family residential development. Residential development is required by the existing county regulation to have on-site parking. The proposed building sites on the tentative map show that the proposal meets all parking requirements. Construction work will temporarily utilize street parking while completing the landslide repair.</p>					

Source: Project Scope, San Mateo County Zoning Regulations

17. TRIBAL CULTURAL RESOURCES. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
17.a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:			X	
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)				
<p>Discussion: The project site is not listed or eligible for listing in the California Register of Historical Resources. Furthermore, the project is not listed in a local register of historical resources, pursuant to any local ordinance or resolution as defined in Public Resources Code Section 5020.1(k).</p> <p>Source: Project Location; State Parks, Office of Historic Preservation, Listed California Historical Resources; County General Plan, Background, Historical and Archaeological Resources Appendices.</p>				
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in Subdivision (c) of Public Resources Code Section 5024.1. (In applying the criteria set forth in Subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.)				
<p>Discussion:</p> <p>Staff requested a Sacred Lands file search of the project vicinity, which was conducted by the Native American Heritage Council (NAHC), and resulted in no found records. While the project parcel is</p>				

currently largely undeveloped, the site of the proposed parcels and future residential development is adjacent to the Town of Hillsborough and existing residential development is in the immediate project vicinity. Previous development in the project vicinity did not encounter any resources which could be considered significant to a California Native American tribe. Therefore, the project is not expected to cause a substantial adverse change to any potential tribal cultural resources.

The project is not subject to Assembly Bill 52 for California Native American tribal consultation requirements, as no traditionally or culturally affiliated tribe has requested, in writing, to the County to be informed of proposed projects in the geographic project area. However, in following the NAHC's recommended best practices, the following mitigation measures are recommended to minimize any potential significant impacts to unknown tribal cultural resources.

Mitigation Measure 69: Should any traditionally or culturally affiliated Native American tribe respond to the County's issued notification for consultation, such process shall be completed and any resulting agreed upon measures for avoidance and preservation of identified resources be taken prior to implementation of the project.

Mitigation Measure 70: In the event that tribal cultural resources are inadvertently discovered during project implementation, all work shall stop until a qualified professional can evaluate the find and recommend appropriate measures to avoid and preserve the resource in place, or minimize adverse impacts to the resource, and those measures shall be approved by the Current Planning Section prior to implementation and continuing any work associated with the project.

Mitigation Measure 71: Any inadvertently discovered tribal cultural resources shall be treated with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resource, including, but not limited to, protecting the cultural character and integrity of the resource, protecting the traditional use of the resource, and protecting the confidentiality of the resource.

Source: Project Plans; Project Location; Native American Heritage Council, California Assembly Bill 52.

18. UTILITIES AND SERVICE SYSTEMS. Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
18.a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?		X		

Discussion: The newly created parcels will connect to the existing sanitary sewer system, Crystal Springs Sanitation District (District), operated by the County of San Mateo Department of Public Works. In a letter dated December 3, 2013, the District stated that it is able to provide sewer service to the proposed new parcels. No request for an additional wastewater treatment facility was required. However, conditions have been added by the District to address downstream capacity. These conditions have been added as mitigation measures and must be satisfied prior to the connecting to the District sewer main on Parrott Drive. As proposed and mitigated, the project would result in a less than significant impact to the sewer system.

Mitigation Measure 72: The project shall minimize its impact on the downstream systems by completing capital improvement projects within the Crystal Springs Sanitation District (District) that

would reduce inflow and infiltration into the District's system in an amount equal to the projected sewage discharge amount to the District from the project.

Mitigation Measure 73: The applicant shall demonstrate that the District sewer mains utilized to transport sewage from the subdivision has the peak wet weather capacity for conveying the additional flow generated from the four residences. If it is determined that the lines are insufficient to convey the additional flow, the developer may need to upgrade the sewer lines to accommodate this subdivision.

Mitigation Measure 74: Should a pump system be utilized to deliver sewage from the four parcels to the District's sewer main on Parrott Drive, the District will require that a covenant for each parcel be prepared, signed, notarized, recorded with the San Mateo County Recorder's Office, and a copy provided to the District prior to final sewer sign-off for the building permit.

Mitigation Measure 75: Each new parcel will require a 4-inch lateral with a minimum of 2% slope and a standard cleanout installed at the property line or the property within 5 feet of the property line.

Source: Crystal Springs Sanitation District (District), letter dated December 3, 2013.

18.b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?		X		
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Discussion: The California Water Service Company has indicated that the subject property is located within the service area boundaries and that water service can be provided to four single-family homes. See discussion for Question 18.a. for the discussion about potential impacts to wastewater treatment facilities.

Source: California Water Service Company Letter, dated October 10, 2013.

18.c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
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Discussion: In order to comply with San Mateo County's drainage policies on-site stormwater measures must be installed in association with the proposed project. These measures were designed by a licensed civil engineer and have been reviewed and preliminarily approved by the San Mateo County Department of Public Works. There is no indication that the installation of these measures will cause any significant environmental effects.

Source: Project Plans

18.d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
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Discussion: See discussion for Question 18.a.

Source: California Water Service Company Letter, dated October 10, 2013.

18.e. Result in a determination by the waste-water treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?		X		
<p>Discussion: See discussion for Question 18.a.</p> <p>Source: Project Scope</p>				
18.f. Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
<p>Discussion: The project will have a negligible impact on the capacity of local landfills. Future development of four single-family residences will also have no significant impact on landfill capacity.</p> <p>Source: Project Scope</p>				
18.g. Comply with Federal, State, and local statutes and regulations related to solid waste?				X
<p>Discussion: The project involves creation of four parcels which can be developed with single-family residences within an existing residential community and will result in a negligible increase in solid waste disposal needs. The earthwork associated with the landslide repair involves the disposal of up to 5,300 c.y. of landslide spoils to landfill. The applicant is required to pay separate fees (as set by the landfill operator) related to soil disposal. All elements of the project will comply with regulations related to solid waste.</p> <p>Source: Project Scope</p>				
18.h. Be sited, oriented, and/or designed to minimize energy consumption, including transportation energy; incorporate water conservation and solid waste reduction measures; and incorporate solar or other alternative energy sources?		X		
<p>Discussion: The County has identified Energy Efficient Climate Action Plan (EECAP) goals which can be implemented in new development projects.</p> <p>The landslide repair activity, which will precede residential development, will be required to comply with Mitigation Measure 76, including minimizing of construction vehicle idling to minimize energy consumption. Any future residential development is required to comply with County, regional and state regulations which address energy conservation applicable for single-family residential development.</p> <p>To meet EECAP goals the applicant has indicated that future residential development will include tree replanting, zero waste, use of 15% recycled materials, installation of energy-efficient equipment, reduced hardscape and compliance with the Green Building Ordinance. Additionally, the new houses will be subject to Title 24 requirements which encompasses the state's Energy Efficiency Standards for construction, and requires the integration of a combination of features to demonstrate</p>				

compliance.

Mitigation Measure 76: The proposed residential development will be required to comply with all currently applicable efficiency standards (Title-24, CALGreen, etc.), and is located in an area that could support solar or alternative energy sources (none are proposed at this time).

Source: Project Scope, EECAP Development Checklist, completed by the applicant on November 21, 2016

18.i. Generate any demands that will cause a public facility or utility to reach or exceed its capacity?			X	
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Discussion: All public services have indicated that services will be available to the newly created parcels, with the exception of potential sewer line capacity constraints which are addressed by Mitigation Measure 76.

Source: California Water Service Company Will Serve letter, dated October 10, 2013, PG&E Will Serve Letter, dated October 10, 2013

19. MANDATORY FINDINGS OF SIGNIFICANCE.

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
19.a. Does the project have the potential to degrade the quality of the environment, significantly reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X		

Discussion: As discussed in Section 4 Biological Services, the project could result in potential impacts to wetlands, migratory birds, and special species animals and plants on the subject parcel. Implementation of mitigation measures included in this document would adequately reduce project impacts to a less than significant level.

Source: Biological reports reference in section 4, project scope

19.b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current		X		
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projects, and the effects of probable future projects.)				
<p>Discussion: Grading activities associated with the landslide repair will involve the transport of approximately 3,000 cubic yards of soil. This has been estimated to be approximately 4-5 truck trips a day for approximately 45 days. The County has approved two subdivisions (Highlands and Ascension Heights) within the past three years. Each subdivision has been mitigated, is in a different stage of development and most impacts are temporary.</p> <p>Potential impacts which may occur include a temporary increase in traffic, dust and noise. As previously discussed in this study, due to the scope and the temporary nature of work the cumulative effect of the project will not be cumulatively considerable. All impacts are less than significant, with the implementation of project mitigation measures.</p> <p>Source: Project Scope</p>				
19.c. Does the project have environmental effects which will cause significant adverse effects on human beings, either directly or indirectly?		X		
<p>Discussion: As discussed in this report, the project, as proposed and mitigated, will not result in significant environmental effects.</p> <p>Source: Project Scope</p>				

RESPONSIBLE AGENCIES. Check what agency has permit authority or other approval for the project.

AGENCY	Maybe*	NO	TYPE OF APPROVAL
U.S. Army Corps of Engineers (CE)	X		Clean Water Act – Section 404
State Water Resources Control Board		X	
Regional Water Quality Control Board	X		Section 401
State Department of Public Health		X	
San Francisco Bay Conservation and Development Commission (BCDC)		X	
U.S. Environmental Protection Agency (EPA)		X	
County Airport Land Use Commission (ALUC)		X	
CalTrans		X	
Bay Area Air Quality Management District		X	
U.S. Fish and Wildlife Service		X	
Coastal Commission		X	
City		X	

AGENCY	Maybe*	NO	TYPE OF APPROVAL
Sewer/Water District:		X	
Other: CA Department of Fish and Wildlife	X		Lake and Streambed Alteration Permit
*If field conditions for vegetation have changed at time of issuance of grading permit.			

<u>MITIGATION MEASURES</u>		
	<u>Yes</u>	<u>No</u>
Mitigation measures have been proposed in project application.	X	
Other mitigation measures are needed.		X
<p>The following measures are included in the project plans or proposals pursuant to Section 15070(b)(1) of the State CEQA Guidelines:</p> <p><u>Mitigation Measure 1:</u> Immediately upon completion of the landslide repair work, the disturbed areas of the hillside shall be stabilized using erosion control measures as recommended by project geologist and approved by the County. If seeds are to be applied, the applicant shall use a local, non-invasive seed mixture consistent with the surrounding vegetation. Measures shall remain in place and replaced/repared as necessary to provide adequate erosion control, as determined by the County, until grading/construction of future houses has commenced.</p> <p><u>Mitigation Measure 2:</u> A comprehensive tree replacement plan shall be developed for all protected trees (55-inches or greater in circumference), which are removed during landslide repair, grading, and future construction activities associated with residential development. Replacement shall occur at completion of future residential development. The replanting ratio shall achieve either a 1:1 replacement with 5-gallon sized trees, or a 3:1 replacement ratio with trees 15 gallons or greater in size proposed, of native species. A master planting and monitoring plan, including any necessary irrigation, for all four lots shall be prepared by a landscape designer or architect and submitted to the Planning and Building Department for review. The tree replanting for lots shall be made a condition of the final approval of the certificate of occupancy for each new residence.</p> <p><u>Mitigation Measure 3:</u> Prior to the beginning of any grading construction activities, including landslide repair work, the applicant shall submit to the Planning Department for review and approval an erosion and drainage control plan for each phase (landslide repair, grading, and construction) showing conformance with applicable erosion control related mitigation measures and County Erosion Control Guidelines. The plan shall be designed to minimize potential sources of sediment, control the amount of runoff and its ability to carry sediment by diverting incoming flows and impeding internally generated flows, and retain sediment that is picked up on the project site through the use of sediment-capturing devices. The plan shall also limit application, generation, and migration of toxic substances, ensure the proper storage and disposal of toxic materials, apply nutrients at rates necessary to establish and maintain vegetation without causing significant nutrient runoff to surface waters. Said plan shall also demonstrate adherence to the following measures recommended by Murray Engineering Inc., (Attachments K and L):</p> <p>a. Sequence construction to install sediment-capturing devices first, followed by runoff control measures and runoff conveyances. No construction activities shall begin until after all</p>		

proposed measures are in place.

- b. Minimize the area of bare soil exposed at one time (phased grading).
- c. Clear only areas essential for construction.
- d. Within five days of clearing or inactivity in construction, stabilize bare soils through either non-vegetative Best Management Practices (BMPs), such as mulching or vegetative erosion control methods such as seeding. Vegetative erosion control shall be established within two weeks of seeding/planting.
- e. Construction entrances shall be stabilized immediately after grading and frequently maintained to prevent erosion and control dust.
- f. Control wind-born dust through the installation of wind barriers such as hay bales and/or sprinkling.
- g. Soil and/or other construction-related material stockpiled on-site shall be placed a minimum of 200 feet from all wetlands and drain courses. Stockpiled soils shall be covered with tarps at all times of the year.
- h. Intercept runoff above disturbed slopes and convey it to a permanent channel or storm drains by using earth dikes, perimeter dikes or swales, or diversions. Use check dams where appropriate.
- i. Provide protection for runoff conveyance outlets by reducing flow velocity and dissipating flow energy.
- j. Install storm drain inlet protection that traps sediment before it enters any adjacent storm sewer systems. This barrier shall consist of filter fabric, straw bales, gravel, or sand bags.
- k. Install sediment traps/basins at outlets of diversions, channels, slope drains, or other runoff conveyances that discharge sediment-laden water. Sediment traps/basins shall be cleaned out when 50% full (by volume).

Mitigation Measure 4: Prior to the issuance of the grading permit “hard card,” the applicant shall submit a dust control plan for review and approval by the Current Planning Section. The plan, at a minimum, shall include the following measures:

- a. Water all construction and grading areas at least twice daily.
- b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
- c. Pave, apply water two times daily, or (non-toxic) soil on all unpaved access roads, parking areas and staging areas at the project site.
- d. Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
- e. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).

Mitigation Measure 5: Prior to the issuance of a grading permit, the contractor and the biologist shall meet in the field to identify the limits of riparian and wetland habitat and the extent of excavation within the environmentally sensitive area (ESA). A report/letter summarizing the meeting and with details of how construction may impact the ESA and/or reduce the efficacy of any mitigation measures or conditions, shall be submitted to the County prior to the commencement of such grading.

Mitigation Measure 6: Under the supervision of the biologist, the limits of wetland habitat shall be

marked in the field with high visibility construction fencing, and the area shall be designated as an ESA. No equipment shall be permitted to operate within the ESA without prior coordination with and inspection by the project biologist.

Mitigation Measure 7: Prior to the commencement of any land disturbing activities, all mitigation measures contained in this document which are applicable to the protection of the wetlands shall be explained in detail by the biologist to the construction site manager so they can be implemented in the field.

Mitigation Measure 8: Removal of any willow trees is prohibited without a federal or state permit. Grading shall be permissible only if excavation that extends within the canopy of the willows does not involve root disturbance or removal.

Mitigation Measure 9: A federal permit is required for any excavation that requires the removal of willows within the limits of federal jurisdiction. Should removal be deemed necessary, at this point, work shall cease until all appropriate permits have been issued by the USACE and Regional Water Quality Control Board (RWQCB) pursuant to the Clean Water Act, and by the California Department of Fish and Wildlife (CDFW) and the County of San Mateo shall be notified. Prior to commencement of grading activities copies of all regulatory permits and proof of the successful implementation of all permit conditions and mitigation measures shall be provided to the Planning and Building Department.

Mitigation Measure 10: If a Clean Water Act permit is required for impacts to waters of the U.S., a formal consultation with the USFWS under Section 7 of Federal Endangered Species Act (FESA) shall be required, and the USFWS would issue a Biological Opinion, which would include an incidental take permit and an outline of mandatory minimization and/or mitigation measures. Compliance with Section 7 of the Federal Endangered Species Act (FESA) can also facilitate compliance with the California Endangered Species Act (CESA). Conditions of all permits issued by these agencies shall be implemented in full to reduce impacts to special-status species.

Mitigation Measure 11: At the conclusion of ground disturbance, a biological report shall be submitted to the County which discusses if the measures were executed correctly and which if any additional restoration measures need to be implemented and/or monitored.

Mitigation Measure 12: All temporarily disturbed aquatic habitat shall be restored to pre-project conditions, which may include revegetation of denuded areas with native aquatic or emergent vegetation that complement the native vegetation of adjacent habitats. A revegetation plan shall be prepared by a biologist, reviewed and subject to the approval by the County and proper execution of the plan shall be confirmed by a biologist, and written confirmation shall be submitted to the County.

Mitigation Measure 13: Regulatory permits may be expected to require mitigation for temporal or permanent impacts to riparian habitat. All required mitigation from any required regulatory permit for temporal or permanent impacts to riparian habitat shall be implemented. Mitigation may include in situ restoration by planting, and long-term monitoring for plant survival and habitat restoration.

Mitigation Measure 14: The Project sponsor shall comply with the federal and State Endangered Species Acts for all species with potential habitat which may be impacted.

Mitigation Measure 15: Thirty days prior to development of the residence on Parcel 4, a survey identifying any western leatherwood plants shall occur. Any plants which are identified shall be protected by fencing to prevent damage from construction activities.

Mitigation Measure 16: Prior to the removal or significant pruning of any trees, they shall be inspected by a qualified biologist for the presence of raptor nests. This is required regardless of season. If a suspected raptor nest is discovered, the California Department of Fish and Wildlife (CDFW) shall be notified. Pursuant to CFGC Section 3503.5, raptor nests, whether or not they are

occupied, may not be removed until approval is granted by the CDFW.

Mitigation Measure 17: If clearing, grubbing or tree removal/pruning are to be conducted outside of the breeding season (i.e., September 1 through January 31), no preconstruction surveys for nesting migratory birds is necessary.

If clearing, grubbing or tree removal or pruning are to be conducted during the breeding season (i.e., February 1 through August 31), a preconstruction nesting bird survey shall be conducted. The survey shall be performed by a qualified biologist no more than two weeks prior to the initiation of work. If no nesting or breeding activity is observed, work may proceed without restrictions. To the extent allowed by access, all active bird nests identified within 250 feet for raptors and 50 feet for passerines shall be mapped.

Mitigation Measure 18: For any active bird nests found near the construction limits (i.e., within 250 feet for raptors and 50 feet for passerines of the limits of work) the Project Biologist shall make a determination as to whether or not construction activities are likely to disrupt reproductive behavior. If it is determined that construction would not disrupt breeding behavior, construction may proceed. If it is determined that construction may disrupt breeding, a no-construction buffer zone shall be designated by the Project Biologist; avoidance is the only mitigation available. The ultimate size of the no-construction buffer zone may be adjusted by the Project Biologist based on the species involved, topography, lines of site between the work area and the bird nest, physical barriers, and the ambient level of human activity. Site evaluations and buffer adjustments shall be made in consultation with the CDFW and/or the USFWS Division of Migratory Bird Management.

If it is determined that construction activities are likely to disrupt raptor breeding, construction activities within the no-construction buffer zone may not proceed until the Project Biologist determines that the nest is no longer occupied.

Mitigation Measure 19: If maintenance of a no-construction buffer zone is not feasible, the Project Biologist shall monitor the bird nest(s) to document breeding and rearing behavior of the adult birds. If it is determined that construction activities are causing distress of the adult birds and are thus likely to cause nest abandonment, work shall cease immediately. Work may not resume in the area until the Project Biologist has determined that the young birds have fledged and the bird nest is no longer occupied.

Mitigation Measure 20: Preconstruction surveys for nesting migratory birds and roosting bats shall be conducted no more than two weeks prior to the start of grading and construction for work for each phase scheduled to occur during the breeding season (February 1 to August 31) or wintering period for each phase (September 1 to January 31).

Mitigation Measure 21: If active nests/roosts of migratory birds and roosting bats are identified within 300 feet of the project site, non-disturbance buffers shall be established at a distance sufficient to minimize disturbance based on the nest/roost location, topography, cover and species' tolerance to disturbance. Buffer size shall be determined in cooperation with the CDFW and the USFWS.

Mitigation Measure 22: If active nests/roosts of migratory birds are found within 300 feet of the project site and non-disturbance buffers cannot be maintained, a qualified biologist shall be on-site to monitor the nests/roosts for signs of nest disturbance. If it is determined that grading and/or construction activity is resulting in nest/roost disturbance, work shall cease immediately and the USFWS and CDFW shall be contacted.

Mitigation Measure 23: For each phase, the applicant shall implement the following measures to avoid or minimize impacts to special status animals including performing pre-construction surveys for snakes within the daily work area, having a USFWS-approved biologist on-site during work within suitable habitat, conducting environmental awareness training, constructing exclusion fencing along the project perimeter within suitable habitat 30 days prior to disturbance, implementing

erosion control BMPs, refueling vehicles/equipment off-site, and restoring the habitat to pre-project conditions.

Mitigation Measure 24: A qualified biologist should perform a ground survey to locate and mark all woodrat nests in the proposed grading and construction area. The survey shall be performed no less than 30 days prior to the initiation of ground disturbances for each phase. The contractor shall also walk the site to assist in determining which nests would be affected.

Mitigation Measure 25: The woodrat nests to be avoided shall be fenced off with orange construction fencing and their locations marked on construction plans as being off limits to all activities.

Mitigation Measure 26: Any woodrat nest that cannot be avoided shall be manually disassembled by a qualified biologist pending authorization from CDFW to give any resident woodrats the opportunity to disperse to adjoining undisturbed habitat. Nest building materials shall be immediately removed off-site and disposed of to prevent woodrats from reassembling nests on-site.

Mitigation Measure 27: To ensure woodrats do not rebuild nests within the construction area, a qualified biologist shall inspect the construction corridor no less than once per week. If new nests appear, they shall be disassembled and the building materials disposed of off-site. If there is a high degree of woodrat activity, more frequent monitoring shall be performed, as recommended by a qualified biologist.

Mitigation Measure 28: All appropriate erosion and sediment control BMPs shall be implemented. Application of erosion control BMPs shall utilize native weed-free and plastic-free fiber rolls, mats, straw mulch, hydroseed, etc., to the maximum extent possible.

Mitigation Measure 29: All future development shall comply the County policies and ordinances for removal and replacement.

Mitigation Measure 30: Whenever possible, trees shall be planted in areas of grading disturbance for hillside stabilization, to minimize the visual impact of the grading activities, and compliance with the County's RM Zoning District Regulations.

Mitigation Measure 31: A discovery of a paleontological specimen during any phase of the project could result in a work stoppage in the vicinity of the find until it can be evaluated by a professional paleontologist. Should loss or damage be detected, additional protective measures or further action (e.g., resource removal by a professional paleontologist) may be needed to mitigate the impact, as determined by a professional paleontologist.

Mitigation Measure 32: Contractors and workers shall use existing roads to the maximum extent feasible to avoid additional surface disturbance.

Mitigation Measure 33: During all phases of the project, the applicant shall keep equipment and vehicles within the limits of the previously disturbed construction area. The applicant shall delineate all areas to remain undisturbed on the Erosion Control and Staging Plan and the plan shall include measures, such as chain-link fencing or other kind of barrier, to demarcate the "limit of disturbance." The property owner shall demonstrate the implementation of these measures prior to issuance of the grading permit "hard card."

Mitigation Measure 34: The property owner, applicant, and contractors must be prepared to carry out the requirements of California State law with regard to the discovery of human remains during construction, whether historic or prehistoric. In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately and the County coroner shall be notified immediately. If the coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within 24 hours. A qualified archaeologist, in consultation with the Native American Heritage Commission, shall

recommend the subsequent measures for disposition of the remains, including but not limited to the following:

- a. That all excavation crews, including landscapers, receive cultural sensitivity training for Native American cultural resources;
- b. That a California-trained Archaeological Monitor with field experience be present for all earth movement including landscaping; and
- c. That a qualified and trained Native American Monitor be present for all earth-moving activities, including landscaping.

Mitigation Measure 35: The improvements shall be designed and constructed in accordance with current earthquake resistance standards.

Mitigation Measure 36: All future development shall meet or exceed, the standards prescribed in the Murray Engineers, Inc., report dated February 2014.

Mitigation Measure 37: For the final approval of the grading permit, the property owner shall ensure the performance of the following activities within thirty (30) days of the completion of grading for each phase, at the project site:

- a. The Engineer who prepared the approved grading plan shall be responsible for the inspection and certification of the grading as required by Section 8606.2 of the Grading Ordinance. The Engineer's responsibilities shall include those relating to noncompliance detailed in Section 8606.5 of the Grading Ordinance.
- b. The engineer shall submit written certification that all grading has been completed in conformance with the approved plans, conditions of approval, mitigation measures, and the County's Grading Regulations, to the Department of Public Works and the Planning and Building Department's Geotechnical Engineer.
- c. The geotechnical consultant shall observe and approve all applicable work during construction and sign Section II of the Geotechnical Consultant Approval form, for submittal to the Planning and Building Department's Geotechnical Engineer and Current Planning Section.

Mitigation Measure 38: At the building permit application stage, the applicant shall provide documentation demonstrating that the proposed residences and associated retaining walls shall be supported on drilled pier foundations extending through the fill and colluvium and gaining support in the underlying bedrock.

Mitigation Measure 39: Prior to the recordation of the Subdivision Map, the landslide repair on Parcel 2 shall be completed to the satisfaction of the County's Geotechnical Section, to ensure that repair occurs prior to the construction of any residential structures.

Mitigation Measure 40: All fill material for the repair shall be keyed and benched into competent bedrock (not into soil as indicated on the referenced C-1). Construction plans at the building permit stage shall demonstrate compliance with this mitigation measure.

Mitigation Measure 41: The final design shall include intermediate surface drainage control measures. Construction plans at the building permit stage shall demonstrate compliance with this mitigation measure.

Mitigation Measure 42: A surveyed, as-built subdrain plan shall be prepared and added to the proposed repair plan. Grading plans at the building permit stage shall demonstrate compliance with this mitigation measure.

Mitigation Measure 43: A modified design plan shall be prepared, with approval by the Project Geotechnical Consultant, and submitted to the County for approval prior to the initiation of grading

repair work.

Mitigation Measure 44: No cut or fill exceeding 5 feet in vertical dimension shall be permitted on Parcels 1 through 4 unless supported by an engineered retaining wall. Construction plans at the building permit stage for each new residence shall demonstrate compliance with this mitigation measure.

Mitigation Measure 45: Grading and drainage plans for each lot shall be reviewed by the County Geotechnical Section, or designated consultant, prior to approval of building or grading permits on Parcels 1 through 4.

Mitigation Measure 46: Foundation design on Parcel 2 shall be checked against the as-built subdrain plan for the landslide repair. Construction plans at the building permit stage for the residence on Parcel 2 shall demonstrate compliance with this mitigation measure.

Mitigation Measure 47: Geotechnical Design Parameters – Final geotechnical design parameters to be utilized for residential construction on Parcels 1 through 4 shall fully meet or exceed design recommendations presented in the Engineering Geologic & Geotechnical Report by Murray Engineers, Inc., dated February 10, 2014. Construction plans at the building permit stage for each new residence shall demonstrate compliance with this mitigation measure.

Mitigation Measure 48: Future residences shall be supported on 12-inch diameter piers, extending at least 8 feet into competent materials. In addition, the property owner shall implement Cotton, Shires and Associates, Inc., recommendation to construct an earth flow deflection wall above Building Site 1. Construction plans at the building permit stage for each new residence shall demonstrate compliance with this mitigation measure.

Mitigation Measure 49: All subdrain alignments within the repair shall be accurately surveyed during construction so that future pier-support foundations do not interfere with constructed subdrain systems. Construction plans at the building permit stage for each new residence shall demonstrate compliance with this mitigation measure.

Mitigation Measure 50: Unsupported large cuts and fills shall be avoided. Grading plans at the building permit stage shall demonstrate compliance with this mitigation measure.

Mitigation Measure 51: If site conditions vary from those described in the 2014 Murray Engineers, Inc. report, the geotechnical design of the project recommendations shall be updated and submitted to San Mateo County Planning and Building Department for approval, prior to associated project construction.

Mitigation Measure 52: The applicant shall use silt fence and/or vegetated filter strips to trap sediment contained in sheet flow. The maximum drainage area to the silt fence shall be 0.5 acre or less per 100 feet of fence. Silt fences shall be inspected regularly and sediment removed when it reaches 1/3 the fence height. Vegetated filter strips shall have relatively flat slopes and be vegetated with erosion-resistant species.

Mitigation Measure 53: The applicant shall seed all disturbed areas with a native grassland mix as soon as grading activities are completed for each phase in order to minimize the potential establishment and expansion of exotic plant species into newly-graded areas, and to prevent potential future erosion.

Mitigation Measure 54: No site disturbance shall occur, including any land disturbance, grading, or vegetation or tree removal, until a building permit has been issued, and then only those trees approved for removal shall be removed. Trees to be removed, including approximate size, species, and location, shall be shown on a plan.

Mitigation Measure 55: Erosion and sediment control during the course of this grading work shall be according to a plan prepared and signed by the Engineer of record, and approved by the

Department of Public Works and the Current Planning Section. Revisions to the approved erosion and sediment control plan shall be prepared and signed by the engineer.

Mitigation Measure 56: It shall be the responsibility of the applicant's engineer to regularly inspect the erosion control measures and determine that they are functioning as designed and that proper maintenance is being performed. Deficiencies shall be immediately corrected.

Mitigation Measure 57: Prior to the issuance of the grading permit, the applicant shall submit, to the Department of Public Works for review and approval, a plan for any off-site hauling operations. This plan shall include, but not be limited to, the following information: size of trucks, haul route, disposal site, dust and debris control measures, and time and frequency of haul trips. As part of the review of the submitted plan, the County may place such restrictions on the hauling operation as it deems necessary.

Mitigation Measure 58: At the completion of work, the engineer who prepared the approved grading plan shall certify, in writing, that all grading, lot drainage, and drainage facilities have been completed in conformance with the approved plans, as conditioned, and the Grading Regulations.

Mitigation Measure 59: At the completion of work, the engineer who prepared the approved grading plan shall submit a signed "as-graded" grading plan conforming to the requirements of the Grading Regulations.

Mitigation Measure 60: Prior to the issuance of the grading permit "hard card," the applicant shall revise the Erosion Control and Sediment Control Plan, dated December 21, 2012, to include the proposed measures and additional measures as follows, subject to the review and approval of the Community Development Director:

- a. Provide stabilized construction entrance(s) using a minimum 3"-4" fractured aggregate over geo-textile fabric and stabilize all on-site unpaved construction access routes (e.g., aggregate over path of travel). For unpaved routes, use ridges running diagonally across the road that run to a stabilized outlet
- b. Provide a designated area for parking of construction vehicles, using aggregate over geo-textile fabric.
- c. Show re-vegetation of fill deposit areas, to be performed immediate after soils spreading. Use seeding and/or mulching and the following, as necessary:
 - i. (For slopes 3:1 or greater) Anchored erosion control blankets (rice straw or coconut).
 - ii. (For slopes less than 3:1) Anchored fiber fabric/netting or surface roughening.
- d. Protect areas to remain undisturbed. These areas shall be delineated and protected using a fence or other kind of barrier.
- e. Use diversion berms to divert water from unstable or denuded areas (top and base of a disturbed slope, grade breaks where slopes transition to a steeper slope).
- f. Show location of office trailer(s), temporary power pole, and scaffold footprint.
- g. Show location of utility trenches, indicate utility type.
- h. Show location, installation and maintenance of a concrete/stucco mixer, washout, and pits.
- i. Show storage location and containment (as necessary) of construction materials for during work, as well as afterhours/ weekends)
- j. Show areas for stockpiling. Cover temporary stockpiles using anchored-down plastic sheeting. For longer storage, use seeding and mulching, soil blankets or mats.
- k. Show location of garbage and dumpster(s).

- l. If these measures conflict with measures prescribed by the geotechnical consultant, measures as recommended by the geotechnical consultant shall rule.

Mitigation Measure 61: The applicant 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 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. Stabilization shall include both proactive measures, such as the placement of hay bales or coir netting, and passive measures, such as re-vegetating disturbed areas with plants propagated from seed collected in the immediate area.
- 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 site shall be clear and running slowly at all times.

Mitigation Measure 62: Once approved, erosion and sediment control measures of the Erosion Control and Sedimentation Plan shall be installed prior to beginning any site work and maintained throughout the term of the grading permit and building permit. Failure to maintain these measures will result in stoppage of construction until the corrections have been made and fees paid for staff enforcement time. Revisions to the approved erosion and sediment control plan shall be prepared and signed by the engineer and reviewed by the Department of Public Works and the Community Development Director.

Mitigation Measure 63: No grading shall be allowed during the winter season (October 1 to April 30) to avoid potential soil erosion unless reviewed and recommended by the project geotechnical consultant and approved, in writing, by the Community Development Director. An

applicant-completed and County-issued grading permit “hard card” is required prior to the start of any land disturbance/grading operations. The applicant shall submit a letter to the Current Planning Section, at least, two (2) weeks prior to commencement of grading with the project geotechnical consultants review recommendations (if any) for winter grading, stating the date when erosion controls will be installed, date when grading operations will begin, anticipated end date of grading operations, and date of re-vegetation. If the schedule of grading operations calls for grading to be completed in one grading season, then the winterizing plan shall be considered a contingent plan to be implemented if work falls behind schedule. All submitted schedules shall represent the work in detail and shall project the grading operations through to completion.

Mitigation Measure 64: Should the area of disturbance equal one area or more, the applicant shall file a Notice of Intent (NOI) with the State Water Resources Board to obtain coverage under the State General Construction Activity NPDES Permit. A copy of the project’s NOI (containing the WDID No.) shall be submitted to the Current Planning Section and the Department of Public Works, prior to the issuance of the grading permit “hard card.”

Mitigation Measure 65: The applicant shall implement the following basic construction measures at all times:

- a. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxic Control Measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- b. All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified visible emissions evaluator.
- c. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person, or his/her designee, shall respond and take corrective action within 48 hours. The Air District’s phone number shall also be visible to ensure compliance with applicable regulations.

Mitigation Measure 66: All roofing, attic ventilation, exterior walls, windows, exterior doors, decking, floors and underfloor protection shall meet California Residential Code, R327 or California Building Code Chapter 7A requirements.

Mitigation Measure 67: At the time of application for a building permit, the applicant shall submit a permanent stormwater management plan to the Department of Public Works in compliance with Municipal Stormwater Regional Permit Provision C.3.i and the County’s Drainage Policy.

Mitigation Measure 68: Projects subject to Provision C.3.i (individual single-family home projects that create and/or replace 2,500 sq. ft. or more of impervious surface, and other projects that create and/or replace at least 2,500 sq. ft. of impervious surface but are not C.3 Regulated Projects) shall implement at least one (1) of the six (6) site design measures listed below:

- a. Direct roof runoff into cisterns or rain barrels and use rainwater for irrigation or other non-potable use.
- b. Direct roof runoff onto vegetated areas.
- c. Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas.
- d. Direct runoff from driveways and/or uncovered parking lots onto vegetated areas.
- e. Construct sidewalks, walkways, and/or patios with permeable surfaces.
- f. Construct bike lanes, driveways, and/or uncovered parking lots with permeable surfaces.

Mitigation Measure 69: Should any traditionally or culturally affiliated Native American tribe

respond to the County's issued notification for consultation, such process shall be completed and any resulting agreed upon measures for avoidance and preservation of identified resources be taken prior to implementation of the project.

Mitigation Measure 70: In the event that tribal cultural resources are inadvertently discovered during project implementation, all work shall stop until a qualified professional can evaluate the find and recommend appropriate measures to avoid and preserve the resource in place, or minimize adverse impacts to the resource, and those measures shall be approved by the Current Planning Section prior to implementation and continuing any work associated with the project.

Mitigation Measure 71: Any inadvertently discovered tribal cultural resources shall be treated with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resource, including, but not limited to, protecting the cultural character and integrity of the resource, protecting the traditional use of the resource, and protecting the confidentiality of the resource.

Mitigation Measure 72: The project shall minimize its impact on the downstream systems by completing capital improvement projects within the Crystal Springs Sanitation District (District) that would reduce inflow and infiltration into the District's system in an amount equal to the projected sewage discharge amount to the District from the project.

Mitigation Measure 73: The applicant shall demonstrate that the District sewer mains utilized to transport sewage from the subdivision has the peak wet weather capacity for conveying the additional flow generated from the four residences. If it is determined that the lines are insufficient to convey the additional flow, the developer may need to upgrade the sewer lines to accommodate this subdivision.

Mitigation Measure 74: Should a pump system be utilized to deliver sewage from the four parcels to the District's sewer main on Parrott Drive, the District will require that a covenant for each parcel be prepared, signed, notarized, recorded with the San Mateo County Recorder's Office, and a copy provided to the District prior to final sewer sign-off for the building permit.

Mitigation Measure 75: Each new parcel will require a 4-inch lateral with a minimum of 2% slope and a standard cleanout installed at the property line or the property within 5 feet of the property line.

Mitigation Measure 76: The proposed residential development will be required to comply with all currently applicable efficiency standards (Title-24, CALGreen, etc.), and is located in an area that could support solar or alternative energy sources (none are proposed at this time).

DETERMINATION (to be completed by the Lead Agency).

On the basis of this initial evaluation:

I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared by the Planning Department.

X I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because of the mitigation measures in the discussion have been included as part of the proposed project. A NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

April 4, 2018

Date



(Signature)

Planner III

(Title)

Attachments

- A. Floristic Analysis for the Beeson Property, San Mateo County, by Wood Biological Consulting, Dated September 30, 2007
- B. Letter Report for Mission Blue Butterfly Habitat Survey at Lands of Zmay Property, by Coast Ridge Ecology, Dated July 22, 2016
- C. Wetland Delineation and Preliminary Jurisdictional Determination for the Beeson Property, by Wood Biological Consulting, Dated June 18, 2007
- D. Revised Wetland Evaluation, by Wood Biological Consulting, Dated March 11, 2015, Revised June 6, 2017
- E. Revised Wetlands Evaluation, by Wood Biological Consulting, Dated August 16, 2017
- F. Biological Site Assessment for the Proposed Zmay Property Subdivision, by Wood Biological Consulting, Inc., Dated August 13, 2014 and Revised March 10, 2015
- G. Revised Botanical Evaluation, Zmay Property Subdivision, by Wood Biological Consulting, Inc., Dated March 11, 2015
- H. Revised Creek Setback Evaluation, Zmay Property Subdivision, by Wood Biological Consulting, Inc., Dated March 11, 2015
- I. Arborist report, by Kielty Arborist Services LLC, Dated September 6, 2016
- J. Applicant EECAP Development Checklist
- K. Engineering Geologic and Geotechnical Investigation, by Murray Engineers, Dated February 2014
- L. Geotechnical Plan Review, Zmay 4 Lot Subdivision, by Murray Engineers, Inc., Dated, June 3, 2015 and Supplemental Evaluation and Response, dated March 18, 2015
- M. Supplemental Geologic and Geotechnical Peer Review comments, by Cotton Shires and Associates, Dated: December 4, 2014, June 24, 2014, and July 14, 2015
- N. Draft Conservation Easement
- O. Cultural Resources Survey Report, by Daniel Shoup RPA, Dated August 10, 2015
- P. Parrot Drive Sanitary Sewer Alternatives Study by Crystal Springs County Sanitation District, Dated February 2003
- Q. Sewer Service for Proposed Parrott Drive Subdivision, by County of San Mateo, Department of Public Works, Dated December 3, 2013
- R. Project plans submitted November 21, 2016

EA:pac - EDACC0140_WPH.DOCX

Written Comments for
Regular Public Comment Section
- **Consent Agenda**
- **Non Agenda Items**

Sukhmani Purewal

From: Krista Hanson <kristakhanson@gmail.com>
Sent: Monday, July 4, 2022 12:00 PM
To: Dave Pine; Carole Groom; Don Horsley; Warren Slocum; David Canepa; CMO_BoardFeedback
Subject: Request to Accept Ordinance Proposed by Fixin' San Mateo County

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

I am writing in support of the [draft ordinance](#) proposed by [Fixin' San Mateo County](#) to ask the Board of Supervisors to use your legislative authority under [AB 1185](#) to enact a strong and independent Civilian Oversight Board and Inspector General office, both with subpoena power, for the San Mateo County Sheriff's Office.

Independent and effective civilian oversight is common sense, good government, and fiscally responsible. It will protect civil rights, support effective policing, ensure transparency and greater accountability, while helping build more positive relationships between the community and the Sheriff's Office.

An example of the need for oversight is last year's decision by the Sheriff to stop allowing people incarcerated in San Mateo County jail to receive personal mail such as birthday cards and family photos. Instead the families need to mail them to Florida to be scanned and then shared with the incarcerated family member on a limited number of tablets back at the jail. This policy change was made with no public input and announced to incarcerated people with only 3 weeks notice. These electronic communications are then kept for 7 years in a database searchable by law enforcement. Silicon Valley De-Bug has been unable to obtain comprehensive information about the policy from the Sheriff.

Communities everywhere are becoming more aware of law enforcement abuses, including the murder of George Floyd. Our county will join a rapidly growing movement of civilian oversight in our country, which includes 220 cities and counties nationwide (25 in California).

Please use your legal authority as our elected officials to enact a strong and independent Civilian Oversight Board and Inspector General office.

Sincerely,
Krista Hanson

431 Bloomfield Road
Burlingame, CA 94010

Sukhmani Purewal

From: Debra Leschyn <dleschyn@gmail.com>
Sent: Tuesday, July 5, 2022 10:54 PM
To: Dave Pine; Carole Groom; Don Horsley; Warren Slocum; David Canepa; CMO_BoardFeedback; Nancy Goodban; neighborsagainstracism@groups.io
Subject: Request to Accept Ordinance Proposed by Fixin' San Mateo County

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Sincerely,

Debra Leschyn
Belmont Neighbors Against Racism
Unitarian Universalists of San Mateo

Sukhmani Purewal

From: Julien Phillips <41julien@gmail.com>
Sent: Wednesday, July 6, 2022 8:22 AM
To: Dave Pine; Carole Groom; Don Horsley; Warren Slocum; David Canepa; CMO_BoardFeedback
Subject: Request to Accept Ordinance Proposed by Fixin' San Mateo County

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Please use your legal authority as our elected officials to enact a strong and independent Civilian Oversight Board and Inspector General office.

Sincerely,

Julien Phillips

1360 Hayne Road

Hillsborough, CA 94010

Sukhmani Purewal

From: Debra Leschyn <dleschyn@gmail.com>
Sent: Wednesday, July 6, 2022 8:38 AM
To: Warren Slocum; Dave Pine; David Canepa; Don Horsley; Carole Groom; CMO_BoardFeedback
Subject: Re: Request to Accept Ordinance Proposed by Fixin' San Mateo County

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Good morning, Supervisor Slocum,

Thank you for responding to my email. As you may know, a key provision of AB1185 is that civilian sheriff's oversight boards would possess subpoena power, giving them considerable authority to investigate and expose misconduct by sheriff's departments. Without subpoena power, both for documents and for witnesses, law enforcement departments are able to control the Oversight Bodies' access to the data, evidence, witnesses, and personnel files that they need for meaningful oversight.

Without subpoena power, there is no meaningful oversight. The "oversight" will be just giving "suggestions" to the Sheriff and reviewing whatever the Sheriff deems "appropriate." [Here](#) is a page on the NACOLE website that has some good recommendations for oversight boards. "Meaningful oversight requires subpoena power to compel the production of documents and witnesses, allowing them to investigate, gather, analyze, and review information; produce public reports; and make informed recommendations related to policing issues of significant public interest." The oversight board must be both independent and empowered to do its job.

There is no reason to wait to implement the proposed ordinance. No matter who is Sheriff in our county, meaningful civilian oversight is essential for transparency and public trust. Thank you.

Best,
Debby Leschyn
Belmont Neighbors Against Racism
Unitarian Universalists of San Mateo

On Wed, Jul 6, 2022 at 7:03 AM Warren Slocum <WSlocum@smcgov.org> wrote:

Debra,

Morning. Thank you for your email.

I'd like to get your thoughts on a couple questions.

First, does it make any sense to hold off on your request until the newly elected Sheriff takes office. She did campaign on this issue and it seems reasonable to give her the opportunity to weigh in on the topic.

Next, in your mind, why is subpoena power important? At this point, I doubt that I would support that aspect of your proposal but I'm willing to listen.

Thank you in advance for your time.

W

WARREN SLOCUM
Supervisor, 4th District
San Mateo County Board of Supervisors
400 County Center, Redwood City, CA 94063
[\(650\) 363-4570](tel:6503634570) (w)

Connect and see what's going on in District 4!

<http://www.nfoforward.org>

<https://twitter.com/warrenslocum>

<https://www.facebook.com/supervisorwarrenslocum>

From: Debra Leschyn <dleschyn@gmail.com>

Sent: Tuesday, July 5, 2022 10:54:04 PM

To: Dave Pine <dpine@smcgov.org>; Carole Groom <cgroom@smcgov.org>; Don Horsley <dhorsley@smcgov.org>; Warren Slocum <WSlocum@smcgov.org>; David Canepa <dcanepa@smcgov.org>; CMO_BoardFeedback <BoardFeedback@smcgov.org>; Nancy Goodban <nancy.goodban@gmail.com>; neighborsagainstracism@groups.io <neighborsagainstracism@groups.io>

Subject: Request to Accept Ordinance Proposed by Fixin' San Mateo County

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Sincerely,

Debra Leschyn
Belmont Neighbors Against Racism
Unitarian Universalists of San Mateo

Sukhmani Purewal

From: Katie Riggs <crriggs@gmail.com>
Sent: Wednesday, July 6, 2022 5:30 PM
To: Dave Pine; Carole Groom; Don Horsley; Warren Slocum; David Canepa; CMO_BoardFeedback
Subject: Request to Accept Ordinance Proposed by Fixin' San Mateo County

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Sincerely,
Catharine C Riggs

Written Public Comments
for **Item No. 7**

Board of Supervisors July 12 2022

Agenda #7: Z Enterprises File #PLN2014-00410, Assessor's Parcel No: 038-131-110

**I am Raphael Holtzman and I respectfully ask you
to reject the appeal because:**

**It is an undesirable location
on a steep location
with fire hazards problems
landslides problems
underground water
failing sewer system
And more**

**Because it is the same proposal the
Planning Commission found
"inadequate"
and the location "undesirable"
and denied it 5-0**

**Because over 800 people signed the petition to
move the development to a safer location**

And because

**The developer can put these
houses on safer locations on this
large plot**

Exact Location of the Greatest Fire in History of the County - 1972



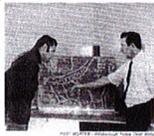
Anatomy of Hillsborough's Biggest Fire

By GENE E. MALOTT
 The hills of Hillsborough County were a scene of devastation as a massive fire swept through the area on Monday, Sept. 18, 1972. The fire, which burned for 12 hours, destroyed 1,000 homes and 100,000 acres of land. It was the largest fire in the county's history.

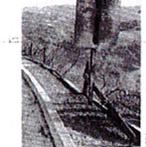
WHAT MADE THE DIFFERENCE
 The difference was vegetation. The hills were covered in dense brush and trees, which provided fuel for the fire. The fire spread rapidly and was difficult to control.

STAGE WAS SET
 The stage was set for a major fire. The hills were dry and the wind was blowing from the west. The fire started in the hills and spread quickly.

DAY OF FIRE
 The day of fire was a day of destruction. The fire burned for 12 hours and destroyed everything in its path. The fire was the greatest in the county's history.



Lot 1 view



Lots 3-4 view

HILLSBOROUGH 4TH QUARTER 2009 THE DAY OF FIRE

The day of fire was a day of destruction. The fire burned for 12 hours and destroyed everything in its path. The fire was the greatest in the county's history.

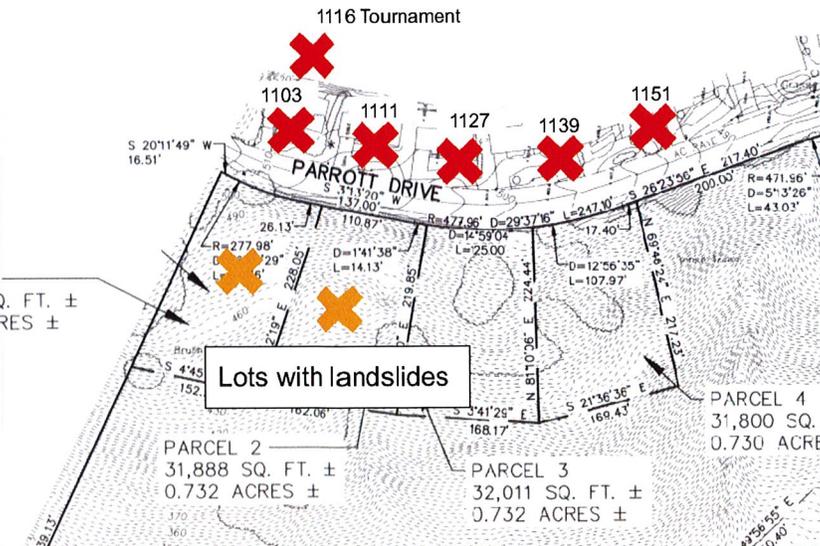
The fire started in the hills and spread quickly. The fire was the greatest in the county's history.

San Mateo County state leaders highlight our dwindling water resources and growing wildfire risks
 We need to be good stewards!



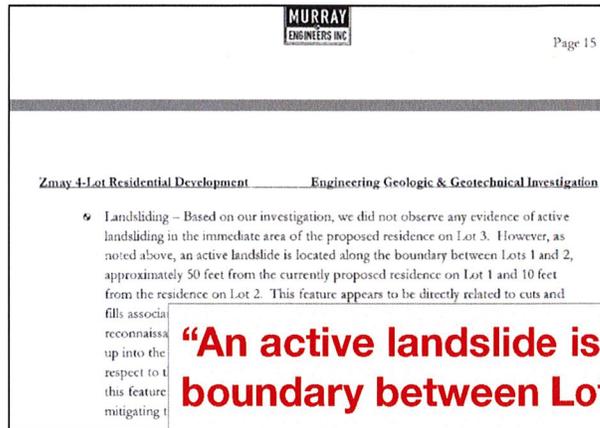
All existing house experienced a landslide on their property

✘ Houses with landslides



There are multiple active landslides on the proposed site

- The report describes multiple landslides with a warning that they can not really guarantee the safety of development on this site yet the MND describes the risk as “less than significant”.



“An active landslide is located among the boundary between Lots 1 and 2,”

The site has multiple landslides risks according to the developers own report

- We refuse to accept the risk involved in this development as stated in the engineering report.

It should be noted that although our knowledge of the causes and mechanisms of landslides has greatly increased in recent years, it is not yet possible to predict with certainty exactly when and where all landslides will occur. At some time over the span of thousands of years, most hillsides will experience landslide movement as mountains are reduced to plains. Therefore, an unknown level of risk is always present to structures located in hilly terrain. Owners of property located in these areas must be aware of and be willing to accept this risk.



“Therefore, an unknown level of risk is always present to structures in hilly terrain. Owners of property located in these areas must be aware of and be willing to accept this risk”

Even the Sewer Alternative Report highlights the issues

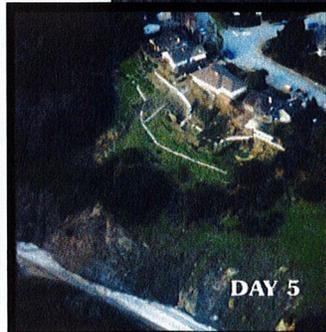
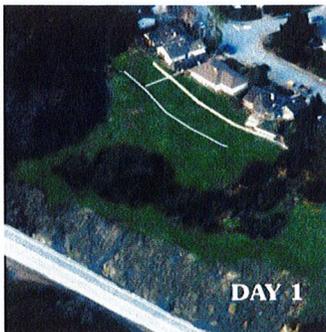
In addition, the hillside has a long history of slippage and has been the location of numerous ongoing small landslides. It currently appears to be highly unstable in many areas. These slides have resulted in crushed and broken pipelines and manholes disconnecting from pipelines in areas which have little or no access for maintenance or repair equipment. Thus, foot access and hand maintenance and repairs are the only remedy available to County crews in this area. In addition, the existence of poison oak and copious other vegetation has added to access and maintenance difficulties.

Attachment P, Page 2

“The hillside has a long history of slippage and has been the location of numerous ongoing small landslides. It currently appears to be highly unstable in many areas.”

Attachment P, Page 2

1996 Polhemus Road Landslide Cost to the County about \$25M



DEEP-SEATED LANDSLIDE
POLHEMUS ROAD,
SAN MATEO COUNTY
1996-97 RAINY SEASON



- **“We have wetlands.**
- **We have underground water.**
- **We have a failing sewer system sitting on the ground because we had landslides.**
- **We have the steepness.**
- **We have old landfills.**
- **We have fire hazards.**

There is everything that you could throw at it except maybe nuclear waste sitting here saying “We have problems”.

“I am worried that we will get someone that says “It was just a fire hazard. It is not a problem to build on it.” and I don’t see it that way.”



*Commissioner Hanson,
The Planning
Commission*

“I disagree with the conclusions in the staff’s report and I find the Neg Deck (Negative declaration) inadequate and can not make the findings to approve this subdivision.”

“the subdivision puts the three parcels in the location which is undesirable whereas a different subdivision could put those parcels in a more suitable location”

”

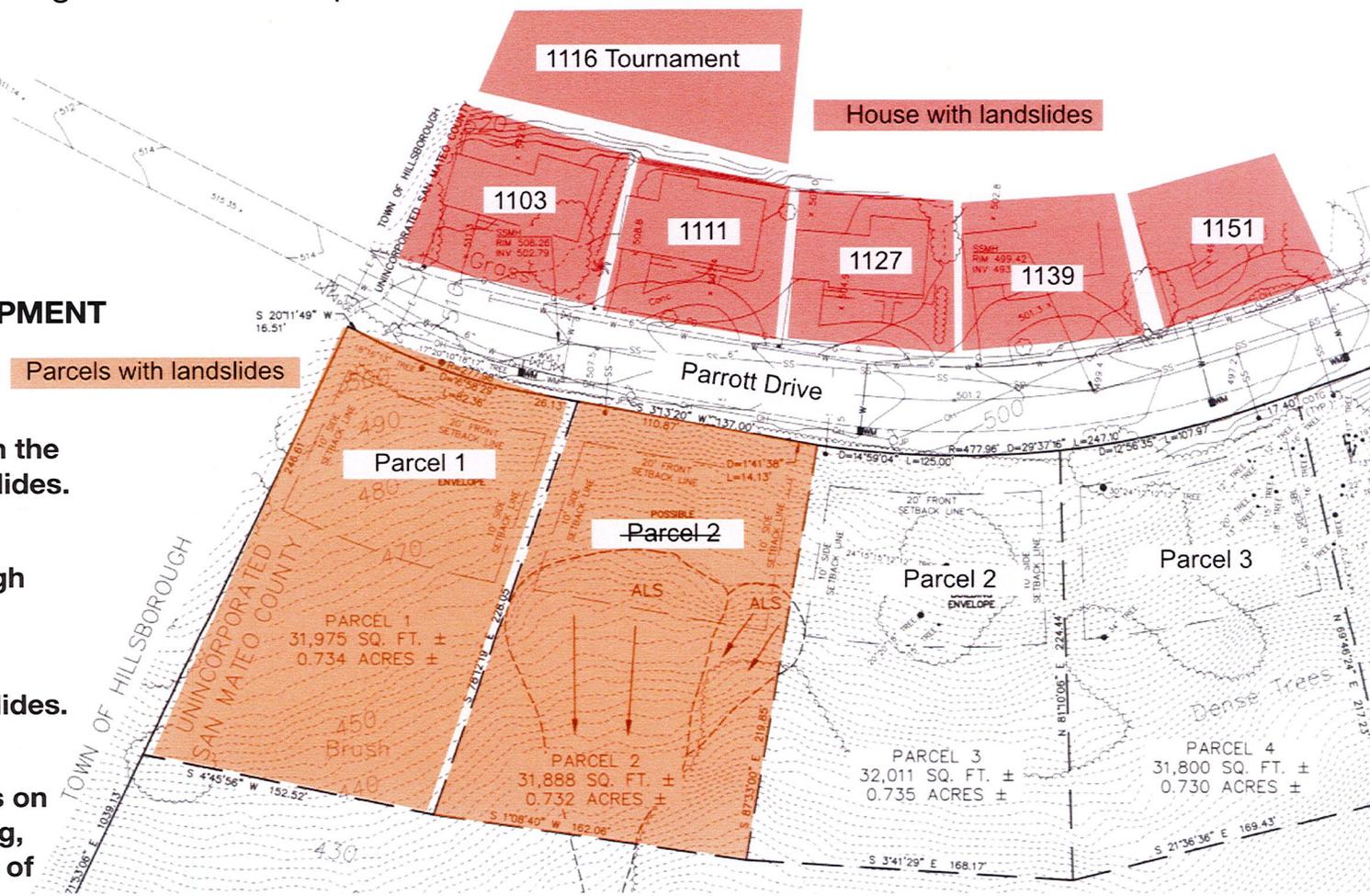


*Planning Commission
Chair Ketchum*

Board of Supervisors 7/12/22 Agenda #7: Z Enterprises File # PLN2014-00410, Assessors Parcel No 038131110
Shlomit mimon

Please Deny the appeal

**ALL 8 LOTS WITH LANDSLIDES
ON AND ACROSS THE STREET
FROM THE PROPOSED DEVELOPMENT**



- ALL houses across the road from the development had significant landslides.
- 1116 Tournament Dr., Hillsborough had landslide.
- Parcel 1 and parcel 2 have landslides.
- The potential for more landslides on all lots, especially with the grading, construction and addition of tons of earth for the filling, is severe...

Landslide on Parcel 1

Landslide on lot 1 (Attachment K, Page 18) , is not shown on the maps in the MND!

- **See Red arrow on an older application of this project.**





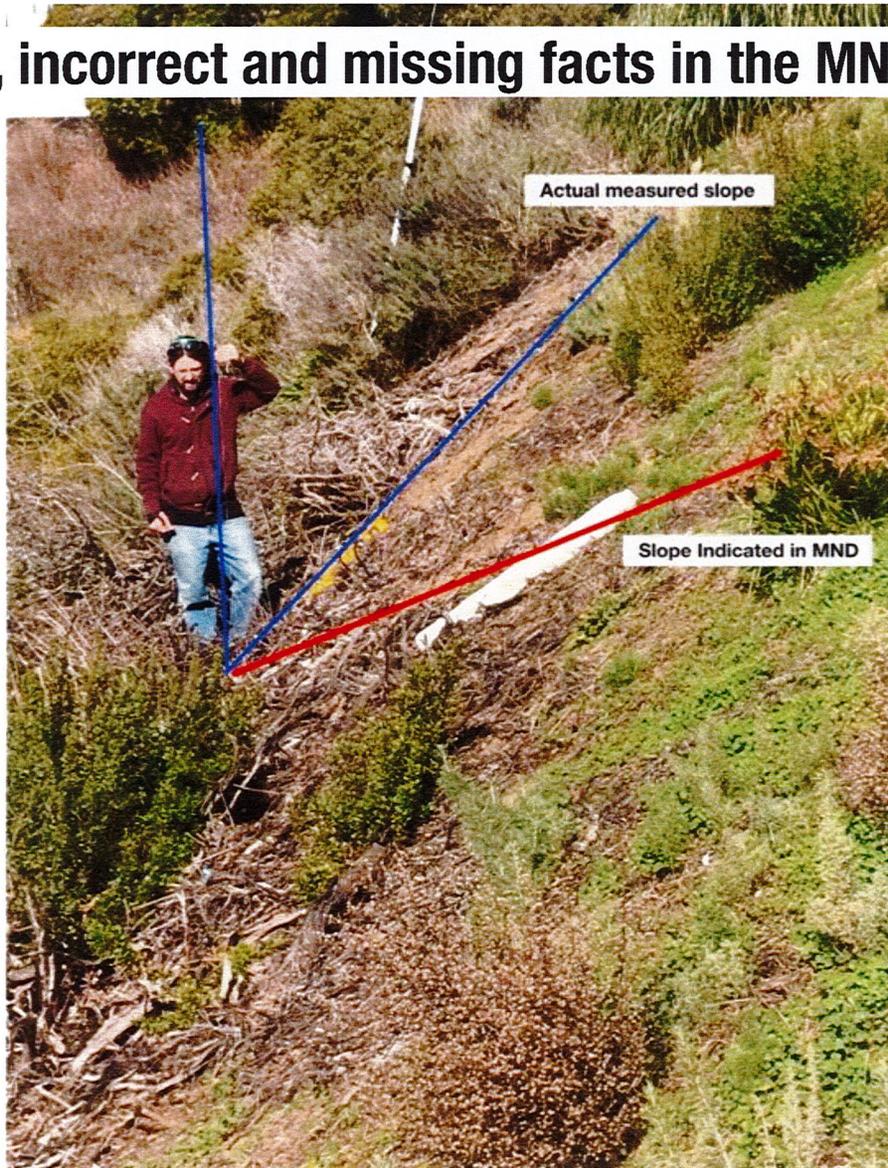
**LANDSLIDE AT 1116 TOURNAMENT DR., HILLSBOROUGH AND 1103 PARROTT DR.,
SAN MATEO. ACROSS FROM PARCEL 1**

From Murray Engineers INC report in the MND:

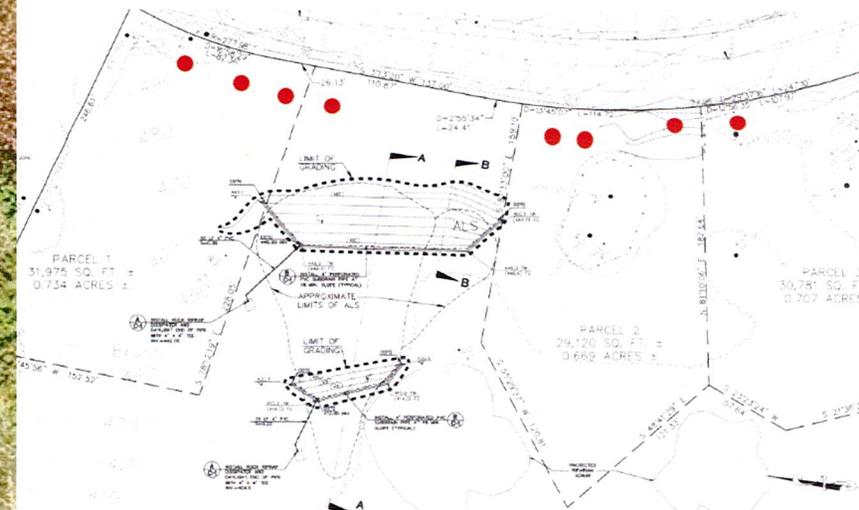
*“It should be noted that although our knowledge of the causes and mechanisms of landslides has greatly increased in recent years, **it is not yet possible to predict with certainty exactly when and where all landslides will occur....”***

“Owners of property located in these areas must be aware of and be willing to accept the risk.”

Misleading, incorrect and missing facts in the MND concerning the proposed site:



● we measured the slopes on these locations



Slopes at the proposed site are much steeper than MND :

From the "Initial Study / Mitigated Negative Declaration", Page 2:

"The portion of the parcel along Parrott Drive where three new lots are proposed, has an approximate slope of 37%"

- **Among 8 data points taken at the suggested development next to Parrott Drive, none measured less than 61%.**

- **We measured slopes of up to 78% within 15 feet of the road.**

- Furthermore, The "Initial Study / Mitigated Negative Declaration" claims:

*"The property is generally steep **with slopes varying from 2:1 to 3:1** (horizontal to vertical)"*

- **We measured slopes as steep as 1.27:1 without going more than 15 feet from Parrott Drive, continuing down the hill for 50 feet or more.**

We, the area communities, are very worried about the potential hazards and are not willing to accept these risks.

Risks that may cause havoc in our lives and cost the community unnecessary pain and expenses.

Please remember **your responsibility to protect the public and choose to move this development to a safer location on this large lot of 60 acres.**

Public Comments

By Dr. Gary Trott, Ph.D.

12-July-2022, Item #7

Summary of Concerns & Support for Denial:

The subdivision geotechnical design is deficient.

No geotechnical assessment of hazards to **uphill** homes

No assessment of **hydrology** driven hazards. Like water lubricated landslides,
or drainage diversion, drying of the wetlands

Three points are shown below:

- I. Landslides and storm water/ground water ignore any people map or parcel boundaries. The hazardous impacts to people, property and the environment of these **forces** were not evaluated outside of the subdivision boundaries.
- II. Stability calculation showed ground slope is teetering on the edge of Stability ⇔ Unstable.
- III. The unstable Franciscan Complex, boulders lubricated by water+mud, in the Polhemus landslide cost taxpayers ~\$20M. The neighbors decline to accept that level of risk.

Polhemus land slide
winter '97/'98



Under ground water
Flows down hill to feed
the wetlands in white for
more than 50 yrs. Water
was observed in bore
holes 30ft down in the
middle of summer!

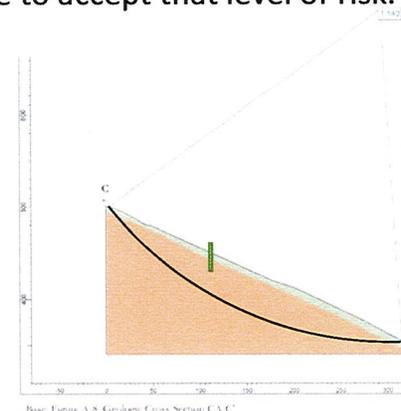


Fig A-13.

Landslide slip line is calculated to be 100ft below the surface. A 30 ft pier is recommended. Stability factor simulation 1.0 Stable ⇔ Unstable. No accounting for water lubrication between boulders.
➔ See Polhemus boulder surfing above.

MURRAY

ZMAY RESIDENTIAL SUBDIVISION
181 CRYSTAL SPRINGS ROAD

Ref Zmay IS attachment K-L pg 52 Murry Eng. Feb 2014.

Reject the appeal. Support the Planning Commission *unanimous* denial.
Based upon SM_County Subdivision Regulation code

III. The SMCounty, **Subdivision Regulations** code Sec 7072.1:

“1) Prerequisites to Subdivision Approval.

In addition, the subdivision must be designed to meet the Development Review Criteria contained in Chapter 20A.2 of the County Zoning Regulations including, but not limited to, . . . , that use of land subject to *hazards* (e.g., Fire, flooding, erosion) be limited or prohibited.”

We have consistently shown the subdivision proposal does not comply with the follow RM zoning codes from Chapter 20-A:

SMCounty Resource Management(RM) Zoning Code Sections – 12 in total
6324.2(f), 6324.4(c)(f)(h), 6324.6(c)(f), 6325.4(b)(d), 6325.6(c)(f) 6326.4(b)(c)

Collectively, and individually, they do not allow construction on hazardous (risky) sites impacting people, property or the environment. Or disturb the ground water, natural flow patterns for recharging wetlands when other less hazardous sites exist.

- The uphill hazards were not addressed by any of the certified experts.
- The active hydrology makes this subdivision uniquely different than other county authorized subdivisions. (Most like the Polhemus landslide parcel)
- There are safer alternatives sites to build the subdivision.

Sukhmani Purewal

From: Ana Pesusic <anapesusic@gmail.com>
Sent: Tuesday, July 5, 2022 4:49 PM
To: CMO_BoardFeedback
Subject: z enterprises file #PLN2014-00410 Assessor's Parcel No.038-131-110

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Board of Supervisors,

During the public hearing on July 12, 2022 @ 9am, we implore you to deny the building on the above parcel. The SM County Planning Commission already unanimously denied this project. How many times are they going to request hearings before a no is a no. Stop wasting taxpayer money and once and for all deny the building on this site.

Also, it has come to our attention that the owner of this parcel has voiced that he will be building there, no matter how long it takes or what he has to do. So, be aware that all those affected by this proposed building will be following the money.

There are too many negative factors impacting anything being built there.

Parrot Drive narrows where the plans are for the building and then the road begins to curve. The road is not wide enough for cars to be parked on both sides of the road and cars to be able to pass in each direction. This will inevitably cause accidents.

This will also cause even more traffic on Parrott Drive, since cars will have to pull over to allow for the 1 car that will be able to pass.

Pedestrians take their daily walks along this road, and in many areas, there are no sidewalks so pedestrians are forced to walk on the street. This will also be very dangerous.

That side of Parrott Drive is a high fire risk area.

It doesn't make sense to build there when there are safer places within their parcel (the bottom of the hill) to do so.

David and Anamarie Pesusic

homeowners of 1175 Parrott Drive

Sukhmani Purewal

From: maryanne@pfconsulting.net
Sent: Saturday, July 9, 2022 12:09 PM
To: CMO_BoardFeedback
Cc: 'Parrott Drive Community'
Subject: Please vote AGAINST development on Parrott Drive

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board:

Hope you are all doing well. I am writing to object to the development of Enterprise File #PLN2014-00410, Assessor's Parcel # 038-131-110, the property that abuts to Parrott Drive.

If you visit the site, you realize this is an incredibly steep property. The proposed development is at the top of the property and abuts to Parrott Drive. The proposal is essentially building on air – there is no buildable land at the top, no staging area. Substantial engineering would be required to safely build these homes. This is possible, but it doesn't address the likelihood of de-stabilizing the home around the property with such substantial terraforming.

Looking deeper, the land is subject to landslides, endangering both current and future residents now and in the future. The Polhemus landslide was a tremendous hazard, resulting in substantial taxpayer funds to be used to correct and stabilize the existing homes.

The land is also mapped as a fire hazard – the terrain itself lends itself to a fire chute. There are also protected species on the property.

The San Mateo Planning Commission heard the communities concerns and turned down the project. Please do not overturn their decision. Here is the article from the San Mateo Daily Journal for details.

https://www.smdailyjournal.com/news/local/san-mateo-county-planning-commission-halts-60-acre-subdivision/article_628d2aaa-f1b1-11eb-b69d-ab48150ce5ed.html

Please note that we live about 6 blocks from the proposed development, so will not be affected directly. But, as good neighbors, we are concerned for their safety as well as potential fire hazards than could affect everyone.

Best regards,

MARY ANNE PAYNE, CPA
PAYNE FINANCIAL CONSULTING, INC.
1900 So. Norfolk Street, Suite 215 | San Mateo, CA 94403
650-372-0114 office | 650-372-0115 fax | www.pfconsulting.net

Sukhmani Purewal

From: Sue Barnes <sueabarnes@gmail.com>
Sent: Sunday, July 10, 2022 8:02 AM
To: CMO_BoardFeedback
Cc: parrottdrivecommunity@gmail.com
Subject: Commenting on Board of Supervisors 7/12/22 Agenda: Z Enterprises Filee # PLN2014-00410, Assessors Parcel No 038131110

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Commenting on Board of Supervisors 7/12/22 Agenda: Z Enterprises Filee # PLN2014-00410, Assessors Parcel No 038131110

Please do not allow any further building on Parrott drive. It's unsafe, we are running out of open space and we don't have any water.

Thank you,
Sue Barnes
1367 Parrott drive
sueabarnes@gmail.com

Sukhmani Purewal

From: luci.evanston@everyactioncustom.com on behalf of Luci Evanston
<luci.evanston@everyactioncustom.com>
Sent: Sunday, July 10, 2022 2:39 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,

Luci Evanston

752 Glenview Dr Apt 209 San Bruno, CA 94066-3706 luci.evanston@salusengineering.com

Sukhmani Purewal

From: Susan.curran@everyactioncustom.com on behalf of Susan Curran
<Susan.curran@everyactioncustom.com>
Sent: Sunday, July 10, 2022 2:41 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Susan Curran
331 2nd St Montara, CA 94037
Susan.curran@informatica.com

Sukhmani Purewal

From: DPenrose@everyactioncustom.com on behalf of DEBORAH PENROSE
<DPenrose@everyactioncustom.com>
Sent: Sunday, July 10, 2022 2:43 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property. Thank you for being mindful of the need to avoid building new homes in areas of fire danger.

Sincerely,

Deborah Penrose
Vice-Mayor Half Moon Bay, CA

Sincerely,
DEBORAH PENROSE
751 Kelly St Half Moon Bay, CA 94019-1918 DPenrose@hmbcity.com

Sukhmani Purewal

From: mtedesco@everyactioncustom.com on behalf of Marti tedesco
<mtedesco@everyactioncustom.com>
Sent: Sunday, July 10, 2022 2:43 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,

Marti tedesco

350 La Mesa Dr Portola Valley, CA 94028-7514 mtedesco@openspacetrust.org

Sukhmani Purewal

From: lisamunro@everyactioncustom.com on behalf of Lisa Munro <lisamunro@everyactioncustom.com>
Sent: Sunday, July 10, 2022 2:45 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,

Lisa Munro

551 Fremont Ave Los Altos, CA 94024-4863 lisamunro@kpmg.com

Sukhmani Purewal

From: lisawong@everyactioncustom.com on behalf of Lisa WONG <lisawong@everyactioncustom.com>
Sent: Sunday, July 10, 2022 2:45 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,

Lisa WONG

455 E Grand Ave South San Francisco, CA 94080-6225 lisawong@gene.com

Sukhmani Purewal

From: moises@everyactioncustom.com on behalf of Moises Mena <moises@everyactioncustom.com>
Sent: Sunday, July 10, 2022 2:35 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Moises Mena
1 Stadler Dr Woodside, CA 94062-4810
moises@greenfoothills.org

Sukhmani Purewal

From: mudge.schink@everyactioncustom.com on behalf of Margaret Schink
<mudge.schink@everyactioncustom.com>
Sent: Sunday, July 10, 2022 2:47 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Margaret Schink
2 Horseshoe Bnd Portola Valley, CA 94028-8019 mudge.schink@me.com

Sukhmani Purewal

From: suebishop924@everyactioncustom.com on behalf of Sue Bishop <suebishop924@everyactioncustom.com>
Sent: Sunday, July 10, 2022 2:48 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Not appropriate land use. Beware of the Zmay project. Think more deeply before you act and prevent danger of fire and landslides.

Thank you for your attention to this matter!

Sincerely ,
Sue Bishop
San Mateo County resident

Sincerely,
Sue Bishop
2378 Branner Dr Menlo Park, CA 94025-6304 suebishop924@gmail.com

Sukhmani Purewal

From: lisawong7@everyactioncustom.com on behalf of Lisa Wong <lisawong7@everyactioncustom.com>
Sent: Sunday, July 10, 2022 2:48 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Lisa Wong
1000 Davit Ln Redwood City, CA 94065-2217 lisawong7@gmail.com

Sukhmani Purewal

From: bill@everyactioncustom.com on behalf of William Korbholz <bill@everyactioncustom.com>
Sent: Sunday, July 10, 2022 2:49 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
William Korbholz
640 Lakemead Way Emerald Hills, CA 94062-3921 bill@korby.com

Sukhmani Purewal

From: wcleikam@everyactioncustom.com on behalf of Bill Leikam <wcleikam@everyactioncustom.com>
Sent: Sunday, July 10, 2022 2:50 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

I know this property first hand and I know how steep those slopes truly are. That is no place for any family to be living. Would you buy one of those properties and have your family living there?

Bill Leikam
CEO and Co-founder
Urban Wildlife Research Project

Sincerely,
Bill Leikam
4318 Collins Ct Apt 9 Mountain View, CA 94040-1197 wcleikam@gmail.com

Sukhmani Purewal

From: judithamurphy@everyactioncustom.com on behalf of Judith Murphy
<judithamurphy@everyactioncustom.com>
Sent: Sunday, July 10, 2022 2:52 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

I am a 32 year resident of San Mateo County.

Please uphold the unanimous decision of the Planning Commission to deny the proposed Zmay subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,

Judith Murphy

8 Portola Green Cir Portola Valley, CA 94028-7833 judithamurphy@prodigy.net

Sukhmani Purewal

From: mhmcmahon240@everyactioncustom.com on behalf of Mary-Helen McMahon <mhmcmahon240@everyactioncustom.com>
Sent: Sunday, July 10, 2022 3:00 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

The board has a duty to keep building in the county safe from the effects of climate change, all of which will continue to get worse. Please uphold the unanimous and well thought out decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,

Mary-Helen McMahon

215 Clarendon Rd Burlingame, CA 94010-2803 mhmcmahon240@gmail.com

Sukhmani Purewal

From: deancisco@everyactioncustom.com on behalf of Judith Dean <deancisco@everyactioncustom.com>
Sent: Sunday, July 10, 2022 3:04 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property. We do not need to increase the stock of housing in risky areas. Our first responders are already stretched thin.

Sincerely,
Judith Dean
2070 Mills Ave Menlo Park, CA 94025-5945 deancisco@hotmail.com

Sukhmani Purewal

From: jmbrinck@everyactioncustom.com on behalf of Julia Brinckloe <jmbrinck@everyactioncustom.com>
Sent: Sunday, July 10, 2022 3:07 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Poor soil, prolonged drought and a vulnerable hillside location make this subdivision a plan guaranteed fail.

Mr. President and Members of the Board, I respectfully urge you to deny the proposed subdivision and seek a more environmentally and geographically viable location.

Thank you,

V/R,

Julia M. Brinckloe

Sincerely,
Julia Brinckloe
417 7th St Montara, CA 94037
jmbrinck@comcast.net

Sukhmani Purewal

From: wendyh17@everyactioncustom.com on behalf of Wendy Hafkenschiel <wendyh17@everyactioncustom.com>
Sent: Sunday, July 10, 2022 3:07 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Wendy Hafkenschiel
1100 Westridge Dr La Honda, CA 94020
wendyh17@gmail.com

Sukhmani Purewal

From: karenzamel@everyactioncustom.com on behalf of karen zamel
<karenzamel@everyactioncustom.com>
Sent: Sunday, July 10, 2022 3:08 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

I live in Redwood City and I request the following: Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
karen zamel
2690 Goodwin Ave Redwood City, CA 94061-2520 karenzamel@gmail.com

Sukhmani Purewal

From: mikevernazza@everyactioncustom.com on behalf of Michael Vernazza
<mikevernazza@everyactioncustom.com>
Sent: Sunday, July 10, 2022 3:11 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Michael Vernazza
1503 Adobe Dr Pacifica, CA 94044-4118
mikevernazza@gmail.com

Sukhmani Purewal

From: bcjmoore@everyactioncustom.com on behalf of Barrie Moore <bcjmoore@everyactioncustom.com>
Sent: Sunday, July 10, 2022 3:12 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Climate change is increasing our risk of wildfire and landslides. The dangers to our emergency workers and the costs to our community can be reduced if we are smarter about where we allow new construction. Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Barrie Moore
178 Fulton St Redwood City, CA 94062-1623 bcjmoore@yahoo.com

Sukhmani Purewal

From: ishka@everyactioncustom.com on behalf of Kathleen Ashley <ishka@everyactioncustom.com>
Sent: Sunday, July 10, 2022 3:18 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Are you money hungry, nuts or both?

Sincerely,
Kathleen Ashley
2673 Carolina Ave Redwood City, CA 94061-3242 ishka@earthlink.net

Sukhmani Purewal

From: bawsum@everyactioncustom.com on behalf of LORI McBride <bawsum@everyactioncustom.com>
Sent: Sunday, July 10, 2022 3:19 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
LORI McBride
514 Oak Park Way Emerald Hills, CA 94062-4038 bawsum@aol.com

Sukhmani Purewal

From: therapy650@everyactioncustom.com on behalf of Claudette Bergman Rosenberg <therapy650@everyactioncustom.com>
Sent: Sunday, July 10, 2022 3:20 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Claudette Bergman Rosenberg
PO Box 620462 Woodside, CA 94062-0462
therapy650@yahoo.com

Sukhmani Purewal

From: marcy@everyactioncustom.com on behalf of Marcy Amato <marcy@everyactioncustom.com>
Sent: Sunday, July 10, 2022 3:29 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Thank you,

Marcy Amato

Sincerely,

Marcy Amato

175 Ocean Blvd Half Moon Bay, CA 94019-4042 marcy@htecompany.com

Sukhmani Purewal

From: mdelay@everyactioncustom.com on behalf of Michael Delay <mdelay@everyactioncustom.com>
Sent: Sunday, July 10, 2022 3:29 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Michael Delay
305 Tadley Ct Redwood City, CA 94061-4304 mdelay@sbcglobal.net

Sukhmani Purewal

From: mdelay@everyactioncustom.com on behalf of Michael Delay <mdelay@everyactioncustom.com>
Sent: Sunday, July 10, 2022 3:29 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Michael Delay
305 Tadley Ct Redwood City, CA 94061-4304 mdelay@sbcglobal.net

Sukhmani Purewal

From: nwouk@everyactioncustom.com on behalf of Nina Wouk <nwouk@everyactioncustom.com>
Sent: Sunday, July 10, 2022 3:32 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

We are already too rich in fire hazards. Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property. Hold that line!

Sincerely,

Nina Wouk

1259 El Camino Real Menlo Park, CA 94025-4208 nwouk@ix.netcom.com

Sukhmani Purewal

From: certifiedhypnotist@everyactioncustom.com on behalf of Gail Sredanovic
<certifiedhypnotist@everyactioncustom.com>
Sent: Sunday, July 10, 2022 3:36 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property. We have seen what happens when common sense is ignored.

Protect the public and real estate clients as well by denying permission for the zmay project.

Gail Sredanovic

Sincerely,

Gail Sredanovic

2161 Ashton Ave Menlo Park, CA 94025-6501 certifiedhypnotist@yahoo.com

Sukhmani Purewal

From: yueshenz@everyactioncustom.com on behalf of Shelly Zhong <yueshenz@everyactioncustom.com>
Sent: Sunday, July 10, 2022 3:36 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Shelly Zhong
2256 Hendy Ln San Jose, CA 95124-4415
yueshenz@gene.com

Sukhmani Purewal

From: elainetj@everyactioncustom.com on behalf of Elaine Jungleib <elainetj@everyactioncustom.com>
Sent: Sunday, July 10, 2022 3:36 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed Zmay subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property. You've already ruled on this, stick to your decision!

Thank you,
Elaine Taylor Jungleib

Sincerely,
Elaine Jungleib
33 Tintern Ln Portola Valley, CA 94028-7650 elainetj@comcast.net

Sukhmani Purewal

From: christinepielenz@everyactioncustom.com on behalf of Christine Pielenz
<christinepielenz@everyactioncustom.com>
Sent: Sunday, July 10, 2022 3:43 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,

Christine Pielenz

1045 Tunitas Creek Rd Half Moon Bay, CA 94019-6201 christinepielenz@icloud.com

Sukhmani Purewal

From: Vallemar58@everyactioncustom.com on behalf of Laurie Goldberg <Vallemar58@everyactioncustom.com>
Sent: Sunday, July 10, 2022 3:52 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Our hills are valuable. Not every hill needs to be built on, especially when it is unstable land.

We have plenty of houses, but not enough open space and are not built on hills.

No to this development,

Sincerely,

Laurie Goldberg
Item no 7 on agenda

Sincerely,
Laurie Goldberg
108 Vallecito Ln Pacifica, CA 94044-3166 Vallemar58@sbcglobal.net

Sukhmani Purewal

From: L8428@everyactioncustom.com on behalf of Linda Ciotti <L8428@everyactioncustom.com>
Sent: Sunday, July 10, 2022 3:53 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property. In these extraordinary times of climate change crisis for the world, every community needs to ensure that all of its residents are protected from irresponsible decisions being made to promote development in areas that are identified as being hazardous. Such irresponsible decisions place residents and personal property at high risk of loss and death and one needs to ask the question is the greed of development worth the loss of life and personal property?

Sincerely,
Linda Ciotti
101 14th St Montara, CA 94037
L8428@aol.com

Sukhmani Purewal

From: adecarli009@everyactioncustom.com on behalf of Anne DeCarli <adecarli009@everyactioncustom.com>
Sent: Sunday, July 10, 2022 3:53 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,

Anne DeCarli

485 Woodside Rd Apt 3214 Redwood City, CA 94061-3868 adecarli009@gmail.com

Sukhmani Purewal

From: alice@everyactioncustom.com on behalf of ALICE SCHENK <alice@everyactioncustom.com>
Sent: Sunday, July 10, 2022 3:53 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property. It would be very foolish and immoral to allow development in fire prone areas. Please deny!!

Sincerely,
ALICE SCHENK
955 Westridge Dr Portola Valley, CA 94028-7336 alice@docc.com

Sukhmani Purewal

From: nanzo@everyactioncustom.com on behalf of Nancy Reyerling <nanzo@everyactioncustom.com>
Sent: Sunday, July 10, 2022 3:55 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Nancy Reyerling
1820 Portola Rd Woodside, CA 94062-1229 nanzo@stanfordalumni.org

Sukhmani Purewal

From: judydowning@everyactioncustom.com on behalf of Judith Downing
<judydowning@everyactioncustom.com>
Sent: Sunday, July 10, 2022 3:57 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property. I would feel very guilty if I voted to build in this area and homes, people, and first responders were injured or died. Continued to deny this proposed subdivision.

Sincerely Judy Downing

Sincerely,

Judith Downing

1809 Ray Dr Burlingame, CA 94010-4667

judydowning@sbcglobal.net

Sukhmani Purewal

From: L.drouin@everyactioncustom.com on behalf of Lisane Drouin <L.drouin@everyactioncustom.com>
Sent: Sunday, July 10, 2022 3:58 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Brush fired in canyons in Belmont, fires in Woodside and unincorporated hills of San Carlos and Redwood City already - why take this risk ? More homes in unsafe territory are not worth the risk.

Sincerely,
Lisane Drouin
167 F St Redwood City, CA 94063-1069
L.drouin@live.com

Sukhmani Purewal

From: rtcrow@everyactioncustom.com on behalf of Robert Crow <rtcrow@everyactioncustom.com>
Sent: Sunday, July 10, 2022 4:04 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the Planning Commission's decision to deny the proposed subdivision. Analysis has shown that there are unacceptable risks from landslides, wildfires and destruction of wildlife habitat. Development should occur where such risks are acceptable.

Sincerely,
Robert Crow
1512 La Mesa Ln Burlingame, CA 94010-5973 rtcrow@comcast.net

Sukhmani Purewal

From: vogtstamps@everyactioncustom.com on behalf of Pam Vogt
<vogtstamps@everyactioncustom.com>
Sent: Sunday, July 10, 2022 4:08 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Pam Vogt
1301 Broadway Burlingame, CA 94010-3425 vogtstamps@aol.com

Sukhmani Purewal

From: ramos.april@everyactioncustom.com on behalf of April Ramos
<ramos.april@everyactioncustom.com>
Sent: Sunday, July 10, 2022 4:08 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
April Ramos
205 Miramontes Ave Half Moon Bay, CA 94019-1890 ramos.april@gmail.com

Sukhmani Purewal

From: Ramos.april@everyactioncustom.com on behalf of April Ramos
<Ramos.april@everyactioncustom.com>
Sent: Sunday, July 10, 2022 4:10 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
April Ramos
205 Miramontes Ave Half Moon Bay, CA 94019-1890 Ramos.april@gmail.com

Sukhmani Purewal

From: johnmatt@everyactioncustom.com on behalf of John F. Matthews II
<johnmatt@everyactioncustom.com>
Sent: Sunday, July 10, 2022 4:18 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Dear members of the County Board of Supervisors,

Please uphold the San Mateo County Planning Commission's unanimous decision and do not approve development on the most hazardous areas of the "Zmay" property.

Thank you,

John F. Matthews II
Resident of San Mateo County since August 1963.

Sincerely,
John F. Matthews II
8 Aliso Way Portola Valley, CA 94028-7527 johnmatt@comcast.net

Sukhmani Purewal

From: jeans_mp@everyactioncustom.com on behalf of Jean M Covell
<jeans_mp@everyactioncustom.com>
Sent: Sunday, July 10, 2022 4:23 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Jean M Covell
1160 Cloud Ave Menlo Park, CA 94025-6006 jeans_mp@yahoo.com

Sukhmani Purewal

From: peggyhennessee@everyactioncustom.com on behalf of Peggy Hennessee
<peggyhennessee@everyactioncustom.com>
Sent: Sunday, July 10, 2022 4:45 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please be as wise as the Planning Commission Members and uphold their unanimous decision to deny the proposed subdivision. The risks to people and property are too great and there are other less hazardous areas for the three new lots on this property.

Thank you.

Sincerely,
Peggy Hennessee
560 Lincoln Ave Los Altos, CA 94022-3525 peggyhennessee@gmail.com

Sukhmani Purewal

From: carolsontag@everyactioncustom.com on behalf of Carol Sontag
<carolsontag@everyactioncustom.com>
Sent: Sunday, July 10, 2022 4:52 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property. We cannot go backwards in protecting our open space areas that are not suitable for development

Sincerely,
Carol Sontag
280 Golden Oak Dr Portola Valley, CA 94028-7758 carolsontag@sbcglobal.net

Sukhmani Purewal

From: Paul Saffo <paul@saffo.com>
Sent: Sunday, July 10, 2022 4:53 PM
To: CMO_BoardFeedback
Subject: Item 7, July 12 agenda: Please uphold the denial of the "Zmay" subdivision

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Re: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

Dear Board Members,

I am writing to urge you to **uphold** the Planning Commission's **denial** of the above-referenced ("Amay") subdivision.

I have lived near this property for over two decades and am intimately familiar with the fire and geotechnical risks in Crystal Springs Canyon.

The subdivision as proposed would create obvious and extreme risks to life and property.

Moreover, if allowed, the development as proposed would likely create long-term costs and liabilities for the county.

Again, I urge you to deny the appeal and affirm the Planning Commission's unanimous decision to deny the subdivision.

Sincerely,
Paul Saffo
65 Glenbrook Drive
Hillsborough, CA 94010



Paul Saffo
w: 650.426.8073 m: 650.519.7888
paul@saffo.com www.saffo.com

Sukhmani Purewal

From: Margaret@everyactioncustom.com on behalf of Margaret MacNiven
<Margaret@everyactioncustom.com>
Sent: Sunday, July 10, 2022 5:06 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property. The pretty view is great until there's a fire or some other emergency situation such as a landslide or flood, which will happen!

Thank you,

Sincerely,

Margaret MacNiven

22400 Skyline Blvd Apt 17 La Honda, CA 94020-9797 Margaret@buckswoodside.com

Sukhmani Purewal

From: barbara.kelsey@everyactioncustom.com on behalf of Barbara Kelsey
<barbara.kelsey@everyactioncustom.com>
Sent: Sunday, July 10, 2022 5:13 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property. I grew up in this area and I am very familiar with the challenges of the surrounding property.

Sincerely,

Barbara Kelsey

816 N Delaware St Apt 407 San Mateo, CA 94401-1519 barbara.kelsey@sierraclub.org

Sukhmani Purewal

From: smalllittlet@everyactioncustom.com on behalf of Tania Leung
<smalllittlet@everyactioncustom.com>
Sent: Sunday, July 10, 2022 5:18 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

This is Resource management zoning for open spaces not a multifamily zoning. There are landslides, failing sewer, fire risk. As Commissioner Hanson said, "It is a concoction of everything you have thrown at it except for nuclear waste." Do not make this big mistake Supervisors. Concerns are from residents from Daly City-South San Francisco all the way down to Pescadero, Portola Valley and from Half Moon Bay to Menlo Park and East Palo Alto.

Sincerely,
Tania Leung
1127 Parrott Dr San Mateo, CA 94402-3626 smalllittlet@yahoo.com

Sukhmani Purewal

From: kmadsen728@everyactioncustom.com on behalf of Karen Madsen <kmadsen728@everyactioncustom.com>
Sent: Sunday, July 10, 2022 5:19 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Karen Madsen
1015 Tamarind St Montara, CA 94037
kmadsen728@gmail.com

Sukhmani Purewal

From: gwork@everyactioncustom.com on behalf of Gail Work <gwork@everyactioncustom.com>
Sent: Sunday, July 10, 2022 5:24 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Building in the Wildland-Urban-Interface zone will increase risks for the county, this is an unwise development site. Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Gail Work
22400 Skyline Blvd Apt 18 La Honda, CA 94020-9797 gwork@oneearthventures.com

Sukhmani Purewal

From: jglaplante@everyactioncustom.com on behalf of James LaPlante
<jglaplante@everyactioncustom.com>
Sent: Sunday, July 10, 2022 5:27 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
James LaPlante
345 La Cuesta Dr Portola Valley, CA 94028-7534 jglaplante@yahoo.com

Sukhmani Purewal

From: bobsellwest@everyactioncustom.com on behalf of Robert Rogers
<bobsellwest@everyactioncustom.com>
Sent: Sunday, July 10, 2022 5:44 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Robert Rogers
216 Garcia Ave Half Moon Bay, CA 94019-1800 bobsellwest@gmail.com

Sukhmani Purewal

From: lpreiser@everyactioncustom.com on behalf of Larry Preiser <lpreiser@everyactioncustom.com>
Sent: Sunday, July 10, 2022 5:49 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Larry Preiser
1351 Parrott Dr San Mateo, CA 94402-3630 lpreiser@hotmail.com

Sukhmani Purewal

From: onnoleet@everyactioncustom.com on behalf of Onnolee Trapp
<onnoleet@everyactioncustom.com>
Sent: Sunday, July 10, 2022 5:51 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

I know from sitting on a jury for a trial that lasted five months in 1974 that the properties in this neighborhood are susceptible to landslide; we now have the additional danger of rapidly burning fire on those same steep slopes. No homeowner should be exposed to these risks. The "May" subdivision should be denied.

Sincerely,

Onnolee Trapp

501 Portola Rd Apt 8143 Portola Valley, CA 94028-8629 onnoleet@sbcglobal.net

Sukhmani Purewal

From: diamond@everyactioncustom.com on behalf of Stephen Diamond
<diamond@everyactioncustom.com>
Sent: Sunday, July 10, 2022 5:57 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

I am writing to implore you to uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great.

In July 2021, the San Mateo County Planning Commission unanimously denied the Zmay subdivision. The property is located on steep, landslide-prone slopes that are extremely challenging to develop and would expose future residents to extraordinary hazards from landslides and catastrophic wildfire.

This 60-acre parcel in the San Mateo Highlands-Baywood Park area is also designated as a "Very High Fire Severity Zone" – the state's highest category of risk. The Resource Management zoning of this property prohibits development in areas deemed unsuitable for reason of exposure to fire, susceptibility to landslides, or other features harmful to the health, safety, and welfare of future residents, other property owners, or the community at large.

The Planning Commission determined that the proposed location of the three new home sites atop extremely steep slopes at greatest vulnerability to landslides and wildfire is inconsistent with the Resource Management zoning and County Subdivision regulations. The Planning Commission's well-considered denial has been appealed by the project owners/applicant to the Board of Supervisors.

There are less hazardous areas at the bottom of the Zmay property where the owners/applicants have already built one home and could build others.

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision.

Sincerely,
Stephen Diamond

Sincerely,
Stephen Diamond
2028 New Brunswick Dr San Mateo, CA 94402-4013 diamond@picosoft.com

Sukhmani Purewal

From: karenaifeh@everyactioncustom.com on behalf of Karen Naifeh
<karenaifeh@everyactioncustom.com>
Sent: Sunday, July 10, 2022 6:00 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Wild areas near homes are at extremely high risk of succumbing to wildfires, taking peoples' propertis and lives with them. Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; in addition, there are other less hazardous areas for the three new lots on this property which could be used.

Sincerely,

Karen Naifeh

2059 New Brunswick Dr San Mateo, CA 94402-4043 karenaifeh@sbcglobal.net

Sukhmani Purewal

From: kathy@everyactioncustom.com on behalf of Katherine Korbholz <kathy@everyactioncustom.com>
Sent: Sunday, July 10, 2022 6:14 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Katherine Korbholz
640 Lakemead Way Emerald Hills, CA 94062-3921 kathy@korby.com

Sukhmani Purewal

From: devraharris@everyactioncustom.com on behalf of Devra Harris
<devraharris@everyactioncustom.com>
Sent: Sunday, July 10, 2022 6:14 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Devra Harris
MCLELLAN San Mateo, CA 94403
devraharris@comcast.net

Sukhmani Purewal

From: cekcrow@everyactioncustom.com on behalf of Carolyn Crow <cekcrow@everyactioncustom.com>
Sent: Sunday, July 10, 2022 6:33 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Climate change will continue to bring more severe droughts, increased intensity of storm events, flooding, and landslides, as well as uncontrollable, devastating wildfires. All of these extremes are widely acknowledged as part of "California's New Normal". The 2020 CZU Lightning Complex Wildfire burned 86,000 acres and destroyed 911 homes in San Mateo and Santa Cruz Counties.

The County Board of Supervisors has taken the lead to address increased risks from climate change. The Supervisors now have a golden opportunity to demonstrate their commitment to the county's "climate ready strategies" in this real life, consequential land use decision. We can't — and shouldn't — go back to business as usual when it comes to safety of people and homes under California's New Normal.

Sincerely,
Carolyn Crow
1512 La Mesa Ln Burlingame, CA 94010-5973 cekcrow@comcast.net

Sukhmani Purewal

From: bcpurcell@everyactioncustom.com on behalf of Brandon Purcell
<bcpurcell@everyactioncustom.com>
Sent: Sunday, July 10, 2022 6:42 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

If you care at all about the citizens of this county, you should unanimously reject the proposal to develop this plat of land.

I live across from the Ascension Heights development that the Planning Commission greenlit before my wife and I moved to the area and have experienced firsthand the consequences of that catastrophic mistake. The houses and foundations around the site are cracking, several homes have experienced flooding, and our children are breathing in the dust that is constantly swirling and coating our homes, cars, and lungs. Trash constantly blows off the site onto our properties.

And I regularly find workers' cigarette butts on our property and in the street which is incredibly concerning since as you know the entire state is a tinderbox.

Don't make the same mistake twice. Show that you care about the people you're supposed to serve and deny this unsafe project.

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Brandon Purcell
1438 Bel Aire Rd San Mateo, CA 94402-3618 bcpurcell@gmail.com

Sukhmani Purewal

From: brandon purcell <bcpurcell@gmail.com>
Sent: Sunday, July 10, 2022 6:44 PM
To: CMO_BoardFeedback; parrottdrivecommunity@gmail.com
Subject: Commenting on Board of Supervisors 7/12/22 Agenda: Z Enterprises Filee # PLN2014-00410, Assessors Parcel No 038131110

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Commenting on Board of Supervisors 7/12/22 Agenda: Z Enterprises Filee # PLN2014-00410, Assessors Parcel No 038131110

If you care at all about the citizens of this county, you should unanimously reject the proposal to develop this plat of land.

I live across from the Ascension Heights development that the Planning Commission greenlit before my wife and I moved to the area and have experienced firsthand the consequences of that catastrophic mistake. The houses and foundations around the site are cracking, several homes have experienced flooding, and our children are breathing in the dust that is constantly swirling and coating our homes, cars, and lungs. Trash constantly blows off the site onto our properties.

And I regularly find workers' cigarette butts on our property and in the street which is incredibly concerning since as you know the entire state is a tinderbox.

Don't make the same mistake twice. Show that you care about the people you're supposed to serve and deny this unsafe project.

-Brandon Purcell

Sukhmani Purewal

From: tomerc@everyactioncustom.com on behalf of Kristin Mercer <tomerc@everyactioncustom.com>
Sent: Sunday, July 10, 2022 6:51 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

This project was a bad idea from the start and it has not gotten any better.

Building on high severity wildfire zones is shortsighted. Expecting to waste water to address that hazard is even worse. Nothing about this parcel has changed - it's still just feet from in an active fault zone on an unsustainable slope and should not be allowed to endanger the public or neighbors. The owner has other options that must be considered first.

Neighbors and residents of San Mateo County should not be expected to subsidize this indulgent project with valuable water and fire department resources.

As a former 3-term planning commissioner in neighboring Belmont I am very familiar with the geography of these canyons. Belmont has mapped dozens of instability zones in San Juan and Hidden Canyon, just 1 mile away and on similar geography. Belmont has wisely banned development on these slopes to reduce public safety hazards and liability exposure.

Sincerely,

Kristin Mercer

2535 Somerset Dr Belmont, CA 94002-2925 tomerc@comcast.net

Sukhmani Purewal

From: pandagolf@everyactioncustom.com on behalf of Judy Horst <pandagolf@everyactioncustom.com>
Sent: Sunday, July 10, 2022 6:57 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision on the Zmay property. Don't approve development on the most hazardous areas of the Zmay property.

The risks to people and property are too great, and there are other less hazardous areas for the three new lots on this property.

Sincerely,
Judy Horst
945 Peninsula Way Menlo Park, CA 94025-2357 pandagolf@aol.com

Sukhmani Purewal

From: kristilcorley@everyactioncustom.com on behalf of Kristi Corley
<kristilcorley@everyactioncustom.com>
Sent: Sunday, July 10, 2022 6:58 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,

Kristi Corley

15 Golden Oak Dr Portola Valley, CA 94028-7909 kristilcorley@gmail.com

Sukhmani Purewal

From: steinwede@everyactioncustom.com on behalf of Brad Steinwede
<steinwede@everyactioncustom.com>
Sent: Sunday, July 10, 2022 7:03 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Why would the Board of Supervisors even consider changing the unanimous decision of the Planning Commission for development of the proposed Zmay subdivision where risks to people and property are too great; there are other less hazardous areas for the three new lots on this property. I trust you to uphold the decision of the Planning Commission to deny this new subdivision.

Sincerely,

Brad Steinwede

2801 Champs Elysee Blvd Half Moon Bay, CA 94019-1485 steinwede@mac.com

Sukhmani Purewal

From: Avdoherty13@everyactioncustom.com on behalf of Annette Doherty <Avdoherty13@everyactioncustom.com>
Sent: Sunday, July 10, 2022 7:23 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property. Too dangerous and irresponsible.

Sincerely,
Annette Doherty
1623 Mcdonald Way Burlingame, CA 94010-4651 Avdoherty13@gmail.com

Sukhmani Purewal

From: wotan@everyactioncustom.com on behalf of Heide Hennen <wotan@everyactioncustom.com>
Sent: Sunday, July 10, 2022 7:24 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

I am asking that you uphold the unanimous decision of the Planning Commission to deny the proposed subdivision.

As you know the project's steep, densely vegetated slopes are highly vulnerable to catastrophic wildfire and this area is designated as Very High Fire Severity Zone.

The risks to both people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Heide Hennen
2030 Queens Ln San Mateo, CA 94402-3931 wotan@msn.com

Sukhmani Purewal

From: halpern.wendy@everyactioncustom.com on behalf of Wendy Halpern
<halpern.wendy@everyactioncustom.com>
Sent: Sunday, July 10, 2022 7:30 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property, including existing developed lots below the proposed sites, are too great. There are other less hazardous areas for the three new lots on this property. Thoughtful and appropriate development is critical for our county to manage property value, the existing housing shortage, and the immediate and imminent threats from climate change.

Sincerely,
Wendy Halpern
940 Walnut St San Carlos, CA 94070-3925 halpern.wendy@gene.com

Sukhmani Purewal

From: noaleeh@everyactioncustom.com on behalf of Noa Holtzman <noaleeh@everyactioncustom.com>
Sent: Sunday, July 10, 2022 7:31 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

I grew up on Parrott drive, across the street from the stretch on which the houses are being proposed. When I was eight, the hill behind our house landslided; large trees came centimeters from taking out the wall I was sleeping next too. The pictures are available should you wish; the risk to my life and my parents' was very real. My parents, who still live at the house, have put enormous time and money into making sure the hill on our property is not a landslide risk again. Now it is being proposed that there are buildings across from them, where another landslide could take out the road or even their home. My parents work hard to plant drought-safe plants; to tend their property by clearing any hazards and keeping a perimeter to reduce fire danger; to keep their hill stable; to help their neighbors do the same. They don't oppose development in general or increasing much-needed housing in the area. Given that there is flatter, usable land that won't increase the danger to the area, it seems only reasonable that that land be chosen. After all, with the San Carlos fire just a couple of weeks back and our days of orange skies, it would be unwise to increase fire risk or landslide risk at climate change creeps its very real risk into the Peninsula's area.

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Noa Holtzman
1669 Wolfe Dr San Mateo, CA 94402-2618
noaleeh@gmail.com

Sukhmani Purewal

From: kevman8@everyactioncustom.com on behalf of Kevin Manalili <kevman8@everyactioncustom.com>
Sent: Sunday, July 10, 2022 7:41 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Kevin Manalili
1852 Parrott Dr San Mateo, CA 94402-3739 kevman8@aol.com

Sukhmani Purewal

From: minneyrain@everyactioncustom.com on behalf of K Gonzales
<minneyrain@everyactioncustom.com>
Sent: Sunday, July 10, 2022 7:47 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

I whole heartily agree with the above statement. Again, please let's be smart and actually make a decision on what is truly good for the property owners living on Parrott Drive, those driving and walking on Parrott Drive, animals and property. This area is not safe to build on. Not to mention, fire danger, heavy traffic on streets (dump trucks), noise, dust, etc. I find this is already going on in the property by the large green water tank. What a mess that is! And, what about earthquakes....! No need to destroy every little bit of land there is left here!

Sincerely,
K Gonzales
1251 Parrott Dr San Mateo, CA 94402-3628 minneyrain@aol.com

Sukhmani Purewal

From: gboro4734@everyactioncustom.com on behalf of Gregory Boro <gboro4734@everyactioncustom.com>
Sent: Sunday, July 10, 2022 7:57 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Gregory Boro
2020 Mezes Ave Belmont, CA 94002-1745
gboro4734@gmail.com

Sukhmani Purewal

From: Jworrall@everyactioncustom.com on behalf of Judith Worrall <Jworrall@everyactioncustom.com>
Sent: Sunday, July 10, 2022 8:00 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the Planning Commission's unanimous decision: this would mean that you do not approve development on the most hazardous areas of the "Zmay" property. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Thank you for considering this request: the future will thank you for your denial.

Sincerely,

Judith Worrall

642 Johnston St Half Moon Bay, CA 94019-1983 Jworrall@nuevaschool.org

Sukhmani Purewal

From: susanlessin@everyactioncustom.com on behalf of Susan Lessin
<susanlessin@everyactioncustom.com>
Sent: Sunday, July 10, 2022 8:13 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Susan Lessin
820 Sea Spray Ln Apt 301 Foster City, CA 94404-2449 susanlessin@comcast.net

Sukhmani Purewal

From: teacherbarbara132@everyactioncustom.com on behalf of Barbara and Steve Mikulic
<teacherbarbara132@everyactioncustom.com>
Sent: Sunday, July 10, 2022 8:20 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Barbara and Steve Mikulic
132 Csm Dr San Mateo, CA 94402-3601
teacherbarbara132@sbcglobal.net

Sukhmani Purewal

From: donald.r.nagle@everyactioncustom.com on behalf of Donald Nagle
<donald.r.nagle@everyactioncustom.com>
Sent: Sunday, July 10, 2022 8:23 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

I live nearby, and walk by the hillside regularly. It is so steep, and there are flatter sections closer to the bottom of the property.

Upholding the decision, and directing the Planning Department to work with the applicant to find less hazardous sites at the bottom of the property, seems common sense in this case. You wouldn't be telling the Zmays "NO"; you would be telling them to find a better, safer location elsewhere on their very large property.

Sincerely,

Donald Nagle

1538 Parrott Dr San Mateo, CA 94402-3605 donald.r.nagle@gmail.com

Sukhmani Purewal

From: hendricks.angelat@everyactioncustom.com on behalf of Angela Hendricks
<hendricks.angelat@everyactioncustom.com>
Sent: Sunday, July 10, 2022 9:16 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Angela Hendricks
176 Hillcrest Rd San Carlos, CA 94070-1951 hendricks.angelat@gmail.com

Sukhmani Purewal

From: mike@everyactioncustom.com on behalf of Mike Kahn <mike@everyactioncustom.com>
Sent: Sunday, July 10, 2022 9:32 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Mike Kahn
1439 Crespi Dr Pacifica, CA 94044-3607
mike@kahncious.net

Sukhmani Purewal

From: pinwong92@everyactioncustom.com on behalf of Pin Yee Wong <pinwong92@everyactioncustom.com>
Sent: Sunday, July 10, 2022 9:32 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

- The proposed site of the subdivision is located on very steep terrains that is highly susceptible to landslides and wild fires. Hence, development in this location would pose an extreme danger to human and wild life.
 - o This location has a history of active landslides. Residences directly across from this parcel on Parrott Drive has experienced at least 5 landslides in the last 15 years (3 in 2006, 1 in 2011, and 1 in 2018), so landslides are NOT a Perceived but an ACTUAL Danger in this location!
 - o The proposed site of the subdivision is designated VERY HIGH Fire Severity Zone, the highest designation given by CA Fire & would put future residents at this location as well as neighbors across from them and the surrounding area communities to extraordinary hazards from catastrophic wildfire(s).
 - o It is our ethical responsibility to do everything we can to protect public safety and prevent placing more people and property at risk from these KNOWN HAZARDS!!! ... especially when there are safer alternative locations within the Z-may parcel for development.
- This property was designated as Resource Management District / OPEN SPACE zoning in the County General Plan (Section 6324.6) because of its steep and hazardous slopes which "pose severe hazards to public health or safety". The design of the proposed subdivision is inconsistent with RM zoning regulations. The planning department staff report in no way demonstrates the proposed site is suitable for development as the appeal claims.

Sincerely,

Pin Yee Wong

1111 Parrott Dr San Mateo, CA 94402-3626 pinwong92@yahoo.com

Sukhmani Purewal

From: Stuart Seiff <sseiff@gmail.com>
Sent: Sunday, July 10, 2022 9:40 PM
To: CMO_BoardFeedback; parrottdrivecommunity@gmail.com; MLSeiff@aol.com
Subject: Commenting on Board of Supervisors 7/12/22 Agenda: Z Enterprises Filee # PLN2014-00410, Assessors Parcel No 038131110

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

I am writing to express my strongest opposition to the proposed development of this parcel. I am a home owner on the Parrott/Tournament block just above this parcel. We have had substantial annual land slippage measured by the city/county every year for decades. This development has been stopped year after year because of collateral damage that we will surely suffer by building on such an unsuitable site. I am shocked that the County and developer would ever begin to assume liability for increasd slippage and property damage that will likely ensue if this project goes forward. All of our concerns have been well documented. I urge a unanimous vote by the Board to finally shut this silliness down.
Stuart R. Seiff, MD

Sukhmani Purewal

From: tom_luong@everyactioncustom.com on behalf of Tom Luong
<tom_luong@everyactioncustom.com>
Sent: Sunday, July 10, 2022 10:53 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Tom Luong
1486 Parrott Dr San Mateo, CA 94402-3633 tom_luong@yahoo.com

Sukhmani Purewal

From: biolartist@everyactioncustom.com on behalf of Kathryn Hedges
<biolartist@everyactioncustom.com>
Sent: Sunday, July 10, 2022 11:11 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

I am associated with Green Foothills and support responsible infill development rather than expansion into wildfire prone areas.

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property. The unstable slope is a landslide hazard and the property is in an area with the highest level of wildfire risk.

Sincerely,
Kathryn Hedges
158 E Saint John St Apt 516 San Jose, CA 95112-5594 biolartist@gmail.com

Sukhmani Purewal

From: winholtz@everyactioncustom.com on behalf of betty winholtz <winholtz@everyactioncustom.com>
Sent: Sunday, July 10, 2022 11:21 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Though I live South of you, we have a similar issue in the City of Morro Bay. Current property owners should not have their insurance go up or eliminated because the city makes a poor zoning choice. Insurance goes up because constructing in a landslide area puts their property at risk.

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
betty winholtz
405 Acacia St Morro Bay, CA 93442-2703
winholtz@sbcglobal.net

Sukhmani Purewal

From: tara01@everyactioncustom.com on behalf of Tara Pratt <tara01@everyactioncustom.com>
Sent: Sunday, July 10, 2022 11:40 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

I hope you will uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Let common sense prevail!
Thank you.

Sincerely,
Tara Pratt
2116 Easton Dr Burlingame, CA 94010-5636 tara01@pacbell.net

Sukhmani Purewal

From: rafi@everyactioncustom.com on behalf of Raphael Holtzman <rafi@everyactioncustom.com>
Sent: Monday, July 11, 2022 1:00 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

I hope all supervisors will unanimously vote to uphold the Planning Commission denial of the proposed location. Moving the development to a safer location on this big plot will send a clear message that we need to design for fire hazards and draught in order to mitigate the effects of climate change.

Safety should be our number one concern and there are safer locations on this plot.

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,

Raphael Holtzman

1103 Parrott Dr San Mateo, CA 94402-3626 rafi@original3.com

Sukhmani Purewal

From: susiejco@everyactioncustom.com on behalf of Susie Cohen <susiejco@everyactioncustom.com>
Sent: Monday, July 11, 2022 1:00 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Susie Cohen
2 Wildwood Ln Menlo Park, CA 94025-6310 susiejco@gmail.com

Sukhmani Purewal

From: terilwolf@everyactioncustom.com on behalf of Teri Wolf <terilwolf@everyactioncustom.com>
Sent: Monday, July 11, 2022 1:00 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,

Teri Wolf

60 Sausal Dr Portola Valley, CA 94028-7920 terilwolf@gmail.com

Sukhmani Purewal

From: dianamorgan4@everyactioncustom.com on behalf of Diana Morgan-Hickey <dianamorgan4@everyactioncustom.com>
Sent: Monday, July 11, 2022 1:00 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Diana Morgan-Hickey
520 Wagman Dr San Jose, CA 95129-1856
dianamorgan4@icloud.com

Sukhmani Purewal

From: danielle.hassid@everyactioncustom.com on behalf of Danielle Hassid
<danielle.hassid@everyactioncustom.com>
Sent: Monday, July 11, 2022 3:07 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people, property and the environment are too great. Reversing this decision would go against the community members that you are elected to serve.

Sincerely,
Danielle Hassid
1090 Parrott Dr Hillsborough, CA 94010-7468 danielle.hassid@gmail.com

Sukhmani Purewal

From: gb191919gb@everyactioncustom.com on behalf of George Bourlotos
<gb191919gb@everyactioncustom.com>
Sent: Monday, July 11, 2022 3:08 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,

George Bourlotos

49 Flanders Bartley Rd Flanders, NJ 07836-4735 gb191919gb@gmail.com

Sukhmani Purewal

From: Held Messages <spamdigest@smcgov.org>
Sent: Monday, July 11, 2022 6:10 AM
To: CMO_BoardFeedback
Subject: [Postmaster] Messages on hold for boardfeedback@smcgov.org

The following messages, addressed to you, are currently on hold within the Mimecast service awaiting further action.

For further instructions on how to use the links associated with each email, please review the following points:

Release: This will release the current email On Hold to your Inbox, but future emails from this sender will still be placed On Hold

Block: Rejects the email, and adds the sender's address to your personal Block list to block future emails from this sender

Permit: Delivers the email to your Inbox, and adds the sender's address to your personal Permit list, so future emails are not put On Hold (for SPAM management policies only)

For more information on the Mimecast digest, please refer to this [article](#)

From	Subject	Date	Reason	Release	Block	Permit
bwfolks@everyactioncustom.com	Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants	2022-07-10 23:02	Spam Policy	Release	Block	Permit

Sukhmani Purewal

From: amrusso@everyactioncustom.com on behalf of Anthony Russo <amrusso@everyactioncustom.com>
Sent: Monday, July 11, 2022 6:30 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Anthony Russo
1475 Ascension Dr San Mateo, CA 94402-3646 amrusso@yahoo.com

Sukhmani Purewal

From: jsegall@everyactioncustom.com on behalf of Jeff Segall <jsegall@everyactioncustom.com>
Sent: Monday, July 11, 2022 6:36 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property. Thank you!

Sincerely,
Jeff Segall
655 California St Mountain View, CA 94041-2003 jsegall@mac.com

Sukhmani Purewal

From: medeab@everyactioncustom.com on behalf of Medea Bern <medeab@everyactioncustom.com>
Sent: Monday, July 11, 2022 6:44 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

The Planning Commission heard comments from many local people who live in the area of this proposed subdivision on the 12th of July. After due deliberation on the merits, it very wisely denied the request to build on this sensitive, potentially dangerous property. The land sits in a wildfire zone. The land is prone to slides. Any homes built here risk a fiery end, or risk ending up at the bottom of the hill. It's not worth the potential loss of life.

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. There are other, less hazardous, areas for the three new lots on this property.

Sincerely,
Medea Bern
10 Anguido Ct Hillsborough, CA 94010-7403 medeab@comcast.net

Sukhmani Purewal

From: ahofmayer@everyactioncustom.com on behalf of Arthur Hofmayer
<ahofmayer@everyactioncustom.com>
Sent: Monday, July 11, 2022 6:52 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Arthur Hofmayer
PO Box 370826 Montara, CA 94037-0826
ahofmayer@comcast.net

Sukhmani Purewal

From: cprenglish@everyactioncustom.com on behalf of Rhoda Moore
<cprenglish@everyactioncustom.com>
Sent: Monday, July 11, 2022 6:55 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Rhoda Moore
1054 Eagle Ln Foster City, CA 94404-1441 cprenglish@yahoo.com

Sukhmani Purewal

From: Janettesplace@everyactioncustom.com on behalf of Janette Rosales
<Janettesplace@everyactioncustom.com>
Sent: Monday, July 11, 2022 7:08 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Janette Rosales
620 Birch Dr Campbell, CA 95008-2108
Janettesplace@hotmail.com

Sukhmani Purewal

From: danfrancesconi@everyactioncustom.com on behalf of Lisa Bettendorf
<danfrancesconi@everyactioncustom.com>
Sent: Monday, July 11, 2022 7:19 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,

Lisa Bettendorf

2119 Hillcrest Rd Redwood City, CA 94062-3054 danfrancesconi@sbcglobal.net

Sukhmani Purewal

From: daveolson@everyactioncustom.com on behalf of Dave Olson <daveolson@everyactioncustom.com>
Sent: Monday, July 11, 2022 7:29 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision.

The reasons for denial are sound. While the wildfire risk can be mitigated, the risk to the surrounding area would still be increased.

The risk of slides, and the dependence on a repeatedly damaged sewer line are quite significant, and impact the entire slope and watershed below.

The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Dave Olson
PO Box 1506 El Granada, CA 94018-1506
daveolson@gmail.com

Sukhmani Purewal

From: andrea@everyactioncustom.com on behalf of Andrea Reid <andrea@everyactioncustom.com>
Sent: Monday, July 11, 2022 7:47 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

I live in the Santa Cruz mountains, in the town of Woodside and our "Skylonda" neighborhood was in the evacuation zone during the CZU fire in 2020. We are on constant alert, in a mode of monitoring and preparation because we know we live in this vulnerable area. Our redwood cabin is one of those built in the late 1920s but our neighborhood is not densely populated, most of our neighbors have at least an acre and many have more than 5 acres. Allowing developers to densely build on steep slopes and hillsides (of course we know that's the value - the view) is not the safe, responsible action at this point in history. It's akin to developing on a flood plain. It will cost the homeowners their property, their life-savings and possibly their lives - when that horrific flood does arrive.

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Andrea Reid
20 Medway Rd Woodside, CA 94062-2613
andrea@reid.org

Sukhmani Purewal

From: cathychadbourne@everyactioncustom.com on behalf of Cathy Chadbourne
<cathychadbourne@everyactioncustom.com>
Sent: Monday, July 11, 2022 7:51 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Thank you for your immediate attention to this matter.

Best Regards,

Cathy Chadbourne
1727 Parrott Drive
San Mateo, CA

Sincerely,
Cathy Chadbourne
1727 Parrott Dr San Mateo, CA 94402-3608 cathychadbourne@aol.com

Sukhmani Purewal

From: mwarch@everyactioncustom.com on behalf of Margaret Williams
<mwarch@everyactioncustom.com>
Sent: Monday, July 11, 2022 8:01 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

I understand the decision to deny the Zmay Subdivision is being appealed by the applicant. I would like to request that the Board of Supervisors uphold the unanimous decision of the Planning Commission and deny this appeal for the proposed subdivision. There are clear risks to people and property and there are other less hazardous areas for construction of three new lots on this property.

The Planning Commission made it clear that this is not safe and not appropriate land use or in keeping with the General Plan for Open Space and Resource Management Zoning. Also, the project would require extensive engineering to create these large homes on this site. I appreciate your consideration of my comments.

Thank you,
Margaret Williams

Sincerely,
Margaret Williams
126 14th Ave San Mateo, CA 94402-2427
mwarch@astound.net

Sukhmani Purewal

From: Rosemarie Thomas <rosemariethomas43@gmail.com>
Sent: Monday, July 11, 2022 8:13 AM
To: CMO_BoardFeedback; parrottdrivecommunity@gmail.com
Subject: Commenting on Board of Supervisors 7/12/2022 Agenda: Z Enterprises File #PLN2014-00410, Assessor's Parcel No: 038-131-110

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Again we find ourselves having to address a project that was already denied. I am not opposed to development but it must be responsible and this is not a **RESPONSIBLE PROPOSAL** - You denied this application once before and it should be again denied completely.

This project is a hazard to not only the people on Parrott Drive facing the potential project but to the entire area. As stated before the area is considered a high fire hazard area; the slide potential if allowed to go forward (and slides have happened in this area and the surrounding neighborhoods) and also puts more strain on water, sewage and traffic issues. We have already had power outages due to fire and fire conditions as well as high winds etc and with the drought situation we cannot continue to build more homes that will be using more water and put more strain on the **ALL Systems**. There is also the impact on the road leading to this project. The risks are catastrophic if this is allowed to go forward.

We are already having to deal with the project that should not have been allowed on the hillside between Parrott Drive, Laurie, Bel Aire Road and Ascension. Please act responsibly and deny this once and for all. There is really no reason to build on this site.

Thank you again for your time.

Rosemarie Thomas
1480 Bel Aire Road
San Mateo, CA 94402

Sukhmani Purewal

From: susan.larson@everyactioncustom.com on behalf of Susan Solomon
<susan.larson@everyactioncustom.com>
Sent: Monday, July 11, 2022 8:29 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Susan Solomon

Sincerely,
Susan Solomon
477 Lincoln Ct Louisville, CO 80027-2086 susan.larson@gmail.com

Sukhmani Purewal

From: nrwulf@everyactioncustom.com on behalf of Nathan Wulf <nrwulf@everyactioncustom.com>
Sent: Monday, July 11, 2022 8:46 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

My family walks along this stretch of Parrott drive daily. It is a beautiful spot to stop and ponder the beauty of the valley with Crystal Springs reservoir and the northernmost portion of the Santa Cruz Mountains, Montara Mtn in the background. We need to keep this open space free from future development.

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Thank you for your consideration.

Sincerely,
Nathan Wulf
1443 Parrott Dr San Mateo, CA 94402-3632 nrwulf@yahoo.com

Sukhmani Purewal

From: cabomail@everyactioncustom.com on behalf of Carol Cook <cabomail@everyactioncustom.com>
Sent: Monday, July 11, 2022 8:53 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Thank you for considering my comment.

Sincerely,
Carol Cook
282 La Casa Ave San Mateo, CA 94403-5015 cabomail@comcast.net

Sukhmani Purewal

From: dodge_aaron@everyactioncustom.com on behalf of Aaron Dodge
<dodge_aaron@everyactioncustom.com>
Sent: Monday, July 11, 2022 9:11 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Aaron Dodge
1668 Taylor St San Mateo, CA 94403-1131 dodge_aaron@yahoo.com

Sukhmani Purewal

From: cheyjc@everyactioncustom.com on behalf of Judy Campbell <cheyjc@everyactioncustom.com>
Sent: Monday, July 11, 2022 9:21 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

I watched my dying friend, Joanne Winters deck collapse right up to her living room years ago.....it went down the hill along with tons of earth.....HENCE THE UGLY WALL THAT THE TAX PAYERS HAD TO PAY FOR ON CRYSTAL SPRINGS ROAD.....we, in the Highlands have had ENOUGH of you SNEAKING in a few house eg. BUNKER HILL, COBBLEHILL and COWPENS. All non mid century modern totally out of character with our beloved Eichlers. Judy Campbell

Sincerely,
Judy Campbell
2012 New Brunswick Dr San Mateo, CA 94402-4013 cheyjc@aol.com

Sukhmani Purewal

From: liurosin@everyactioncustom.com on behalf of Ruoxing Liu <liurosin@everyactioncustom.com>
Sent: Monday, July 11, 2022 9:29 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Ruoxing Liu
1768 Monticello Rd San Mateo, CA 94402-4032 liurosin@gmail.com

Sukhmani Purewal

From: mariajgin@everyactioncustom.com on behalf of Maria Gin <mariajgin@everyactioncustom.com>
Sent: Monday, July 11, 2022 9:29 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,

Maria Gin

1459 Parrott Dr San Mateo, CA 94402-3632 mariajgin@gmail.com

Sukhmani Purewal

From: elliekim007@everyactioncustom.com on behalf of Ellie Kim <elliekim007@everyactioncustom.com>
Sent: Monday, July 11, 2022 9:32 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,

Ellie Kim

2268 Bunker Hill Dr San Mateo, CA 94402-3846 elliekim007@gmail.com

Sukhmani Purewal

From: sboyer79@everyactioncustom.com on behalf of Stephanie Boyer <sboyer79@everyactioncustom.com>
Sent: Monday, July 11, 2022 9:38 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Stephanie Boyer
30 Powhatan Pl San Mateo, CA 94402-4033 sboyer79@gmail.com

Sukhmani Purewal

From: chipbgoldstein@everyactioncustom.com on behalf of Chip Goldstein
<chipbgoldstein@everyactioncustom.com>
Sent: Monday, July 11, 2022 9:56 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Chip Goldstein
181 Creekside Dr Half Moon Bay, CA 94019-2348 chipbgoldstein@coastside.net

Sukhmani Purewal

From: annlambrecht9@everyactioncustom.com on behalf of Ann Lambrecht <annlambrecht9@everyactioncustom.com>
Sent: Monday, July 11, 2022 9:58 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Regarding Planning file no. PLN2014-00410: Please don't second-guess the Planning Commission; the risks are too great. There must be other, safer places for building on this property.

Sincerely,
Ann Lambrecht
181 Stanford Ave Menlo Park, CA 94025-6325 annlambrecht9@gmail.com

Sukhmani Purewal

From: dkcpa@everyactioncustom.com on behalf of David Krakower <dkcpa@everyactioncustom.com>
Sent: Monday, July 11, 2022 9:58 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
David Krakower
1410 Lexington Ave San Mateo, CA 94402-3813 dkcpa@yahoo.com

Sukhmani Purewal

From: matthewrclark1@everyactioncustom.com on behalf of MATTHEW CLARK <matthewrclark1@everyactioncustom.com>
Sent: Monday, July 11, 2022 10:11 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

re:Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

It simply must be recognized that there are locations completely inappropriate for residential or any other developments. This is certainly one of them. The Planners and Planning Commission did their very thorough analysis and found this to be true, unanimously. Respect the land and your own best advisors and do not allow this development on the steep slopes.

Sincerely,
MATTHEW CLARK
PO Box 652 El Granada, CA 94018-0652
matthewrclark1@gmail.com

Sukhmani Purewal

From: sms3600@everyactioncustom.com on behalf of Suzanne Simms <sms3600@everyactioncustom.com>
Sent: Monday, July 11, 2022 10:11 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Hello! I am emailing to strongly urge the County Board of Supervisors to uphold the Planning Commission's unanimous decision to not approve development on the most hazardous areas of the "Zmay" property.

It is unconscionable to continue to allow irresponsible building that saddles unsuspecting homeowners with known and increasing risks of expensive landslide and fire mitigation.

Do not build irresponsibly with the tax dollars we afford the county and please provide the sensible stewardship we deserve!

Sincerely,
Suzanne Simms
1879 Los Altos Dr San Mateo, CA 94402-3643 sms3600@yahoo.com

Sukhmani Purewal

From: woodardwendy@everyactioncustom.com on behalf of Wendy woodard
<woodardwendy@everyactioncustom.com>
Sent: Monday, July 11, 2022 10:15 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Wendy woodard
1367 Parrott Dr San Mateo, CA 94402-3630 woodardwendy@gmail.com

Sukhmani Purewal

From: franstott.lafarge@everyactioncustom.com on behalf of Fran Stott
<franstott.lafarge@everyactioncustom.com>
Sent: Monday, July 11, 2022 10:19 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,

Fran Stott

1592 Lexington Ave San Mateo, CA 94402-3815 franstott.lafarge@gmail.com

Sukhmani Purewal

From: jordankarsh@everyactioncustom.com on behalf of Rachel Jordan
<jordankarsh@everyactioncustom.com>
Sent: Monday, July 11, 2022 10:29 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Rachel Jordan
2233 Bunker Hill Dr San Mateo, CA 94402-3832 jordankarsh@gmail.com

Sukhmani Purewal

From: icaricia27@everyactioncustom.com on behalf of Christal Niederer <icaricia27@everyactioncustom.com>
Sent: Monday, July 11, 2022 10:30 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Christal Niederer
6272 Sager Way San Jose, CA 95123-4643
icaricia27@gmail.com

Sukhmani Purewal

From: pmartine@everyactioncustom.com on behalf of Margaret Martinez
<pmartine@everyactioncustom.com>
Sent: Monday, July 11, 2022 10:36 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Margaret Martinez
5339 Hounds Est San Jose, CA 95135-1207 pmartine@kpmg.com

Sukhmani Purewal

From: avery.allen@everyactioncustom.com on behalf of Avery Allen <avery.allen@everyactioncustom.com>
Sent: Monday, July 11, 2022 10:43 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property. Please deny this application. If the owner does not want to build where it is safe it is up to you to make the right call. Thank you,
Avery Allen

Sincerely,
Avery Allen
PO Box 128 El Granada, CA 94018-0128
avery.allen@comcast.net

Sukhmani Purewal

From: wayniedoright@everyactioncustom.com on behalf of Wayne Kung
<wayniedoright@everyactioncustom.com>
Sent: Monday, July 11, 2022 10:46 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Wayne Kung
1 Elm St Apt 104 San Carlos, CA 94070-2278 wayniedoright@gmail.com

Sukhmani Purewal

From: mchamp2@everyactioncustom.com on behalf of Miriam Champion <mchamp2@everyactioncustom.com>
Sent: Monday, July 11, 2022 10:48 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Miriam Champion
431 Grand Blvd Half Moon Bay, CA 94019-1625 mchamp2@comcast.net

Sukhmani Purewal

From: Dschumacher35@everyactioncustom.com on behalf of Darlene Schumacher <Dschumacher35@everyactioncustom.com>
Sent: Monday, July 11, 2022 10:51 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Hello, Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. With the increased fire danger throughout California , the risks to people and property are too great.

Sincerely,
Darlene Schumacher
35 E Carol Ave Burlingame, CA 94010-5232 Dschumacher35@yahoo.com

Sukhmani Purewal

From: margstan@everyactioncustom.com on behalf of Margaret Goodale
<margstan@everyactioncustom.com>
Sent: Monday, July 11, 2022 11:01 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Having had my fire insurance cancelled by three separate insurers in three consecutive years, I am particularly aware of fire danger. My current insurance is triple what it was four years ago, so it's possible to find insurance but is almost prohibitively expensive in a high fire severity area - even when not acknowledged by the city.

Sincerely,
Margaret Goodale
1135 Palou Dr Pacifica, CA 94044-4214
margstan@sbcglobal.net

Sukhmani Purewal

From: bmargolin@everyactioncustom.com on behalf of Ben Margolin
<bmargolin@everyactioncustom.com>
Sent: Monday, July 11, 2022 11:20 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Ben Margolin
1984 Ticonderoga Dr San Mateo, CA 94402-4018 bmargolin@gmail.com

Sukhmani Purewal

From: joyoaddison@everyactioncustom.com on behalf of Joy Addison
<joyoaddison@everyactioncustom.com>
Sent: Monday, July 11, 2022 11:24 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,

Joy Addison

2184 Bunker Hill Dr San Mateo, CA 94402-3853 joyoaddison@icloud.com

Sukhmani Purewal

From: rvegaandaya@everyactioncustom.com on behalf of Roxanne Andaya
<rvegaandaya@everyactioncustom.com>
Sent: Monday, July 11, 2022 11:27 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Roxanne Andaya
70 Brighton Ct Daly City, CA 94015-2848 rvegaandaya@gmail.com

Sukhmani Purewal

From: jangallagher_2000@everyactioncustom.com on behalf of Janis Gallagher <jangallagher_2000@everyactioncustom.com>
Sent: Monday, July 11, 2022 11:31 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,

Janis Gallagher

1735 Yorktown Rd San Mateo, CA 94402-4039 jangallagher_2000@yahoo.com

Sukhmani Purewal

From: 1recyclequeen@everyactioncustom.com on behalf of Merrily Robinson
<1recyclequeen@everyactioncustom.com>
Sent: Monday, July 11, 2022 11:33 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Merrily Robinson
952 Ruby St Redwood City, CA 94061-1430 1recyclequeen@gmail.com

Sukhmani Purewal

From: mnlarenas@everyactioncustom.com on behalf of Mary Larenas
<mnlarenas@everyactioncustom.com>
Sent: Monday, July 11, 2022 11:39 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

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Dear Board of Supervisors,

July 11, 2022

BOARD OF SUPERVISORS

DISTRICT 1: Dave Pine

DISTRICT 2: Carole Groom

DISTRICT 3: Don Horsley

DISTRICT 4: Warren Slocum

DISTRICT 5: David J. Canepa

Regarding: "Zmay" property, request the Board to uphold the Planning Commission's denial of a Minor Subdivision, Grading Permit, and Resource Management Permit for a proposed 3-lot subdivision, in the unincorporated Highlands area of San Mateo County.

County Board of Supervisors,

I am Mary Larenas and I live in Moss Beach. I am asking the Board to please uphold the Planning Commission's unanimous decision to deny development on the most hazardous areas of the "Zmay" property. The Planning Commission determined that the proposed location of the three new home sites atop extremely steep slopes at greatest vulnerability to landslides and wildfire is inconsistent with the Resource Management zoning and County Subdivision regulations.

I have lived on the coast since 1981. During that time, I have witnessed dramatic changes to our coastline and hillsides due to erosion, landslides and the impacts of climate change. The coast is now dealing with increased threats of wildfire from drought. The hard fact is not all property can or should be developed. Denying this project is consistent with the county's climate ready strategies.

I would like to thank all of the County Board of Supervisors for taking the hazards posed by climate change and sea level rise seriously. Sup. Pine for his lead in addressing Climate Change in our County, Sup. Groom for your work on the California Coastal Commission, Sup. Horsley for your attention to the needs of the coast and Sups. Canepa and Slocum for your support to protect the citizens and property of San Mateo County.

Sincerely,
Dr. Mary Larenas

Sincerely,
Mary Larenas

301 Nevada Ave Moss Beach, CA 94038-9614 mnlarenas@gmail.com

Sukhmani Purewal

From: manu.hipkins@everyactioncustom.com on behalf of Manuela Hipkins
<manu.hipkins@everyactioncustom.com>
Sent: Monday, July 11, 2022 11:42 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

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Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

WE COUNT ON YOU FOR COMMON SENSE AND SAFETY OF THIS NEIGHBORHOOD. FAMILIES BEFORE PROFIT.
THANK YOU,

Sincerely,
Manuela Hipkins
331 Virginia Ave Moss Beach, CA 94038-9622 manu.hipkins@protonmail.com

Sukhmani Purewal

From: mlseiff@everyactioncustom.com on behalf of Marilou Seiff <mlseiff@everyactioncustom.com>
Sent: Monday, July 11, 2022 11:51 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

I am writing to express my strongest opposition to the proposed development of this parcel. I am a home owner on the Parrott/Tournament block just above this parcel. We have had substantial annual land slippage measured by the city/county every year for decades. This development has been stopped year after year because of collateral damage that we will surely suffer by building on such an unsuitable site. I am shocked that the County and developer would ever begin to assume liability for increased slippage and property damage that will likely ensue if this project goes forward. All of our concerns have been well documented. I urge a unanimous vote by the Board to finally shut this down.

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Marilou Seiff

Sincerely,
Marilou Seiff
1170 Tournament Dr Hillsborough, CA 94010-7432 mlseiff@aol.com

Sukhmani Purewal

From: uytanut@everyactioncustom.com on behalf of Uy Ut <uytanut@everyactioncustom.com>
Sent: Monday, July 11, 2022 11:55 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

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Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,

Uy Ut

1896 Lexington Ave San Mateo, CA 94402-4027 uytanut@gmail.com

Sukhmani Purewal

From: ornit_rose@everyactioncustom.com on behalf of Ornit Rose <ornit_rose@everyactioncustom.com>
Sent: Monday, July 11, 2022 11:57 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

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Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,

Ornit Rose

1509 Cedarwood Dr San Mateo, CA 94403-3912 ornit_rose@yahoo.com

Sukhmani Purewal

From: dhzimmers@everyactioncustom.com on behalf of Diem Ha <dhzimmers@everyactioncustom.com>
Sent: Monday, July 11, 2022 11:58 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks of wildfire and landslides to people and property are too high. Please relocate the development of the three new lots on this property to a less hazardous area.

Sincerely,

Diem Ha

969 G Edgewater Blvd Foster City, CA 94404-3775 dhzimmers@gmail.com

Sukhmani Purewal

From: pingram.consulting@everyactioncustom.com on behalf of Peter Ingram
<pingram.consulting@everyactioncustom.com>
Sent: Monday, July 11, 2022 12:01 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great. As the recent fire in Edgewood Park demonstrated, our urban interface lands and residential areas are in extreme risk as climate change defines the new normal.

Respectfully,
Peter Ingram
2039 Cordilleras Rd
Emerald Hills, CA

Sincerely,
Peter Ingram
2039 Cordilleras Rd Emerald Hills, CA 94062-3903 pingram.consulting@gmail.com

Sukhmani Purewal

From: deborah@everyactioncustom.com on behalf of Deborah Lardie <deborah@everyactioncustom.com>
Sent: Monday, July 11, 2022 12:07 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Deborah Lardie
PO Box 370926 Montara, CA 94037-0926
deborah@lardiecompany.com

Sukhmani Purewal

From: judith.butts@everyactioncustom.com on behalf of Judith Butts
<judith.butts@everyactioncustom.com>
Sent: Monday, July 11, 2022 12:09 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Judith Butts
1036 Sladky Ave Mountain View, CA 94040-3653 judith.butts@gmail.com

Sukhmani Purewal

From: grhasbro@everyactioncustom.com on behalf of Grace Hasbrook
<grhasbro@everyactioncustom.com>
Sent: Monday, July 11, 2022 12:10 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision of the Zmay" property.

Sincerely,
Grace Hasbrook
111 N Balsamina Way Portola Valley, CA 94028-7515 grhasbro@pacbell.net

Sukhmani Purewal

From: astridmarie@everyactioncustom.com on behalf of Astrid Spencer
<astridmarie@everyactioncustom.com>
Sent: Monday, July 11, 2022 12:25 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Astrid Spencer
1644 Lexington Ave San Mateo, CA 94402-3836 astridmarie@aol.com

Sukhmani Purewal

From: dquinn@everyactioncustom.com on behalf of Dan Quinn <dquinn@everyactioncustom.com>
Sent: Monday, July 11, 2022 12:41 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

The Planning Commission has investigated. They made the right decision. Please support them and make no exception to the sensible regulations in the case of Zmay.

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Dan Quinn
10 Bear Paw Portola Valley, CA 94028-8014 dquinn@stanfordalumni.org

Sukhmani Purewal

From: tonykwee20@everyactioncustom.com on behalf of Anthony Kwee <tonykwee20@everyactioncustom.com>
Sent: Monday, July 11, 2022 12:52 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Anthony Kwee
20 Powhatan Pl San Mateo, CA 94402-4033 tonykwee20@gmail.com

Sukhmani Purewal

From: vcolligan@everyactioncustom.com on behalf of Victoria Colligan
<vcolligan@everyactioncustom.com>
Sent: Monday, July 11, 2022 12:53 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Victoria Colligan
198 El Granada Blvd El Granada, CA 94018 vcolligan@gmail.com

Sukhmani Purewal

From: esalinger@everyactioncustom.com on behalf of Elaine Salinger
<esalinger@everyactioncustom.com>
Sent: Monday, July 11, 2022 12:57 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Elaine Salinger
1407 Tarrytown St San Mateo, CA 94402-3819 esalinger@mac.com

Sukhmani Purewal

From: catpalter@everyactioncustom.com on behalf of Catherine Palter
<catpalter@everyactioncustom.com>
Sent: Monday, July 11, 2022 1:02 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

I am writing to request that you deny the appeal of the Zmay project. Our community members are very familiar with living in the hillsides near the San Andreas fault, and the risks that come with it. And these risks are increasing with climate change. I hope you listen to the voices of the nearby community.

I believe that Resource Management zoning has been judiciously used in the County to protect our most sensitive lands, and that only the most exceptional projects should be placed in the RM zone. This project would increase the risks to our sensitive lands and should not be constructed in the RM zone.

I understand the importance of adding to housing inventory and I support housing when it is proposed in locations that do not increase risk and that do provide access to public transit. This project is not a smart housing project.

Our Planning Commission fully and thoughtfully considered this project and denied it. I ask that you follow their recommendation and deny the appeal.

Thank you for the hard work that you do and for denying this risky project.

Sincerely,
Catherine Palter
2035 Queens Ln San Mateo, CA 94402-3930 catpalter@gmail.com

SHUTE MIHALY
& WEINBERGER LLP

396 HAYES STREET, SAN FRANCISCO, CA 94102
T: (415) 552-7272 F: (415) 552-5816
www.smwlaw.com

WINTER KING
Attorney
King@smwlaw.com

July 11, 2022

Via Electronic Mail Only

Honorable Don Horsley, President
and Members of the Board of Supervisors
County Planning and Building Department
455 County Center, Second Floor,
Redwood City, CA 94063
boardfeedback@smcgov.org

Re: Appeal of San Mateo County Planning Commission's Final Letter of Decision on the Proposed Subdivision at 1551 Crystal Springs, Grading Permit and Resource Management (RM) Permit (PLN2014-00410).

Dear Mr. Horsley and Members of the Board:

On behalf of Green Foothills, we submit this letter to express our legal opinion that: (1) the Planning Commission appropriately denied the proposed Minor Subdivision at 1551 Crystal Springs ("Project") and (2) neither the applicant nor staff has provided a sufficient basis for overturning the Planning Commission's decision. The Planning Commission's decision not to create new lots and thereby allow new development in an area subject to severe fire risk was consistent with the County's ordinances as well as its forward-thinking approach to climate change, which will only intensify fire risk over time and makes staff's proposed mitigation measures—including watering the site—less feasible. The Board should therefore uphold the Planning Commission's decision and findings.

In addition, the environmental documentation prepared in connection with the Project fails to comply with the requirements of the California Environmental Quality Act ("CEQA"), Public Resources Code § 21000 *et seq.*, and the CEQA Guidelines, California Code of Regulations, title 14, § 15000 *et seq.* ("Guidelines"). As a result, even if the Board believed disagreed with the Planning Commission's denial findings, it still could not approve the Project unless and until adequate environmental review is prepared. See, SMW Comment Letter to the County Planning Commission dated

For all of these reasons, which we elaborate on below, Green Foothills supports the Planning Commission's denial of the Project and urges the Board of Supervisors to uphold that denial. Further, if the Board is inclined to grant the appeal, the appropriate next step would be to send the Project back to the Planning Commission for further consideration and environmental review, not approve the Project, as staff recommends.

I. The Planning Commission Appropriately Denied the Proposed Project.

The Planning Commission made the necessary Findings of Denial ("Findings") providing reasoning and substantial evidence to support its decision to deny the Project, in accordance with County Ordinance Code Division VI, Part Two, Section 7013.3b. As detailed below, the Planning Commission found the proposed Project inconsistent with multiple Code provisions related to seismic safety and inconsistent with provisions in the State Board of Forestry and Fire Protection, and there is ample evidence supporting these findings.

First, the Planning Commission rightly expressed concern about the landslide on the site and related geologic hazards. As indicated in the findings, the Project design is inconsistent with County's Resource Management District Zoning Regulations due to inadequate setbacks from hazardous areas, placement of structures in areas that would result in risks to life and property to soils, geological and fire hazards, and development of a site susceptible to slides and severe erosion. Findings at items 1a,b, and c. This finding is supported by testimony presented at the July 28, 2021 Planning Commission meeting by Dr. Gary Trott. See, slide deck of the presentation attached as Appendix A referencing maps by the Association of Bay Area Governments Polhemus Landslide winter 1997/98 3rd year of wet rainfall, USGS 1997.

In his presentation, Dr. Trott presented maps depicting a known landslide area that traverses the proposed Project site and extends underneath Parrott Drive and is significantly larger than the parameters used for the Project's design. Appendix A at slides 2 and 4. He explained that the site has active subsurface hydrology flow that increases risks of geotechnical failure. Appendix A at slides 6-8. Dr. Trott also explained that the rock assemblage that underlies the site, the Franciscan complex, is comprised of a mixture of rock types, some hard, some soft (e.g., sandstone), and some ground (e.g., sand or gravel). Appendix B, "A Race Against Time" by Julie Mark Cohen, P.E., Principal; JMC Engrs., Troy, NY, Abstract available at <https://cedb.asce.org/CEDBsearch/record.jsp?dockey=0119376> and Appendix A at slide 5 and 9. The implication of this presentation is that Franciscan complex does not include bedrock, and thus the Project's pier footings could not be installed in bedrock. Appendix

A at slides at 3, 5, and 9. This information constitutes evidence in the record supporting the Planning Commission's findings.

Second, the Planning Commission found the proposed minor subdivision in violation of multiple regulations related to avoidance of landslide hazards and inconsistent with the California Public Resources Code ("PRC") related to fire safety regulations. Findings at items 2, 3, and 4. Specifically, the Project would conflict with PRC provisions due to the fact that proposed minor subdivision would allow lot configurations and a pattern of private ownership of land that would result in unsafe wildfire conditions (i.e., inability to hold future owners accountable for maintaining fuel loads such that a wildfire burning would not ignite structures, inability to maintain adequate defensible space, and due to installation of structures that cannot meet fire safety regulations). Public Resources Code § 4290 and 4291 and Findings at item 4. As Commissioner Hanson indicated at the August 25, 2021 hearing, any houses developed on the proposed parcels would likely require variances because they would not be able to meet the conditions required by the Public Resources Code. Planning Commission Hearing, July 28, 2021 hearing beginning at 3:07:00 and August 25, 2021 beginning at 1:04:42.

In addition, the Planning Commission found the proposed Project inconsistent with Resource Management zoning sections 6324.6(c) and 6324.6(f), which provides:

"No land shall be developed which is held unsuitable by the Planning Commission for its proposed use for reason of exposure to fire, flooding, inadequate drainage, soil and rock formations with severe limitations for development, susceptibility to mudslides or earthslides, severe erosion potential, steep slopes, inadequate water supply or sewage disposal capabilities, or any other feature harmful to the health, safety or welfare of the future residents or property owners of the proposed development or the community-at-large."

The Planning Commission found that the proposed subdivision is located on a portion of the property that is unsuitable due to exposure to fire, susceptibility to landslides, severe erosion potential, and steep slopes.

Moreover, the Project site is designated by Cal Fire as a Very High Fire Hazard Severity Zone (or "VHFHSZ") due to canyon topography and very steep slopes of 30-50 percent, which are covered with fire-prone vegetation. IS/MND at 2 and 36 and Letter from R. Moritz of Urban Forestry Associates, Inc. to L. Roberts of Green Foothills ("Urban Forestry Letter"), dated July 26, 2021, attached as Appendix C. The site is

adjacent to undeveloped open space lands that are heavily vegetated, which also increases fire risk. In addition, the site has “chimney” drainages that channel wind and superheated fire gasses up the hill, exacerbating fire spread and intensity. Urban Forestry Letter at 2, 5 and 6 and; National Wildfire Coordinating Group training materials at https://training.nwcg.gov/classes/S190/508Files/071231_s190_m2_508.pdf at pps. 1-8.

As explained in our prior comments, and in comments by fire behavior expert, Ray Moritz, these and other factors (such as wind) create additional safety risks. *See*, Urban Forestry Letter at Appendix C; <https://www.nps.gov/articles/wildland-fire-behavior.htm>, attached as Appendix D; <https://www.sbcfire.com/media-guide> attached as Appendix E; and <https://www.thebushfirefoundation.org/how-fire-behaves/> attached as Appendix F. *See also*, <https://firesafemarin.org/create-a-fire-smart-yard/topography/>.

As the climate changes and fire risk grows, Californians and San Mateo County residents and their neighbors are rightfully concerned about the risk of wildfire. With the state still recovering from the disastrous fires of the past four years, and with another summer of drought, heat, and potential wildfire risk forecast for 2022, decisionmakers must consider the role that increased development plays in the proliferation of wildfires, especially when that development encroaches into areas with canyon topography and dense, fire-prone vegetation. CEQA requires environmental documents to analyze the contribution of new projects to the risk of wildfire. The California Office of the Attorney General has noted that locating development in wildfire risk areas “will itself increase the risk of fire” and increase the risk of exposing existing residents to an increased risk of fire, citing a plethora of reports. Appendix G at 37.

In conclusion, “[T]his proposed development is an extreme risk to the potential residents and residences of the proposed development and significantly exacerbates the risk to the community as a whole.” *See*, Urban Forestry Letter at 6. As Commissioner Hansson stated, the proposed site has multiple constraints including (but not limited to) wetlands, sensitive species, groundwater flow, a failing sewer system, and steep slopes so that the site is overall not a good site for subdivision and development. Planning Commission Hearing, July 28, 2021 beginning at 3:07. The Planning Commission’s findings regarding natural constraints and natural hazards (i.e., unstable slopes and wildfire) is supported by the aforementioned evidence. Approval of the Project would set a precedent for development inconsistent with Resource Management Zoning policies regarding development on steep slopes and would go against County provisions to protect human health and safety.

Moreover, the applicant failed to exhaust on these issues because they failed to identify any problems with the findings during the Planning Commission hearing for the Project.

II. The Newly Proposed Conditions of Approval Will Not Remedy the Problems Identified by the Planning Commission.

After the Planning Commission denied the Project, staff and the applicant apparently developed three new conditions of approval related to the Project's fire risk.¹ These are: (1) that future owners of the new lots be required to irrigate vegetated areas downslope of future homes (at least 100 feet below the closes part of the structure); (2) that the applicant record a deed restriction establishing a non-combustible materials zone 5 feet around the footprint of any structure; and (3) that the owner record "open space easements" between structures on the new lots "to extend defensible space maintenance beyond property lines." These conditions, however, are unenforceable and do not address the problems identified in the Planning Commission findings.

First, it is wholly unclear whether future owners will be allowed to irrigate 100 feet below all structures, given the State's water supply issues and ongoing drought conditions. Thus, there is no guarantee that this condition will ever be enforced. Moreover, this condition shows how problematic development is in this area from a climate change perspective: If the County is relying on watering to make this development safe, it is clearly not designed to be resilient to our changing climate.

Second, the other conditions require "deed restrictions" and "open space easements" without any assurance that the County will be able to enforce these instruments. Without such assurance, these conditions are meaningless.

Third, these conditions would do nothing to address several of the code inconsistencies identified by the Planning Commission and discussed above. In particular, they do nothing to address the risks of landslides, which, in addition to the fire safety risks, led the Planning Commission to conclude the site was not suitable for development. It makes no sense to approve a subdivision where the lots could not be developed in compliance with existing development regulations.

Fourth, the Planning Commission had no opportunity to consider these new conditions. As a result, if the Board is inclined to grant the appeal, it must send the

¹ These conditions are described in the staff report provided to Green Foothills on June 18, 2022.

Project back to the Planning Commission to consider the effect of the conditions in the first instance.

III. Denying the Project Does Not Violate the Housing Accountability Act, Equal Protection, or Due Process; Nor Does It Constitute an Unconstitutional Taking.

a. The Housing Accountability Act Does Not Apply to the Denial of a Land Subdivision.

The Housing Accountability Act requires the County to make certain findings before denying a “housing development project” that is consistent with all applicable, objective, general plan, zoning, and subdivision standards and criteria. “Housing development project,” in turn, is defined as a use consisting of residential units only, certain mixed-use developments, and transitional or supportive housing. Govt. Code § 65589.5(h)(2). The project at issue here, however, is a land subdivision in a Resource Management zone; as discussed at the Planning Commission hearing, no residences were proposed as part of the project. As a result, the Housing Accountability Act simply does not apply.

Even if the Housing Accountability Act did apply, however, the Planning Commission’s denial would still be proper. Pursuant to Government Code Section 65589.5(j)(1), a local agency may deny a housing development project, even if it complies with applicable, objective, general plan, zoning, and subdivision standards and criteria, if it would have “a specific, adverse impact upon the public health or safety,” and there is no feasible method to mitigate or avoid the impact other than disapproval of the project. A “‘specific, adverse impact’ means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies or conditions.” Govt. Code § 65589.5(j)(1)(A).

The Planning Commission made these findings in Paragraph 4 of its Findings of Denial. There, the Commission cited to “objective, identified written public health or safety standards,” i.e., Public Resources Code section 4291(a)(1)(A), which require landowners to “maintain defensible space of 100 feet from each side and from the front and rear of the structure” such that “a wildfire burning under average weather conditions would be unlikely to ignite the structure.” The Commission further found that the proposed Project would be inconsistent with these standards, “making the area less safe from possible wildfires.” Given the record for the Project, that finding is amply supported by evidence of wildfire in the area.

Moreover, Government Code section 65589.5(e) specifically provides that nothing in the Housing Accountability Act relieves the local agency from complying with CEQA. As discussed below, the IS/MND did not provide adequate analysis or mitigation of environmental impacts, and for that reason too the County may lawfully deny the proposed Project.

b. Denial of the Project Does Not Violate Equal Protection.

The Applicant's argument that the Planning Commission violated the Equal Protection clause of the Constitution is without merit. The Applicant asserts it has a viable "class of one" equal protection claim under *Village of Willowbrook v. Olech* (2000) 528 U.S. 562. California courts require plaintiffs asserting such a claim to show all of the following: (1) the plaintiff was treated differently from other similarly situated persons; (2) the difference in treatment was intentional; and (3) there was no rational basis for the difference in treatment. *Squires v. City of Eureka* (2014) 231 Cal.App.4th 577, 594; *Genesis Environmental Services v. San Joaquin Valley Unified Air Pollution Control Dist.* (2003) 112 Cal.App.4th 597, 604.

The Applicant cannot show it was treated differently from similarly situated persons. Plaintiffs attempting to satisfy this element must show the level of similarity between them and the persons with whom they compare themselves is "extremely high." *Squires*, 231 Cal.App.4th at 594 (quoting *Neilson v. D'Angelis* (2nd Cir. 2004) 409 F.3d 100, 104). Put another way, the plaintiff and the persons being compared must be "prima facie identical in all relevant respects." *Id.* at 595 (quoting *Racine Charter One, Inc. v. Racine Unified School Dist.* (7th Cir. 2005) 424 F.3d 677, 686).

To prove the Applicant was treated differently from other similarly situated persons, the Applicant points to four subdivisions the County approved within the last twenty years. The Applicant asserts these subdivisions are "in the immediate or general vicinity of the Project site." The only similarities noted here are that the Project and the four subdivisions are all subdivisions, and the four subdivisions are relatively close to the Project site. But the differences far outweigh the similarities. For instance, the Highlands Estates Subdivision located approximately a mile and a half away from the Project site, is located on moderate slopes that are much less steep than the Zmay site. The Ascension Heights Subdivision (a.k.a., Water Tank Hill), is designated and zoned for single-family residential use, which is clearly distinguishable from the subject property, which is designated Open Space and zoned Resource Management District. Similarly, the Jefferson Avenue Subdivision and Cordilleras Subdivision, both located several miles away from the Project site, are both sites are designated and zoned for residential uses. Importantly, *none* of these four subdivisions connect to a failing sewer that the County

has admitted is a serious problem. Applicant thus falls short of showing the Project is “prima facie identical in all relevant respects” to these four subdivisions, particularly by failing to explain why the Project is similar to the four subdivisions in regards to seismic safety, wildfire, and sewer connectivity issues.

Even in the unlikely event the Applicant could show the Project is similarly situated to the four other subdivisions, the Applicant cannot show that the Planning Commission lacked a rational basis for treating the Project differently. Under the rational basis test, courts must presume the constitutionality of the government action where it is “plausible that there were legitimate reasons for the action.” *Las Lomas Land Co., LLC v. City of Los Angeles* (2009) 177 Cal.App.4th 837, 859 Proving the absence of a rational basis is “exceedingly difficult.” *Id.* In circumstances involving complex discretionary decisions, as here, the plaintiff’s burden “may be insurmountable.” *Id.*

As discussed above, the Planning Commission articulated several legitimate reasons for refusing to approve the Project. These include, but are not limited to, severe landslide risk and wildfire safety issues. The Planning Commission thus had a rational basis for disapproving the Project. Therefore, even if the Applicant could somehow prove the Project is similarly situated to the other four subdivisions, the Applicant does not have a viable equal protection claim.

c. The Planning Commission’s Denial of the Project Did Not Violate Due Process.

The Applicant’s assertion that the Planning Commission’s refusal to approve the Project violates due process is also without merit. The Applicant claims the County violated its substantive due process rights when it irrationally and arbitrarily denied the Project. As discussed at length above, the Planning Commission’s denial was based on sound reasoning and evidence, including evidence of significant landslide and wildfire issues, among others. The Planning Commission made its decision based on substantial evidence demonstrating approval of the Project would violate numerous Zoning and Subdivision Regulations, in addition to state fire safety regulations. Thus, its decision was not irrational or arbitrary, but based on evidence analyzed in the context of applicable regulations.

The situation here is distinguishable from that presented in the case the Applicant principally relies on, *Arnel Development Co v. City of Costa Mesa* (1981) 126 Cal.App.3d 330. In *Arnel*, the City approved the plaintiff’s project, which consisted of single-family dwellings and multi-family dwellings aimed at providing moderate income housing. *Id.* at 333-4. Then, voters in the City enacted an initiative ordinance that

changed the zoning for the project site and surrounding area to solely allow for single-family residences. *Id.* at 334. As both the trial and appellate court found, the voters' motivation was to specifically prevent the plaintiff's development project and generally disallow moderate income housing in the area. *Id.* at 335-6. Because the ordinance was enacted without considering applicable zoning or planning criteria, and solely motivated by opposition to moderate income housing, the court invalidated the ordinance as arbitrary and irrational. *Id.* at 336-7.

Here, in denying the Project, the Planning Commission cited the Project's inconsistency with multiple Zoning and Subdivision Regulations, in addition to state fire safety regulations. Thus, the Planning Commission denied the Project *because of* applicable zoning and planning criteria, not despite such criteria. The Planning Commission's action is therefore entirely distinct from the invalid initiative at issue in *Arnel*.

The Applicant points to the County's approval of four other subdivisions, discussed above, as further evidence of the Planning Commission's irrational and arbitrary action. However, the County's approval of these other subdivisions proves the opposite of what the Applicant believes it does. Unlike the voters in *Arnel*, who were against all low and moderate income housing development in the area, regardless of whether the project poses health and safety risks or is consistent with governing codes, the County is clearly not opposed to all residential development in the area. That the County has approved other, larger subdivisions, but refused to approve this particular Project, demonstrates the Planning Commission's concerns regarding site-specific landslide risk and wildfire safety are genuine and legitimate. Therefore, the Planning Commission's action was not arbitrary or irrational, and the Applicant's due process claim is without merit.

d. Denial of the Proposed Subdivision Does Not Constitute an Unconstitutional "Taking."

The Planning Commissions' denial of the Project did not constitute an unlawful taking. The Planning Commission's action did not result in a physical invasion of the Applicant's property. Thus, Applicant has no actionable claim for an unconstitutional taking under *Loretto v. Teleprompter Manhattan CATV Corp.* (1982) 458 U.S. 419. In addition, the Planning Commission outright rejected the Project; it did not approve the Project subject to any conditions. Therefore, the Applicant also has no actionable claim under *Nollan v. California Coastal Commission* (1987) 483 U.S. 825 and *Dolan v. City of Tigard* (1994) 512 U.S. 374.

Also, the Planning Commission’s refusal to approve the Project has not deprived the owner of all economically beneficial use of the land. As the Applicant concedes, even if the Project cannot be built, the Applicant can still lawfully develop one residential lot on the Project site. *See* Letter from M. Francois, on behalf of the applicant, to the Board of Supervisors dated January 5, 2022, pgs. 11-12 (“Based on the Planning Commission’s action, the applicant can have only one residential development lot instead of four.”) Therefore, the Applicant has no actionable claim under *Lucas v. South Carolina Coastal Council* (1992) 505 U.S. 1003. In fact, the applicant has already reaped substantial economic benefits through ownership of the existing 3,800 square-foot, five bedroom house and by selling a portion of the property to the Odyssey School.

The Applicant also has no viable takings claim under the multi-factor test set forth in *Penn Central Transp. Co. v. New York City* (1978) 438 U.S. 104. Under this test, a reviewing court primarily considers three factors: (1) the economic impact of the regulation on the owner; (2) the extent to which the regulation interferes with the property owner’s distinct investment-backed expectations; and (3) the character of the governmental action. A *Penn Central* taking only occurs where the government action at issue reflects “the functional equivalent of a traditional taking.” *Small Property Owners of San Francisco v. City and County of San Francisco* (2006) 141 Cal.App.4th 1388, 1396. The burden on the petitioner to show a *Penn Central* taking is onerous, and a reviewing court will only find such a taking in an “unusual circumstance.” *California Building Industry Assn. v. City of San Jose* (2015) 61 Cal.4th 435, 462.

The Planning Commission’s denial of the Project does not present an “unusual circumstance” that constitutes an unconstitutional taking under *Penn Central*. *Id.* As discussed above, the Applicant can still lawfully develop a residential lot on the Project site. Thus, the economic impact of the Planning Commission’s action does not reflect “the functional equivalent of a traditional taking.” *Small Property Owners, supra*, 141 Cal.App.4th at 1396. Further, the Project site is located in the SRA VHFHSZ and in an area that is prone to landslides. It has also been zoned Resource Management for years – it is our understanding that that the site was zoned as part of the general rezoning of thousands of acres in 1973 (Ordinance No. 2229 - December 29, 1973). The Resource Management Zoning designation includes strict maximum limits² relating to “use, density and intensity of development ensure that development is consistent with levels of services which reasonably can be provided, will conserve natural features and scenic values, and

² The Resource Management Ordinance specifies that these provisions are maximum limits and, where applicable, more restrictive requirements can be imposed. San Mateo County Zoning Regulation § 6314.

that areas hazardous to development or life are left in open or limited use.” San Mateo County Zoning Regulation § 6314. Therefore, the Applicant could not reasonably expect to extensively develop the property, particularly as the risk of wildfire increases substantially each year. Lastly, the Planning Commission has articulated serious, legitimate concerns about the landslide and wildfire risk associated with the Project. Thus, all three *Penn Central* factors weigh against an unconstitutional taking.

IV. Even If the Planning Commission Had Not Denied the Project Outright, the County Would Have Been Obligated to Prepare an Environmental Impact Report Compliant with CEQA.

As we explained in our prior comments, the Initial Study/Mitigated Negative Declaration (“IS/MND”) prepared in connection with the proposed Project is legally inadequate under CEQA. *See*, Letter from W. King at SMW on behalf of Green Foothills to E. Adams, Project Planner regarding the IS/MND, San Mateo County (“SMW Comments on the IS/MND”), dated February 24, 2020. The IS/MND lacks the necessary evidentiary support for its conclusions that the Project will not have adverse impacts to land use, utilities and service systems, water quality, and wildfire hazards, among others. In fact, there is ample evidence in the record to support a fair argument that the Project will have significant environmental effects not analyzed or even acknowledged in the IS/MND. *Id.*

An agency must prepare an EIR whenever it is presented with a “fair argument” that a project may have a significant effect on the environment, even if there is also substantial evidence to indicate that the impact is not significant. *See No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68; *see also Friends of B Street v. City of Hayward* (1980) 106 Cal.App.3d 988; Guidelines § 15064(f)(1). Where there are conflicting opinions regarding the significance of an impact, the agency must treat the impact as significant and prepare an EIR. *Stanislaus Audubon Society v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 150-51; Guidelines § 15064(f)(1).

Here, the Project is inconsistent with County General Plan policies and County Code provisions designed to protect the environment. For example, to protect against loss of life, injury, damage to property, and other serious consequences, the County’s General Plan, Policy 15.20(b), directs the County to “avoid construction in steeply sloping areas (generally above 30%)” “[w]herever possible.” Policy 15.20(a) further directs the County to avoid siting structures in “areas where they are jeopardized by geotechnical hazards, where their location could potentially increase the geotechnical hazard, or where they could increase the geotechnical hazard to neighboring properties.” *Id.* Finally, Policy 15.20(d) provides that the County may allow development “in geotechnically hazardous

[areas] and/or sloping areas” only “[i]n extraordinary circumstances when there are no alternative building sites available.” Id. The County has substantial evidence in the record indicating that development of the site would take place on slopes steeper than 30%, in violation of General Plan, Policy 15.20(b). Similarly, the Project is also inconsistent with Resource Management zoning sections 6324.6(c) and 6324.6(f), which provide that land held to be unsuitable for development by the Planning Commission due to exposure to hazards shall not be developed.

Further, the Planning Commission was unable to find “extraordinary circumstances” regarding alternative building sites. This is likely because the applicant did not submit a feasibility analysis disclosing the conditions of the “remainder parcel” and other areas on the property. What information the applicant submitted pointed only to the additional costs of developing other areas of the property; however, the applicable General Plan provisions do not address economic feasibility. In addition, while County staff claim that the proposed Project “would develop the portion of the parcel which is most consistent with County development policies,” this statement appears to ignore the fact that the Project is still inconsistent with the County General Plan and Zoning Code. Planning Commission Staff Report, August 25, 2021 at pdf page 17. Moreover, the alternative site that the applicants claims is undevelopable is located adjacent to the existing residence. Therefore, the applicant failed to demonstrate that alternative, less steep sites are infeasible. The IS/MND failed to adequately analyze these inconsistencies with County regulations. If it had, it would have concluded that these impacts are potentially significant, triggering the need to prepare an EIR. And any EIR prepared for the Project would have to consider as an alternative development of the 9-acre remainder parcel.

In another example, the IS/MND fails to describe the existing hydrological setting and fails to evaluate the Project’s impacts on water quality. IS/MND 9 and 10. Given the extremely steep terrain of the proposed site and the fact that the Project would involve substantial, grading, the IS/MND should have thoroughly analyzed the potential impacts of erosion and siltation on water quality in area waterways. Id. This analysis should include a discussion of existing conditions, including conditions of receiving waters, which form a baseline from which to evaluate the Project’s impacts. The IS/MND failed to include this analysis.

On a related topic, the IS/MND fails to adequately analyze the impacts associated with the Project’s increase in sewage inflow and infiltration into the District’s system. The recirculated IS/MND revised a mitigation measure to require the Project to implement sewer pipe upgrades to address peak wet weather capacity. IS/MND at 2, 8,

12, 16, 29 and 53. However, the IS/MND never describes baseline conditions, calculates the Project's wastewater flow, or provides details about the required upgrades.

Under CEQA when evaluating the significance of a project's impacts, an EIR may not "compress[] the analysis of impacts and mitigation measures into a single issue." *Lotus v. Department of Transportation* (2014) 223 Cal.App.4th 645, 656. Here, the IS/MND never acknowledged the Project's potentially significant impacts to water quality, but rather jumped straight to identifying mitigation. Without a significance finding, the IS/MND cannot adequately identify mitigation for the impact. As was the case in *Lotus*, the IS/MND's failure to evaluate the significance of the Project's impacts separately from what is effectively its proposed mitigation (implementation of sewer system upgrades), does not withstand scrutiny. More specifically, by conflating impacts and mitigation, the IS/MND fails to consider whether there may be other more effective mitigation options, thereby omitting information that is necessary for the informed decision-making and public participation that CEQA requires. See *id.* at 658; see also *San Franciscans for Reasonable Growth v. City & County of San Francisco* (1984) 151 Cal.App.3d 61, 79 (EIR is inadequate if it fails to identify feasible mitigation measures).

In addition, many of the mitigation measures proposed in the IS/MND are inadequate and will not address the Project's significant environmental impacts. Rather, the IS/MND defers analysis and mitigation, substantially understating the severity and extent of a range of environmental impacts. For instance, because the IS/MND fails to adequately analyze wildfire hazards it also fails to identify appropriate mitigation. Instead, the IS/MND says only that it will comply with CalFire's materials list for construction. IS/MND at 33 and 34.

For all of these reasons, should the County disagree with the Planning Commission's bases for denial, it would nonetheless need to send the Project back to the Planning Commission and require preparation of an EIR in compliance with CEQA prior to taking any further action on the Project. The EIR must thoroughly analyze the impacts related to the topics summarized here and others that could result in significant environmental impacts. In addition, the EIR must identify and analyze appropriate, feasible mitigation and/or alternatives to avoid or minimize significant impacts.

V. Conclusion

As set forth above, the Planning Commission appropriately denied the proposed Project, based on substantial evidence in the record. The three new conditions proposed by staff do not change the Planning Commission's findings. Moreover, contrary to the appellant's suggestion, denial did not violate the Housing Accountability Act (which is

inapplicable), equal protection, or due process. Nor did it constitute an unlawful taking. If the Board is inclined to grant the appeal, it must send the Project back to the Planning Commission for consideration of the new conditions and preparation of an EIR.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP



Winter King

WK:CB

Appendices

Appendix A: Slide Presentation to Planning Commission at July 28, 2021 meeting by Dr. Gary Trott.

Appendix B: Julie Mark Cohen, P.E., Principal *A Race Against Time*, JMC Engrs., Troy, NY, Abstract available at <https://cedb.asce.org/CEDBsearch/record.jsp?dockkey=0119376>

Appendix C: Letter from R. Moritz of Urban Forestry Associates, Inc. to L. Roberts of Green Foothills (“Urban Forestry Letter”) dated July 26, 2021.

Appendix D: National Park Service website, Wildland Fire Behavior, accessed April 1, 2022.

Appendix E: Santa Barbara County Fire Department website, accessed April 1, 2022.

Appendix F: The Bushfire Foundation website, Fire Behavior, accessed April 1, 2022.

Appendix G: Letter from N. Rinke, Deputy Attorney General to Monterey County Planning Commission, regarding Paraiso Springs Resort, dated March 20, 2019.

cc: Lennie Roberts, Green Foothills

APPENDIX A

Public Comments

By Dr. Gary Trott, Ph.D.

28-July-2021

SMCounty RM Zone Ref. Sections – 6324.2(f), 6324.4(c)(f)(h), 6324.6(c)(f), 6325.4(b)(d), 6325.6(c)(f) 6326.4(b)(c)

Do not build on hazardous(risky) sites impacting People, Property or the Environment. Or disturb the ground water, natural flow patterns for recharging wetlands when other less hazardous sites exist.

Outline of Concerns:

The subdivision geotechnical design is deficient in protecting people, property and environmental surroundings because it fails to incorporate critical geological and hydrology elements into the design.

- I. The assumption of “bedrock” for the stitched pier, secure foundations is false
- II. The hazardous landslide area extends outside the parcel boundaries and has not been addressed.
- III. The project site has active, sub-ground hydrology.
 - Increasing the failure for the Geotech design.
 - Also creates construction hazards to the federally protected wetlands
- IV. Summary: The cost of the associated **risk** for the public, property, and environment is **too high**.

My Premise:

*** If it is not formally documented, it does not exist . Verbal comments will be forgotten over time.

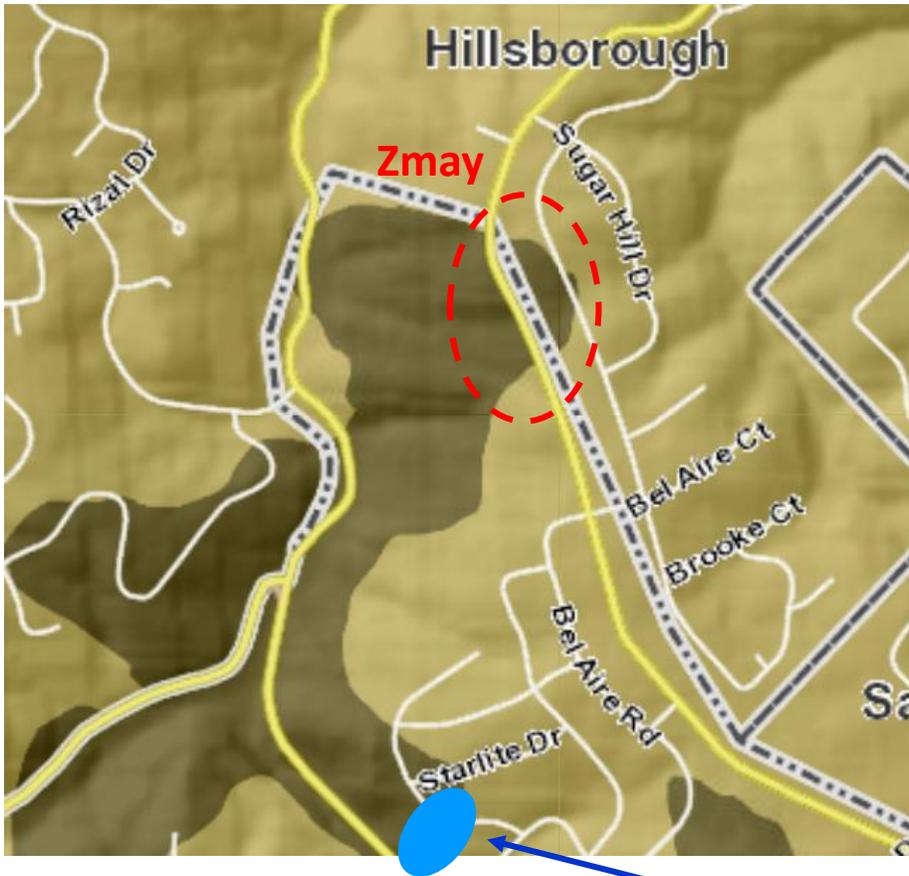
*** Z Enterprises LP ought to be allowed to create three buildable lots following RM zoning ordinances. But not at the expense of endangering nearby public persons, structures, or the environment

Landslides in SMCCounty: Geological next-door parcel

Landslides do not respect or stop at parcel boundaries: What can we learn from history?

Past and Future Landslides do cross Parrott Dr.

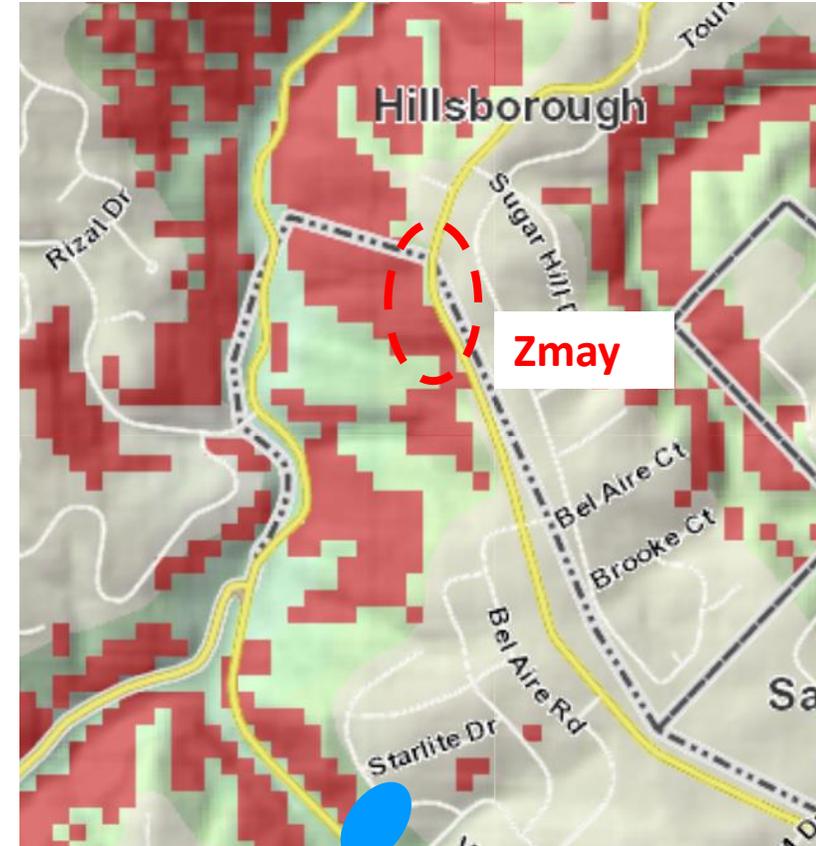
➔ Hazard to Public Neighbors! !



Polhemus Landslide winter 1997/98

Potential rainfall induced Land Slides

Note some areas are safer. But not the chosen sites.



3rd year of wet rainfall

Maps by Assoc. of Bay Area Governments Resilience hazards.

<http://gis.abag.ca.gov/website/Hazards/?hlyr=debrisFlowSource> 2018

Ref: USGS 1997 <https://pubs.usgs.gov/of/1997/of97-745/sm-sef.pdf> Summary of landslide flows + slope. Where the is one, there will be more.]

web site <https://mtc.maps.arcgis.com/apps/webappviewer/index.html?id=4a6f3f1259df42eab29b35dfcd086fc8>

Zmay project used 1973 maps [Attacj K-L pg34

GeoTechnical Failures: Historical learnings from next parcel

Polhemus landslide, during 3rd heavy winter rain season 1997/98

- Failures are not due to lack of good engineering, but lack proper engineering for *risk analysis and mitigation*.

Polhemus Design*

- i) Followed “Industry GeoTech Standards”
 - ii) Piers 3ft diameter and ~depth 30ft
 - iii) Bore holes had water**
** red flag warning
- ➔ All are same as Parrott Dr. Design
- iv) \$25M dollars of damage



Non-expert, Failure Observations

- Piers did not break
- Piers slid or tipped over
- Pier bottoms were *not* in “bedrock”

~ Some piers installed deeper than spec. design

- Piers “CA Surfing” on mud See Geo. defn: Franciscan Complex next pages

Conclusion: I) Design assumption of “bedrock” for stable pier foundation is ***False***. Not valid.

* Ref [Ms. Sherry Liu old SMC planning files]

To learn more see. <https://www.sfgate.com/bayarea/article/S-F-San-Mateo-Counties-Settle-Suit-Over-Mudslide-3003517.php>
or *Civil Engineering*—ASCE, 1999, Vol. 69, Issue 11, Pg. 52-55

Area of Parrott Dr. potential slide material approx. 2x or 3x larger than design

Up hill Volume 4x or 9x **II) Significantly Larger potential area than design parameters**

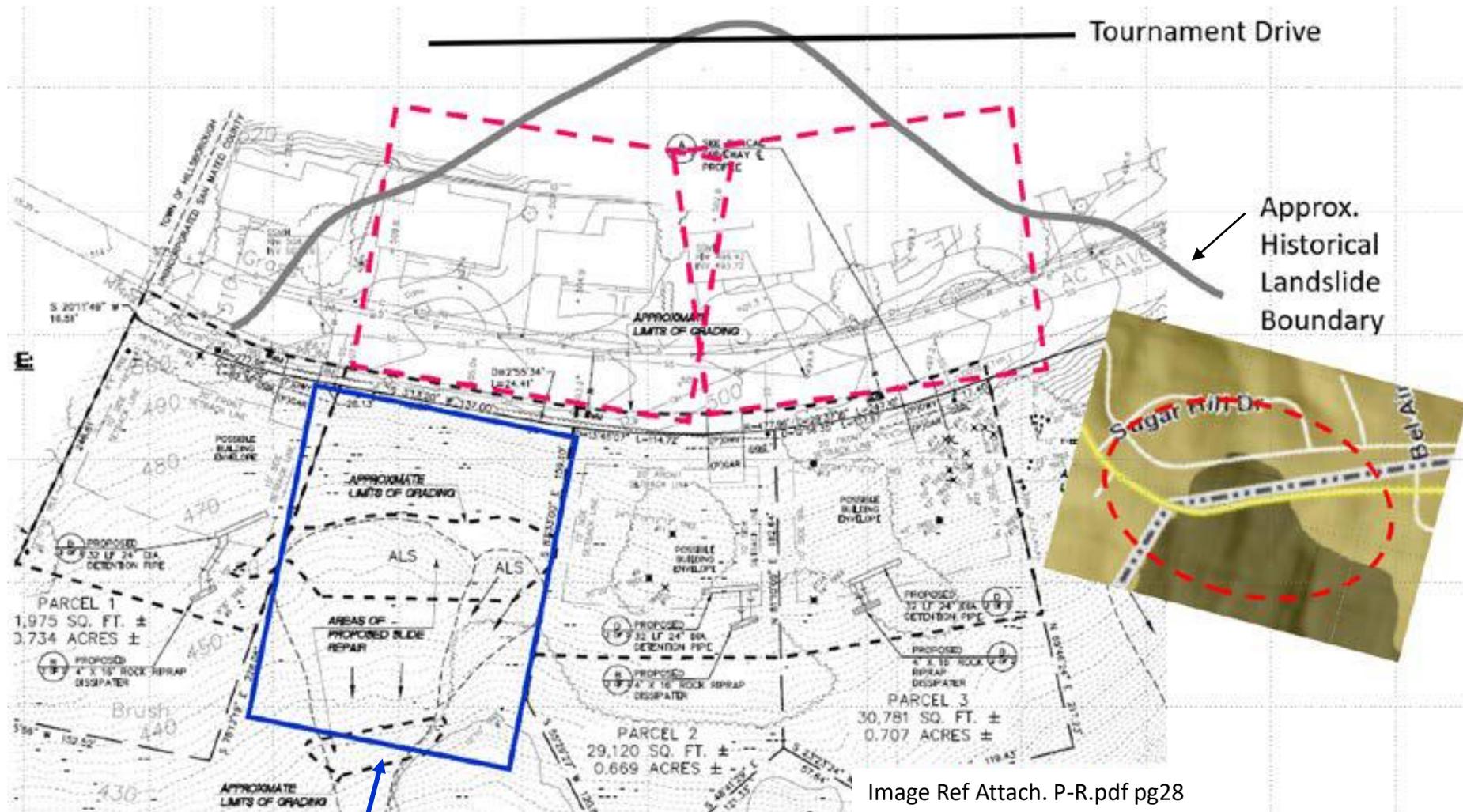


Image Ref Attach. P-R.pdf pg28

Design volume: 160 ft x 200 ft x 10 ft thick

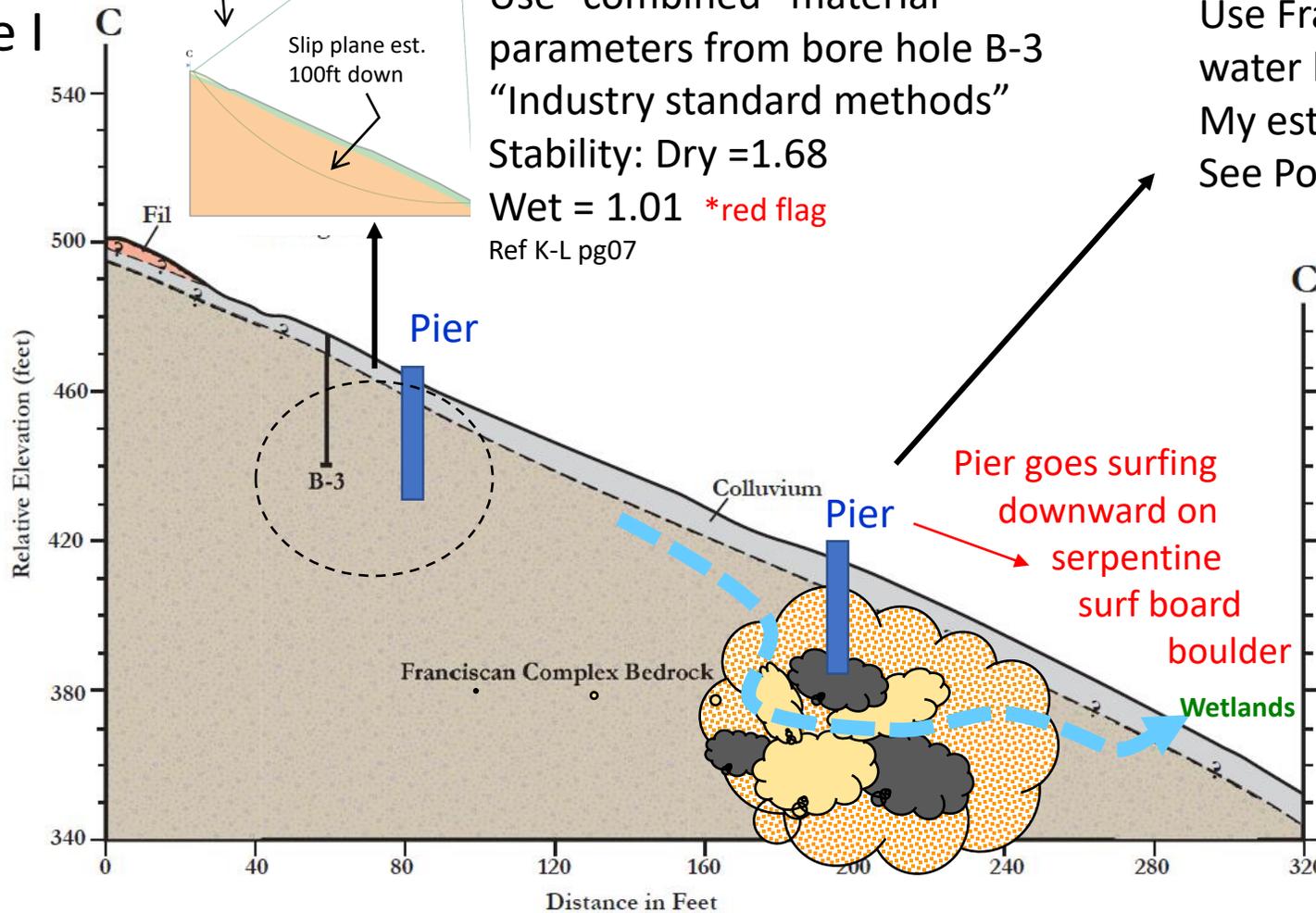
Ref [Murry Eng 9/28/2018 Supplemental Recommendations Stitched Pier Retaining Walls.]

Franciscan complex vs hill stability calculations: Incorrect geotech approach.

Hill is unstable if Geotech calculations < 1. But, a chain is only as strong as the weakest link => Use weakest rock instead when water is lubricating hill slide. See Ref: [SMCounty Grading Permit Handbook 2006 pg11 \(c\)\(4\)](#)

Project used

Case I



Case II by me

Use Francian Complex "weak link" water lubricated sand.
My est. **Stability < 1**
See Polhemus land slide

Boulders examples - simplified

 Hard: serpentine or basalt

 Soft: sandstone

 Geo-ground to fill voids: Sand, gravel, dirt

 Water flow path (lubrication)

Francian Complex is like "packed cookie crumbs" of boulders from many different cookies. Due to plate tectonics

Parrott Dr. site hydrology

Ground water does not stop at uphill parcel boundaries. Found deep in bore holes

Red Bore holes completed Oct 2 2007

<u>Bore hole</u>	<u>Moisture depth</u>
B1	24 ft
B3	10 ft
B10	10 ft

** 2006/7 was a dry winter

Black Bore holes

All completed Dec. 20, 2013

** 2013 Dry year, but December rains?

B1, B3, B5 All have surface moisture

B4 33 ft

B6 33 ft

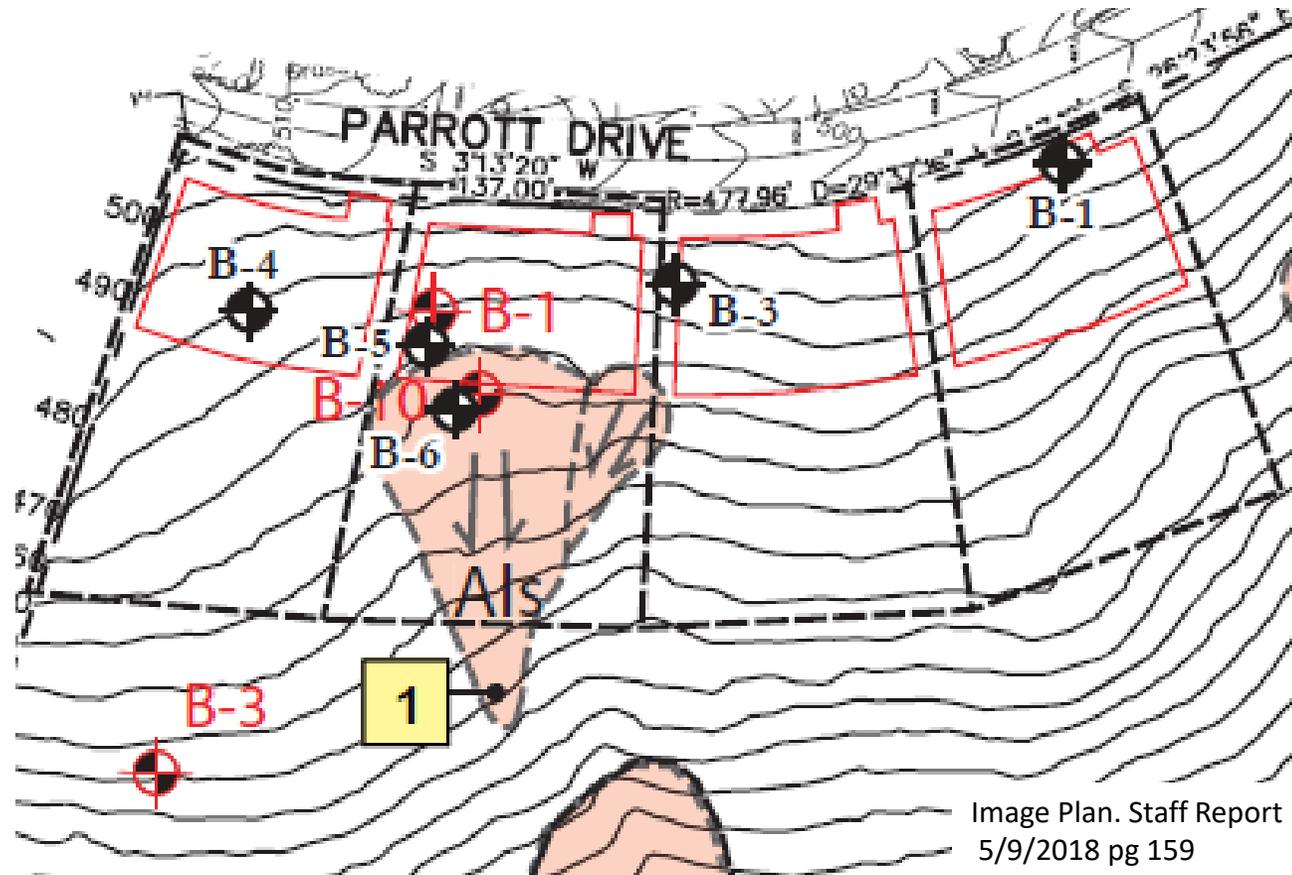


Image Plan. Staff Report
5/9/2018 pg 159

- ➔ No ground water table on a hill side. Why is there water greater than 20ft down? **** Red Flag??**
- ➔ Parrot Pier depths 20ft -34ft** depending upon Civil Engineer (Same as Polhemus) **Water is at bottom of piers**

You don't need a weatherman to know which water flows! Just Look! !

Hydrology flow & wetland+slide hazards

Below ground water flow is evident going down the parcels to wetlands
Wetlands have survived droughts > 40yrs and need to in the future

 = Houses with backyard surface landslides

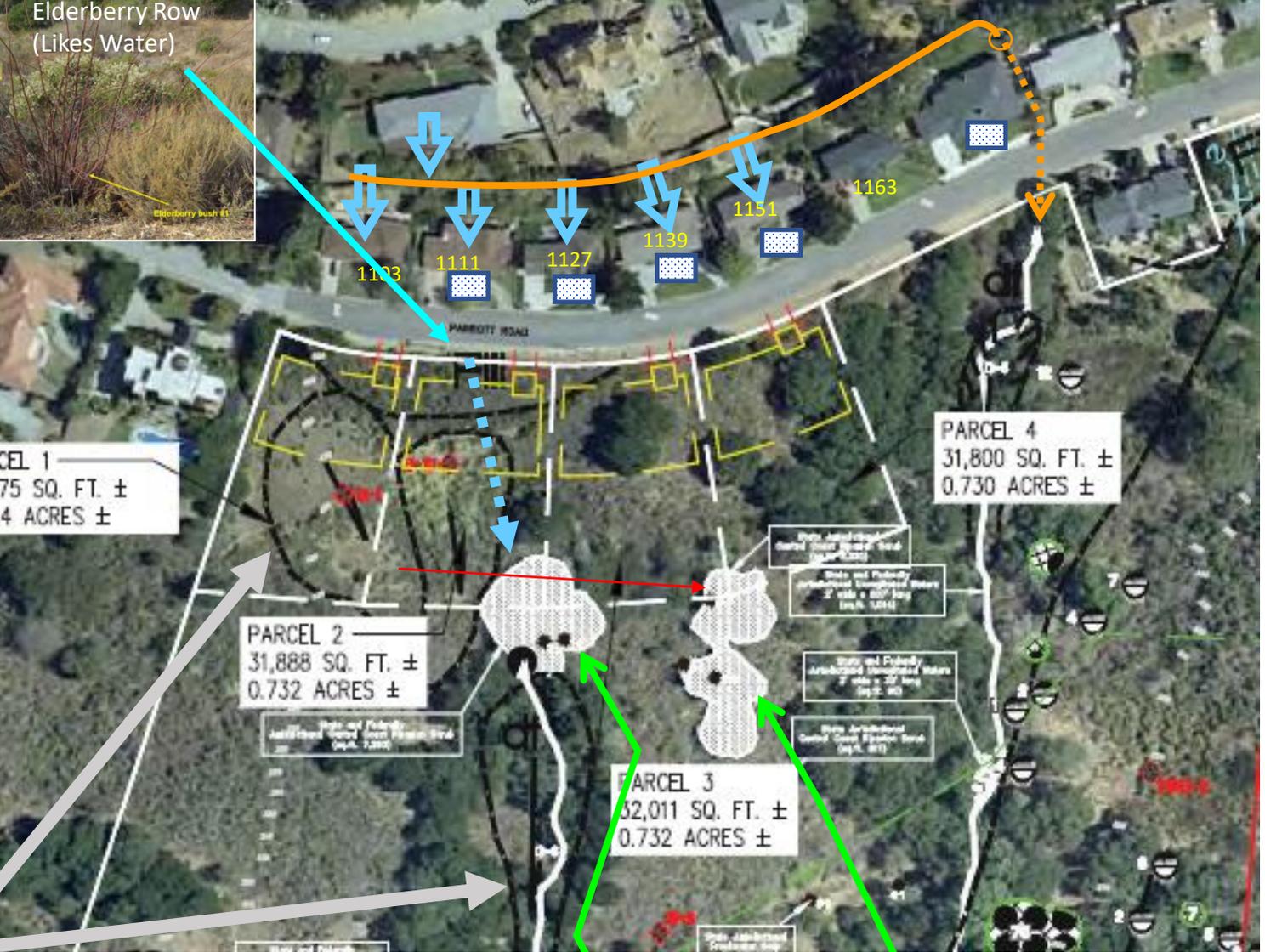
 = Dry Wells after landslide repair + permit

➔ Federal protected, **Wetlands**
Water in bore holes + Elderberry bushes verifies, wetlands are fed from ground water flow along natural swales

➔ And flow is increasing. The old 1950's Hillsborough subdivision drainage P.U.E. ditch is plugged (**Orange**)

Water flow dismissed as "nuisance water" from irrigation, leaky pipes, & street storm water.

Ref: Zmay F-J pg17, and M Cotton and Shires



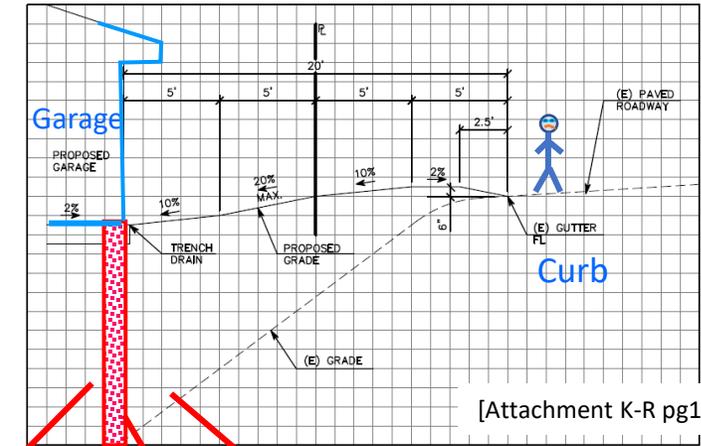
Black boundaries = Recent landslides

Wetlands, (white speckle area)

Consequences: Zone code 6324.4(h), 6325.4(b)(d) not addressed

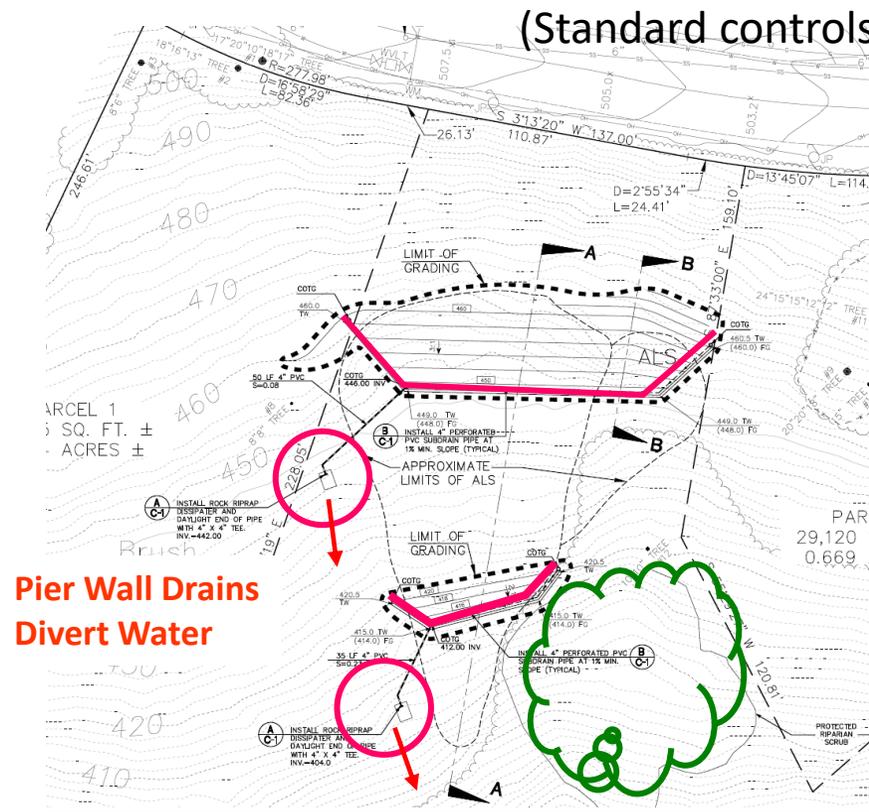
- Subdivision walls and drains all disturb or divert water away from Federally regulated wetlands.
- Steep hillside + surface erosion during grading will fill wetlands with silt without a catch basin (no space)
(Standard controls fail on steep hillsides)

GeoTech required build for concept house
12 ft shear wall next to Parrott Dr.

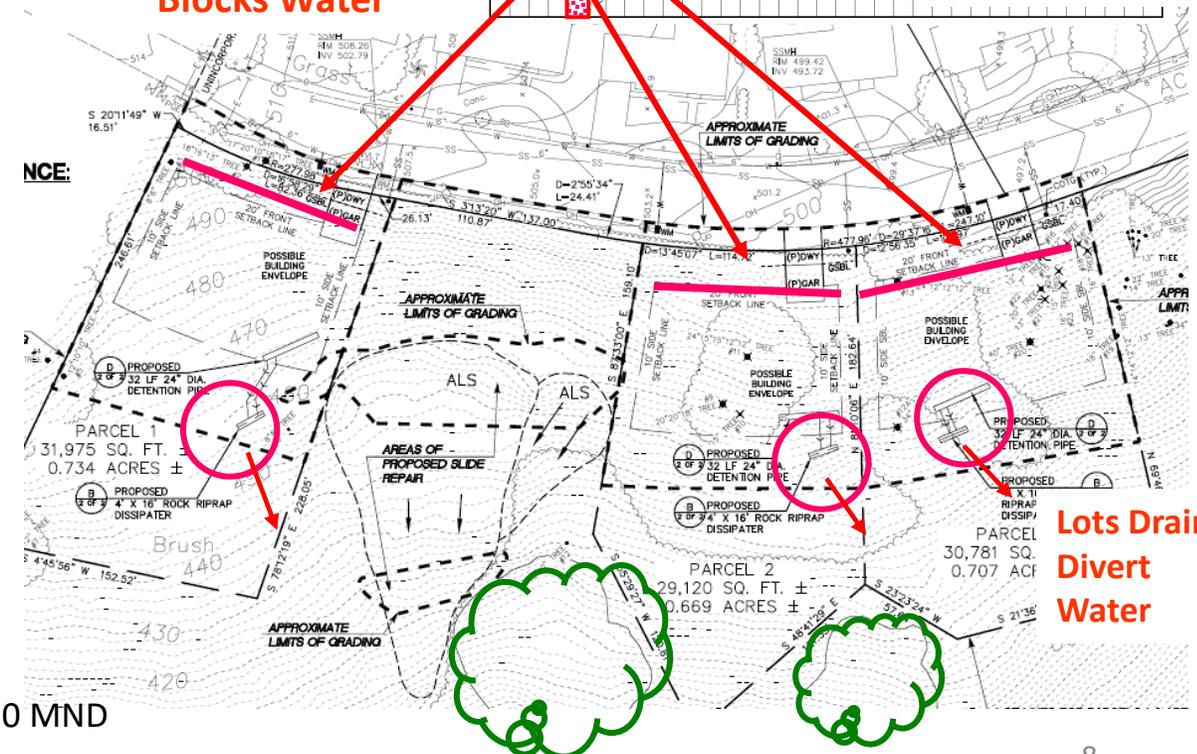


[Attachment K-R pg154]

Houses Retaining Walls
Blocks Water



Pier Wall Drains
Divert Water



Lots Drains
Divert Water

Ref Attachments K-R pg154, Jan 2020 MND

Summary: Issues and Concerns

1) Geotechnical: Designs using “Industry Standard Methods” fail due to hidden or unforeseen external elements left out of the design. Industry methods do not address the primary zoning code purpose to preserve public safety (or minimize hazard risk). Murry Eng. **“makes no warranty, either expressed or implied”**. Pg87 Attachment K-L

I) Franciscan complex has no defined bedrock. Stable pier footings is a **false** design assumption.

II) The potential landslide area is **significantly larger** than the design parameters used.

III) The site has **active hydrology**. Increasing the hazard for geotechnical failures and environmental damage to the wetlands

IV) It was learned from Polhemus landslide the cost of failure \approx \$25M. The neighbors and tax payers respectively decline to assume that level of risk burden

2) Alternative sites do exist: **Zone 6326.4(b)(c) no hazardous building when other sites are available. Why the exception allowed?**

Building costs, timelines, and past poor decisions are not valid concerns for enforcing zoning codes.

a) 3 more home lots have been proposed at the 1551 Crystal Springs existing site ca1983.[Ref Zmay K-L pg10]

b) A 3rd building area for new sites has been identified off of Enchanted Lane on same parcel.

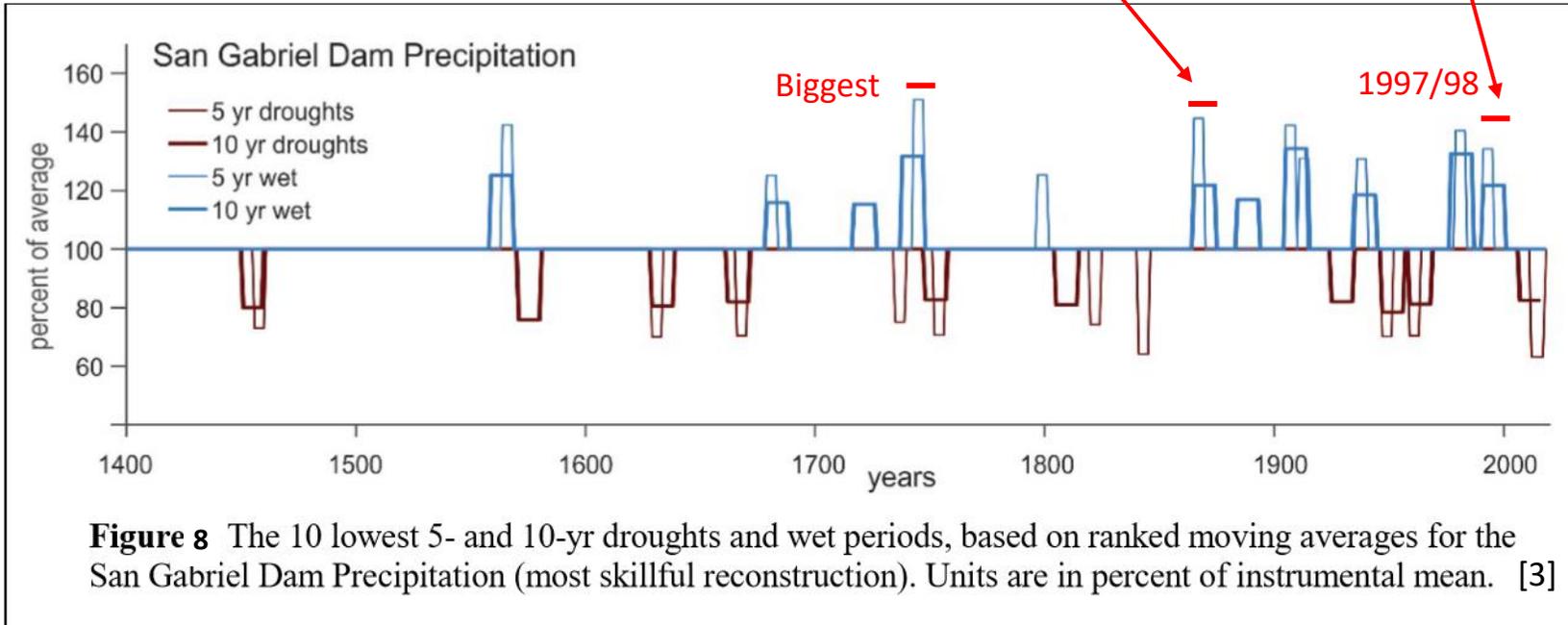
[Ref Attachment M, Revised-Recic. MND Cotton Shires pg 31]

➤ Scorched by Fire, or Surfing a Landslide down hill, the future home owners, neighbors, wetlands, and tax payers of SMCCounty deserve the best decision possible. Reject the subdivision proposal for re-evaluation in favor of less risky and less hazardous alternatives.

CA: Historical Periods of Wetter & Drier Years plus Greater Extremes Expected in Future

1861/62 4x normal rain. Central valley floods 1000s died. Ca state bankrupt.[5]

1997/98 SMCcounty Landslides \$55M damage, 1 death [7]

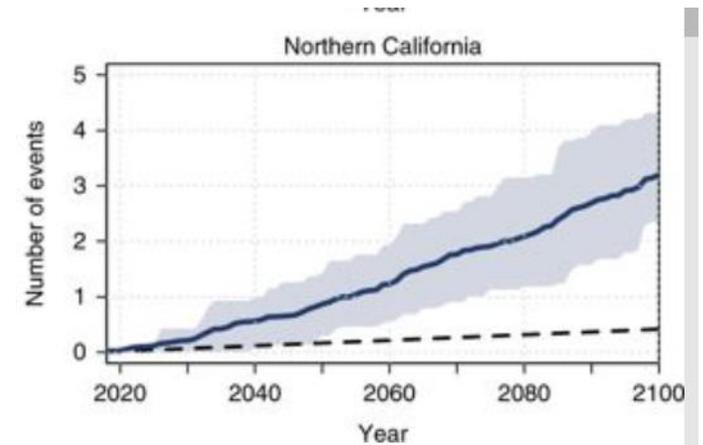


It is normal for CA to cycle between periods of Dry and Wet over decades [2,3,4]

➔ Think about the scale of 500 yr events, to expand the scope and lifetime of the decisions you are implementing for the SMC Green Infrastructure Plan.

<https://weatherwest.com/archives/6252> New storm info

Fig. 2: Cumulative occurrence of extremely wet sub-seasonal storm sequences.



Whiplash events will get stronger as the global warming temperature allows the atmosphere to hold more water. [7]

Consider: The working lifetime of new Green Infrastructures Will they help mitigate or survive future weather extremes?[7] (Storm Water Drainage, Erosion, Landslides, Flooding . . .)

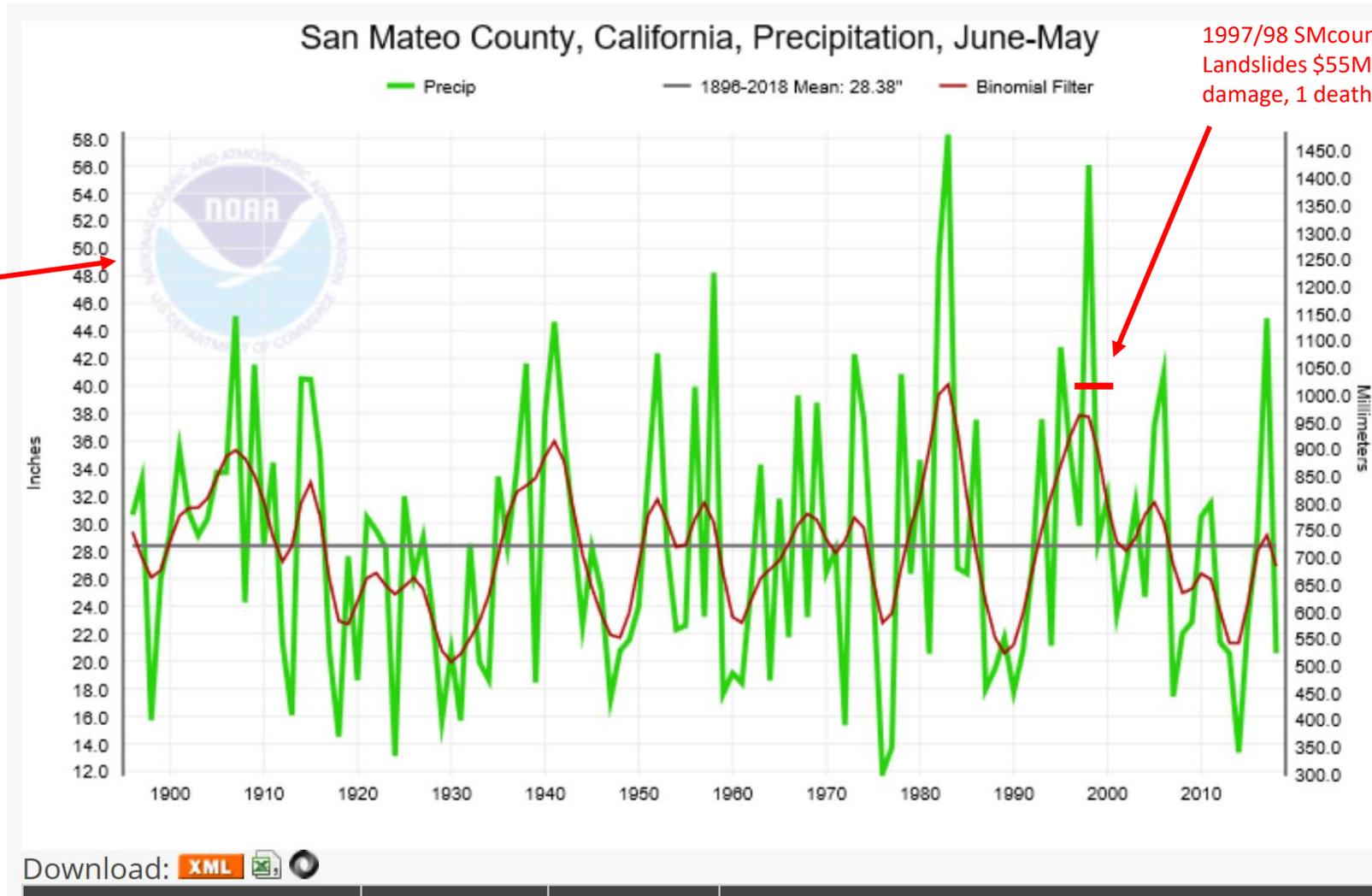
SMC Storm Drainage policy of 2006 [1] incorporates only the last 100 yr single down pour intensity, maximum rain event for 10 minutes. Is that sufficient? ? ?

CA floods https://en.wikipedia.org/wiki/Floods_in_California

SF data

1861 49.27

1982 38.17"



APPENDIX B

CIVIL ENGINEERING DATABASE

AMERICAN SOCIETY OF CIVIL ENGINEERS

ASCE LIBRARY

A Race Against Time

by Julie Mark Cohen, P.E., Principal; JMC Engrs., Troy, NY,

Serial Information: *Civil Engineering*—ASCE, 1999, Vol. 69, Issue 11, Pg. 52-55

Document Type: Feature article

Abstract:

The coastal hillsides of San Mateo County, California, were quickly developed during the post WWII construction boom. Although the land is prized for its scenic beauty, the underlying bedrock—described by geologists as Franciscan assemblage—is prone to landslides. In January 1997, a landslide caused the closing of Polhemus Road, an important 2 mi (3.2 km) long, 2-lane thoroughfare. Because the soil on the road threatened power poles, an essential water pipe buried below, and a creek, engineers designed a soldier beam retaining wall with tie-backs at the base of the hill. However, in January 1998, heavy rains accelerated the slide movement. The backyards of the houses on top of a hill by the roadside had lost 20 ft (6 m) of their backyards, and the soil surcharge on the road had grown from 10 ft (3 m) to 24 ft (7 m). The creek slope also needed to be stabilized, so HDP pipe covered with rock was placed along part of the creek bottom. By June 1999, construction of the bottom retaining wall was complete.

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APPENDIX C



URBAN FORESTRY ASSOCIATES, INC.

209 San Anselmo Avenue San Anselmo, CA 94960
(415) 454 4212 info@urbanforestryassociates.com

REPORT

For

**Zmay Development Proposal
San Mateo County, Highlands Area, California**

Prepared for:

Lennie Roberts

Green Foothills

Via Email: info@greenfoothills.org

Palo Alto, CA 94303

main 650-368-7243

fax 650-968-8431

email [Info@greenfoothills.org](mailto:info@greenfoothills.org)

Prepared by:

Ray Moritz, Urban Forester., Fire Ecologist

URBAN FORESTRY ASSOCIATES

209 San Anselmo Avenue

San Anselmo, CA 94960

415.454.4212

ray@urbanforestryassociates.com

PURPOSE

I, Ray Moritz of Urban Forestry Associates (UFA), was hired to inspect the subject ZMay Site and proposed development site and the fire hazard and risk issues. I was assigned to inspect the site and produce a brief report of my observations and conclusions regarding the fire hazard and risk. I inspected the Zmay property the canyon topography and the wildland and urban fuels on <May 5th, 2021. This report documents my observations and conclusions based on both my site inspection and my knowledge and experience analyzing fuels and fire behavior. My purpose is to produce an abbreviated assessment of the fire hazard and risk to the proposed development and to the surrounding community.

GENERAL SITE CONDITIONS

The proposed development parcels are located along the east boundary of a large wildland property located in a North – South canyon drainage between Parrott Drive to the east and Crystal Springs Road to the west, at the bottom of the canyon. The proposed Homes would be located close to the top of the west-facing wall. (See Figures 1 and 2). The “Diablo Fire Winds” that appear progressively more frequent in the Fall of the year, the canyon topography with steep slopes and ascending “chimney” drainages and the fire-prone vegetation and structural fuels constitute the “hazard” The fire consequences for targets at risk, the proposed homes, the residents of those homes, and the surrounding community. The Zmay property is about 4,500 feet from the San Andreas Fault. The greatest risk to the area is a major earthquake at the height of the fire season.

Parrott Drive forms a fuel break between the community east of the road and the relatively densely vegetated canyon. However, It has been reported that the Hillsborough July 25, 1972 fire was the last time fire entered the canyon “Suddenly the fire across Parrott Drive exploded, leapt 22 over the roadway, across rooftops, gulping every atom of oxygen. (Hillsborough Fire Chief William Stremme) “Stremme worries that Hillsborough’s first Day of Fire may not be its last.”

Currently residential properties along the west side of Parrott Drive, at the rim of the canyon, would serve to spread flames across the road, add to firebrands and the ember blizzard and threaten the east-of-Parrott Drive community (See Figure 3). In recent years we have seen the major role of homes themselves in feeding catastrophic WUI fire, starting with the 1971 Oakland Tunnel Fire, then the Tubbs Fire in Santa Rosa’s Coffee Park, and most strikingly the Camp Fire in Paradise California. Homes contain the equivalent of close to 40 tree trunks cut into small sticks that are bone dry, plus siding, flooring and roofing that can generate 400,000,000 BTU’s. This does not include rugs, furniture, appliances, cabinets and other home contents.



Figure 2





Figure 3 – Fire-prone landscaping (Cypress & Eucalyptus) could easily spread fire across the road. The structural fuels would add to fire intensity and spread to the east-of-Parrott community.

OBSERVATIONS

All observations during the inspection were made by me personally from the roads surrounding the Zmay property, and with aerial photography.

Fire-Prone Canyon Fuels:

1. **CS – COASTAL SCRUB (HIGH HAZARD)** supports low shrubs, typically 3 to 6 feet tall that are densely arranged with scattered openings supporting non-native annual grasses. Dominant plants in this type include coyote brush (*Baccharis pilularis*), poison oak (*Toxicodendron diversiloba*), California-lilac (*Ceanothus thyrsiflorus*), California bee plant (*Scrophularia californica*), blackberry (*Rubus ursinus*), toyon (*Heteromeles arbutifolia*), and sagebrush (*Artemisia californica*). Fire behavior in coastal scrub is strongly affected by the live fuel moisture in the coyote bush.
2. **FPO - FIRE-PRONE OAK WOODLAND (HIGHEST HAZARD)** consists of the native oak woodland dominated by a dense canopy of coast live oak (*Quercus agrifolia*), California bay (*Umbellularia californica*), California buckeye (*Aesculus californica*), and Pacific madrone (*Arbutus menziesii*). The dense understory of this woodland consists of poison oak (*Toxicodendron diversilobum*), toyon (*Heteromeles arbutifolia*), and other shrubs that create fairly contiguous ladder fuels from the forest floor to the tree canopy. The combination of dense understory vegetation, ladder fuels, and disease caused by sudden oak death (*Phytophthora ramorum*) makes this type extremely flammable and prone to crown fires.
3. **FPUF - FIRE-PRONE URBAN FOREST (HIGHEST AND HIGH HAZARD)** includes residential areas that are moderate to densely landscaped with fire-prone ornamentals such as juniper (*Juniperus* spp.), pine (*Pinus* spp.), acacia (*Acacia* spp.), and eucalyptus (*Eucalyptus* spp.). Also present in these areas may be sparse to dense remnants of the native trees and shrubs such as coast live oak, Pacific madrone, and poison oak. This forest type is also strongly affected by sudden oak death. Areas with dense understory vegetation were ranked as having the highest hazard.

Parcel # 1

Vegetation Fuel Types: CS—Coastal Scrub (High Hazard), FPO—Fire-Prone Oak Woodland/Maritime Chaparral (Highest Hazard) and Fire-prone Urban Forest

Location: CS - Around, below and above the likely home site. A residential Fire-prone Urban Forest is adjacent to the property adjacent to and north of this property.

Condition: The native plant communities are over-mature and have subcanopies of fine dead material that ignites easily and burns intensely. In the 1995 “Vision Fire” the fire spread went 11,000 acres in as many hours.

Conclusions: The development of this parcel is putting people and property in harm’s way and it exacerbates the fire risk to the east of Parrott Drive community.

Recommendation: The Fire Marshal should be consulted about the proposed development of this parcel.



Parcel # 2

Vegetation Fuel Types: CS—Coastal Scrub (High Hazard), FPO—Fire-Prone Oak Woodland/Maritime Chaparral (Highest Hazard)

Location: This property contains issues regarding geologic instabilities immediately below Parrott Drive. It has an ascending side “chimney” drainage vegetated by Fire-prone Oak Forest and has decadent Coastal scrub on its north flank.

Condition: The native plant communities are over-mature and have subcanopies of fine dead material that ignites easily and burns intensely. The oak forest has an undergrowth of dying scrub and poison oak that would encourage and sustain a crowning fire. The chimney drainage would exacerbate fire spread and intensity.

Conclusions: The development of this parcel is putting people and property in harm’s way and it exacerbates the fire risk to the east of Parrott Drive community.

Recommendation: The Fire Marshal should be consulted about the proposed development of this parcel.



Parcels # 3 & 4

- Vegetation Fuel Types:** CS—Coastal Scrub (High Hazard), FPO—Fire-Prone Oak Woodland/Maritime Chaparral (Highest Hazard)
- Location:** This property contains issues regarding geologic instabilities immediately below Parrott Drive. It has an ascending side “chimney” drainage vegetated by Fire-prone Oak Forest and has decadent Coastal scrub on its north flank.
- Condition:** The native plant communities are over-mature and have subcanopies of fine dead material that ignites easily and burns intensely. The oak forest has an undergrowth of dying scrub and poison oak that would encourage and sustain a crowning fire. The chimney drainage would exacerbate fire spread and intensity.
- Conclusions:** The development of this parcel is putting people and property in harm’s way and it exacerbates the fire risk to the east of Parrott Drive community.
- Recommendation:** The Fire Marshal should be consulted about the pro[posed development of this parcel.

GENERAL CONCLUSION

This proposed development is an extreme risk to the potential residents and residences of the proposed development and significantly exacerbates the risk to the community as a whole. It approval would violate The recommendation of the Governor and the fire service.

Placing people and property within extreme fire risk environments must be rejected if we are to lessen the extreme losses California has been impacted with the past few decades. Our most disastrous wildfires in recent years have been under northerly Diablo winds and this canyon is highly vulnerable to such winds.

If such ill-advised developments are not rejected now – when?

Approximate Parcels 1, 2, 3 & 4



The proposed development puts people, property, and coastal habitat at extreme risk of loss.

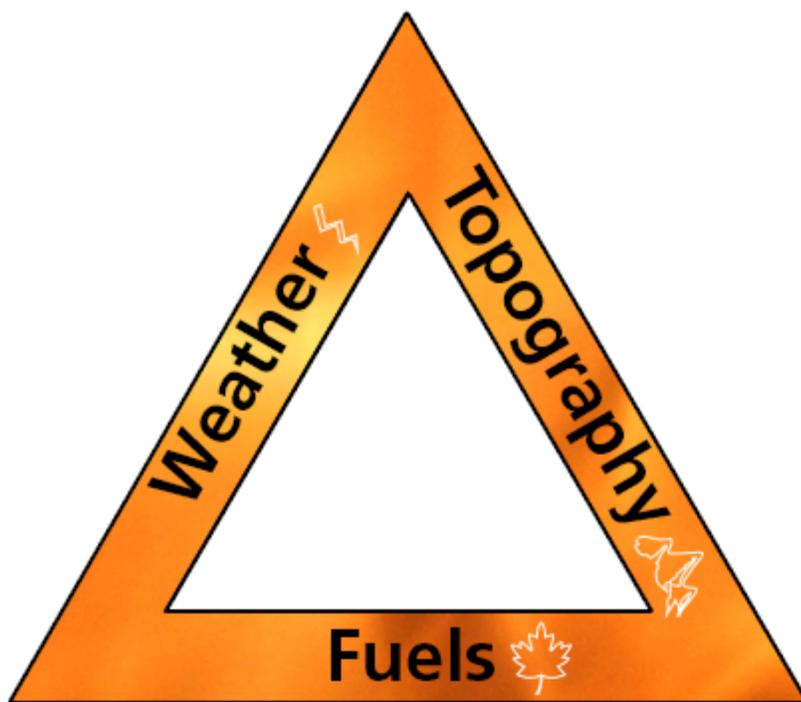
Ray Moritz, Urban Forester, Fire Ecologist

APPENDIX D

National Park Service

Wildland Fire Behavior

This article is part of the Wildland Fire Learning In Depth series. It is designed for students who want to learn more about fire. Find the complete series on the Fire subject site.



The fire behavior triangle's three legs are fuels, weather, and topography.

NPS/C. BOEHLE

Fire is influenced by many factors, including geography, climate, weather, and topography.

Season Matters

Though a wildfire can happen anytime the conditions are right, the time of year influences the effects of fire. For example, wildland fire season in the western United States is June through October, while March through May

is the fire season in the southeastern United States. Most fires in the New England states occur in late fall. During some seasons, more moisture is present than in other seasons, thus reducing fire threat. This varies by geographic region.

The Fire Behavior Triangle

Just like there is a fire triangle, made up of heat, oxygen, and fuel, there is another triangle called the fire behavior triangle. The three legs of this triangle are fuels, weather, and topography. The sections below go more in depth into each of these and their influence on fire.

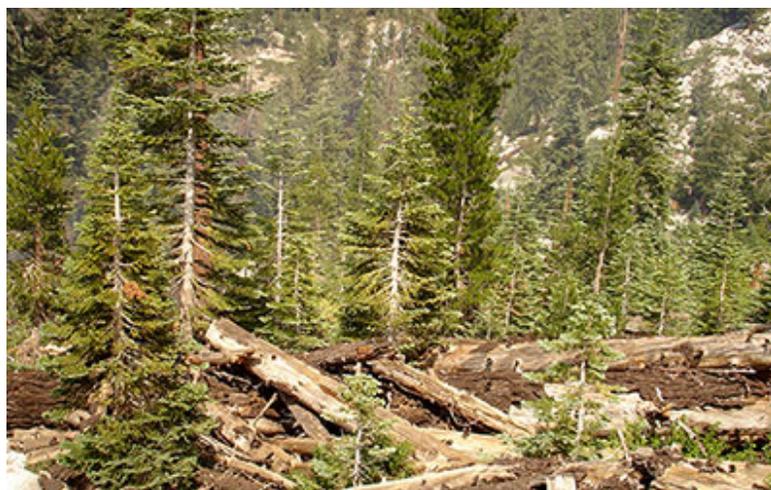
Fuels

A fuel's composition, including moisture level, chemical makeup, and density, determines its degree of flammability. Moisture level is the most important consideration. Live trees usually contain a great deal of moisture and dead logs contain very little. The moisture content and distribution of these fuels define how quickly a fire can spread and how intense or hot a fire may become. High moisture content will slow the burning process, because heat from the fire must first eliminate moisture.

In addition to moisture, a fuel's chemical makeup determines how readily it will burn.

Some plants, shrubs, and trees contain oils or resins that promote combustion, causing them to burn more easily, quickly, or intensely than those without such oils. Finally, density of a fuel influences its flammability. If fuel particles are close together, they will ignite each other, causing the fuel to burn readily. But if fuel particles are so close that air cannot circulate easily, the fuel will not burn freely.

Soil types also must be considered because fire affects the environment above and below the surface. Soil moisture content, the amount of organic matter present, and the duration of the fire determine to what extent fire will affect soil.



Fuels are all living and dead plant material that can be ignited by a fire. Fuel characteristics strongly influence fire behavior and the resulting fire effects on ecosystems.

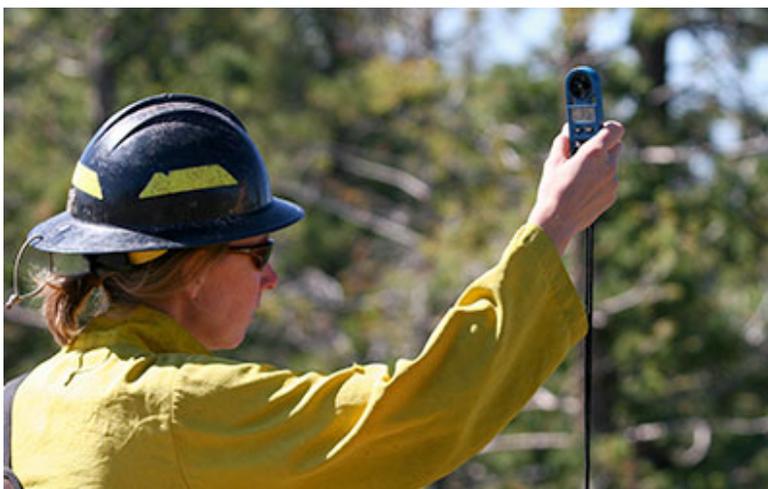
NPS

Weather

Weather conditions such as wind, temperature, and humidity also contribute to fire behavior. Wind is one of the most important factors because it can bring a fresh supply of oxygen to the fire and push the fire toward a new fuel source.

Temperature of fuels is determined by the ambient temperature because fuels attain their heat by absorbing surrounding solar radiation. The temperature of a fuel influences its susceptibility to ignition. In general, fuels will ignite more readily at high temperatures than at low temperatures.

Humidity, the amount of water vapor in the air, affects the moisture level of a fuel. At low humidity levels, fuels become dry and, therefore, catch fire more easily and burn more quickly than when humidity levels are high.



An anemometer measures wind speed. Wind is one of the factors of weather conditions that can influence wildland fire.

NPS/D. NG

Topography

Topography describes land shape. It can include descriptions of elevation with the height above sea level; slope, the steepness of the land; aspect, the direction a slope faces (e.g., the south side of a canyon will have a north-facing slope); features, such as canyons, valleys, rivers, etc.

These topographical features can help or hinder the spread of fire. For example, a rocky slope can act as a great natural fire break due to a lack of fuel and wide gap of open space. Drainages can act as fire breaks, as well if fuels are moist or there is little vegetation. Beyond the shape of the



Topography can have an influence on how a fire behaves. It will typically move more quickly uphill than downhill or than on flat terrain.

NPS

land, it is also important to consider elevation, slope, and aspect. Elevation and aspect can determine how hot and dry a given area will be. For example, higher elevations will be drier but colder than low ones, and a north-facing slope will be slower to heat up or dry out). Slope can determine how quickly a fire will move up or down hills. For example, if a fire ignites at the bottom of a steep slope, it will spread much more quickly upwards because it can pre-heat the upcoming fuels with rising hot air, and upward drafts are more likely to create spot fires.

Part of a series of articles titled [Wildland Fire - Learning In Depth](#).

Previous: [Wildland Fire and Ecosystems](#)

TAGS

wildland fire

learning in depth

prescribed fire

fire ecology

natural resource management

invasive species management

lightning

fuel reduction

Last updated: February 16, 2017

Was this page helpful?

Yes

No

 An official form of the United States government. Provided by **Touchpoints**

APPENDIX E



Answering the call since 1926.

Media Guide

This guide is intended to assist the media with obtaining timely information from the Santa Barbara County Fire Department (SBCFD) and to provide the media with a basic outline of how information is released. This is a reference guide only and is not intended to cover every situation.

Vegetation Fire Media Information

Public Information Office

Daniel Bertucelli

PIO

ph: 805-896-6336

email: DanielBertucelli@SBCFireInfo

Mike Eliason

PIO

ph: 805-896-5134

email: SBCFireInfo@EliasonMike



This booklet is intended to help you cover vegetation (or wildfires) in the Santa Barbara Area. We know fires can be scary and seem completely out of control.

The Santa Barbara County Fire Department trains continuously throughout the year for vegetation fires. Our Mission is to keep 90% of vegetation fires held to 10 acres or less. Sometimes that's impossible.

We know that. With certain weather and fuel conditions such as the 1990 Painted Cave Fire, there were nearly 500 homes lost in only 90 minutes. A manmade fuel break of a six lane freeway and railroad track couldn't stop the fire's progress. The only thing that stopped that fire from reaching the Pacific Ocean was that the Sundowner winds stopped.

Large fires are scary. They're deadly.

You are asked to cover such an event, are you prepared?

Please review this material that's meant to aid you in safely covering these destructive conflagrations that routinely scar our county.



It All Begins With The Red Card

A Red Card is officially known as an Incident Qualification Card. This card is generated from a training and qualification database run by federal and state agencies that work in cooperation with the National Wildfire Coordinating Group (NWCG).

Called the Incident Qualification and Certification System (IQCS) or in some areas the Incident Qualification System (IQS), this program tracks an individual's training and incident responses. A Red Card is like a sort of license that indicates what positions the card-holder is qualified to operate in. The software tracks this training and experience and then determines if the individual has met the requirements for a given position. These positions are defined in an NWCG-published document called the Wildland Fire Qualification System Guide, or more commonly, PMS 310-1. A lengthy read to say the least, this document defines the requirements for someone to be qualified in a position and therefore hold a Red Card indicating so.

Red Cards are utilized by state, federal and other fire agencies that work cooperatively with the NWCG. All federal and tribal firefighters are issued Red Cards. Many local government agencies that have members who work on incident management teams (IMTs) or that mobilize to large wildland fire incidents also carry Red Cards.

A Red Card is issued to any individual who has qualifications used on a wildland fire incident, including positions in firefighting, logistics, finance, PIO, and planning.

There are several reasons why a department may wish to have its personnel “Red-Carded,” or more accurately, qualified by NWCG standard to operate within the NWCG’s system. Departments such as SBC, which work closely with neighboring federal agencies or that share protection responsibility for public lands, find it necessary to have staff members Red-Carded. This enables personnel to work on federally managed incidents as firefighters or other personnel. All qualified personnel can now be requested through a computer ordering process. Single person positions, strike teams, or other resources can be ordered and assigned for various fires. It also enables federal agencies to reimburse departments for personnel and equipment costs on incidents. More importantly, it shows that a fire department has taken the initiative to train its personnel to the same level and through the same process as their federal cooperators. This commitment can go a long way in improving relationships and creating training opportunities among local, state and federal government agencies.

The NWCG operates under a “performance-based system.” Position task books define the set of skills required for a given position. PMS 310-1 defines the experience and educational requirements, along with successful performance in a position (verified by a task book) required for qualification. This means that a SBC employee who wants to be qualified in a position must meet the specified requirements set forth in PMS 310-1 prior to initiating a task book, then demonstrate performance at that level as a trainee. Once all tasks and required training are complete and the SBC employee’s task book is signed off by a series of evaluators, the SBC employee is eligible to be qualified for that fire season. At the beginning of the high fire season, refresher videos, classes, and practical applications (such as live drills) are completed to obtain that season’s Red Card.

SBC Morning Report

Every morning the SBC Duty Officer (who holds the rank of Captain and is assigned to work in the Dispatch Center) generates this morning report and disseminates it to SBC and other fire agencies in the county and region.

It gives the status of personnel and equipment for the 24-hr operational period and if any resources are assigned to out of county incidents. It also gives the on-call Strike Team rotations for the day for South Ops Geographical Area Coordination Center.

SANTA BARBARA COUNTY FIRE MORNING REPORT						Thursday
Date:	08/31/17	C-Shift	Burnday:	NO	Drawdown	NO + 11
VRL:	HIGH 0900-1800 MOD 1800-0900				Readiness Uniform	Yes
COMMAND & GENERAL STAFF						
	Duty Chief:	0800-1200	503 Johnson	1700-0800	503 Johnson	
	Duty Officer:	0700-1900	C.Peterson	1900 - 0700	C.Peterson	
	PIO:	0700-1500	INFO 1 Zaniboni	1500 - 0700	INFO 2 Eliason	
	Investigator:	0700-1700	526 Steiner	1700-0700	525 Snodgrass	
	H M U :	0800-0800	an West.Analyssa Qu	0800-0800	Analyssa Quarnta	
						
EQUIPMENT - AVAILABLE						
Battalion 1	BC 512 Ryan					
Resource Type	Type I	Type III	Specialized Equipment		Reserve <off>	Utility
Station 11:Ⓞ	ME11		WR11	T11 / USAR11		
Station 12:	ME12	E312			AE12	
Station 13:Ⓞ	ME13	E313				UT13
Station 14:	E14 (AE13)					
Station 15:	E15					UT15
Station 17:	ME17		WR17	RA17	ARA17 / AE17	UT17
Station 18:	ME18	E318	WT18	BS18		UT18
Headquarters:	Exp. Closed					
Battalion 2	BC 520 Hazard					
Station 21:	ME21	E321			AE21	UT21
Station 22:Ⓞ	ME22		WT22			UT22
Station 23:	E23					UT23
Station 24:	ME24	E324				UT24
Station 30:Ⓞ	ME30	E330				UT30
Station 31:	ME31	E331	HAZ31			UT31
Station 32:	ME32		WT32		AE32	UT32
Station 41:	ME41	E341	WT41	RA41	ARA41	UT41
Station 51:Ⓞ	ME51	E319		RA51	ARA51 / AE51	UT51
SPECIAL OPERATIONS						
Air Ops 0800-1800:			Copter 3>OFF<	Copter 4 >ON< no hoist	H-308>OFF<	Helitender>ON<
Const. 24 Hrs.	DZ1<ON>	DZ2<OFF>	DZ3>OFF<	DZ4>ON<	Excavator>ON<	Loader 1> ON<
Crews 0900-1700	SBC Crw 1-1<on>	SBC Crw 1-2<off>				
Water Ops. 24 Hrs.	WR11	WR17				
INCIDENTS / UPSTAFF						
Inc. Name	Inc.#	Equipment / Overhead / Crews				
CA-Eclipse Complex	SBC#10983	515-(Chris Childers)				
CA-FKU-Cover	SBC#11124	ST 9322C, 322,323,332,314,315, STEN 540 (Farris),STEN(T) Gailey				
OR-UPF-000406	SBC#11127	510-(Diondrey Wiley)				
CA-NOD-005180	SBC#11160	530-(Stornetta),Himmelrich				
OUT OF SERVICE						
North Garage	E351					
South Garage	E14					
S/T Rotation:	9322C (CalFire)	Batt 1:	315,314,313,318,312			
UPDATE 4/24/17	9322C (CalFire)	Batt 2:	323,332,351,322,330,324,331,341			
S/T Rotation:	XSB1501A	Batt 1:	17,11			
	SBC1530A	Batt 2:	23,32,21,51,22,30,24,31,41			
OTHER RESOURCES, REQUEST THROUGH DUTY OFFICER						
Local Air	AA07<at inc>	H528<at inc>	Regional Air	PRB: A340,T75	PTV:A410 T-76	
XSB	RTF12 USAR11		OES ENGINES: SMR-337 O.O.S.			

How Does A San Diego City Fire Engine End Up In Santa Barbara County?

Fire breaks out.

Who does the Direct Protection Area belong to? (Basically, whose dirt is it? - USFS, SBC, SLO, CAL FIRE) This determines the resource "ordering point." Once determined that dispatch center becomes the ordering point (for this example we will say it's SBC's dirt)

The Duty Officer (which is a Captain) in the dispatch center will "name" the incident. This is based on a local geographic landmark or road. It must be only one word and can only be used on a fire once for that calendar year. (You may have two "Paint" Fires in different years, but you can't have a "Painted Cave" Fire—too many words)

The Duty Officer will get requests from the on-scene Incident Commander (Usually a Battalion Chief or earlier in the incident, a Captain)

All orders are then placed via computer through ROSS (Resource Order and Status System) goes to South Ops, which is located in Riverside (North Ops is in Redding)

At South Ops, there are two separate Geographical Area Coordination Center (GACC) divided between the US Forest Service and Contract County/Cal Fire Centers.

Depending upon other fire activity in the region, the request through South Ops will go methodically to various departments and counties closest to the fire to fill the request. The request will be filled if that agency has the resources available. If the resources are not available due to another fire/incident, it can be declined. Everyone who is requested (whether on an engine, aircraft, crew, or single resource has been "Red Carded" and in the computer system).

South Ops looks at the various fires/threats/requests and determines a daily priority list of fires. A fire will get a higher priority if structures are threatened. (The Whittier Fire was bounced around several times in the Top 5 in SoCal, and also was considered the #1 Fire) This helps with aircraft availability primarily, but also ground resources and length of response.

If South Ops requests an SBC Strike Team for an out of county incident, the Duty Officer will first get the approval from a Duty Chief/Division Chief prior to accepting the request.

What can be ordered through ROSS are, Strike Teams, Dozers, Aircraft, Facilities, IMT Teams, Water Tenders, Private Fire Contractors, Hand Crews, Single Resource Personnel, and Overhead. Basically anything that will work the incident.

With the resources ordered, they will respond and report to a staging area or base camp for the incident by a certain time.

Once assigned to the incident, they are usually assigned for a maximum 14 day period. This can be extended an additional seven days before replacement crews arrive. Or, the assignment can be shortened if released.

A daily DEMOB (demobilization) list is posted in camp letting firefighters know if they will be released that day or next. They then go through the DEMOB process (which takes about an hour to go to supply, radio, finance, vehicle inspection, etc.) and head to home or be re-assigned to another fire.

This is an actual filled order request from the ROSS system for a five engine Type 3 Strike Team and Strike Team Leader from SBC to the MIAS Fire in Beaumont in August 2017.

 Media Guide Table-2

 Media Guide Icons

 Media Guide Graphic

Logistics

“You will not find it difficult to prove that battles, campaigns, and even wars have been won or lost primarily because of logistics.”

- Dwight D. Eisenhower

SBC's Logistics Section consists of 3 personnel and 1 Captain. When there is not a fire, they support the 16 SBC Fire Stations with everything from lightbulbs to the Jaws of Life tools.

During the first hours of a vegetation fire, fire resources may be coming to the scene from near and far.

While the firefighters are working hard, sometimes it takes days, weeks, or even months to finally put a fire out. In these such cases the firefighters need the support of the Logistics Section, or LOGS, to enable a successful outcome. The three major items needed initially are food, water, and sanitation.

During the first hours, meals are ordered for the personnel on scene. This usually is something ready made and can be delivered by LOGS and handed off quickly on the fire line, such as a sandwich or burrito. This will have to sustain the firefighters for the overnight period.

Usually the initial assignment, or IA, crews will work all night without a break until the morning briefing.

At the same time, the Logistics Section is ordering a hot breakfast for the morning and a 3000 calorie sack lunch to be given to them on their way back out to the fireline. LOGS will call a vendor by 10 PM and will have up to 2,000 sack lunches delivered by 6 AM. When the camp is fully operational, the firefighters will get a daily hot breakfast and dinner, along with their sack lunch.

LOGS also will prepare the first Incident Action Plan (IAP) and maps for the morning briefing to be handed out to crews and command staff.

Other necessary items are roughly 20 portable toilets, a fuel truck, a hydration trailer that includes 2 pallets of ice, 7 pallets of water, and 3 pallets of Gatorade. The hydration trailer will also need to be replenished at some point.

Now, where will the fire camp be located? If there is a fire in the front country, Dos Pueblos High School has been used, as well as Earl Warren Showgrounds, however schedule conflicts may not make this possible. Live Oak Campground or Elks Rodeo Field may be used for north county incidents. This needs to be worked out quickly as resources are already on their way.

If the fire continues to grow, LOGS will ready the Type 3 for transition to a Type 2 or Type 1 Incident Management Team. With these larger teams, comes more firefighting resources. A temporary city will need to be built to accommodate the personnel. Portable trailers for “Main Street” where the Incident Commander, Finance, PIO, Plans, Check-In/Demob and others will be housed. Other items such as shower trailers, sleeping trailers, lighting, dumpsters, meals, map making & copy trailer, supply and equipment, radios, and more now need to be ordered. With larger IMT teams comes more regulations. Cal Fire, for instance, differs from the USFS when it comes to how things such as individual vendors are selected for incidents. Also where will the crews sleep? Most bring their personal tents, Cal Fire has negotiated in their contract they will stay in motels.

It costs roughly \$120 thousand a day for a Type 1 Team’s approx 60 personnel, \$80 thousand a day for a Type 2’s 40-50 personnel, and \$35 thousand a day for a Type 3’s 30 personnel. (This is salary for members of the team. This does not include single resources, engine companies, crew, dozer, aircraft, vendors for camp, etc).

Culinary Delights

Media Guide Food

At Base Camp, the firefighters are served a hot breakfast (usually from 6 a.m. to 10 a.m.) and dinner (usually from 5 p.m. to 9 p.m.) daily.

Ever wonder what crews eat while on the firelines? Here's a photo showing the famous fire line brown bag lunch which is ordered through the LOGS Section. It must be a 3000 calorie lunch sack that has also has several snacks.

Every day a firefighter is on the line, they are responsible for picking up a brown bag lunch at base camp to feed themselves. They get one bag for a 12-hr shift and two if they are working a 24-hr shift. They have a meat and vegetarian version of each. This photo is of a vegetarian brown bag lunch.

It includes;

Green burrito with portobello mushrooms, Chinese noodles and red bell peppers. The white burrito has leaf lettuce and a slice of cheddar cheese. The rest is easy to see. The non-vegetarian version of this contains a ham sandwich on wheat.

While crews are off, they also may, as a group, go into town and eat at a local restaurant if they choose.

Bon Appetit!

Briefing

Media Guide Whittier Fire

Group briefings and fire acreage & containment numbers are held 12 hrs apart. They are usually held for the day shift at 7 AM and the night shift at 7 PM, but can also be at 6 AM and 6 PM.

During this time the Incident Action Plan or IAP for that shift is discussed by leaders of the various sections of the fire to crews coming on for that shift. Some of the topics that are discussed are;

- SAFETY MESSAGE - Tailored for each particular shift/weather conditions/terrain. Review LCES. All are reminded that a building or patch of dirt isn’t worth their life.
- INCIDENT OBJECTIVES - Strategies for containment of the fire.
- ORGANIZATION LIST - Identifies Incident Commander and Staff, Agency Representatives, Planning Section, Logistics Section, Operations Section (including various Branches including Air Ops Branch), and Finance Section.
- SPOT FIRE WEATHER FORECAST - From Incident Meteorologist. Includes predicted temperatures, winds, humidity, and fire behavioral forecast. Also specific to various Divisions.
- DIVISION ASSIGNMENTS - Breakdown of resources assigned to various Divisions including Division Leader, Engines, Crews, Dozers, Water Tenders, etc. Also includes how many personnel assigned to each resource for accountability purposes.
- RADIO COMMUNICATIONS PLAN - Frequencies and channels for all radios and hand-held devices used on fire.
- MEDICAL PLAN - Medical Aid Stations, local hospitals, who would transport (AMR, Calstar, etc) distances to Drop Points (Lat & Long), addresses of hospitals & travel times.
- AIR OPERATIONS PLAN - Frequencies, available helicopters and fixed-wing, air attack contact, & TFR Restriction.

Also distributed at both briefings are multi-page detailed topographic and grid index maps that focus on all of the division of the fire. They also show drop points, divisions, branches, uncontrolled fire edge, completed dozer line, completed line, hand lines, and proposed dozer lines.

Fire Incident Map

 Media Guide Fire Incident Map

Shows perimeter of the fire.

- **Red line** shows uncontrolled fire edge
- **Black edge** shows controlled edge
-)(Shows Division breaks of fire (which can expand with fire growth.
- || Shows Branch breaks of fire.
- Other points such as **Drop Points, Water Sources**, etc.
- Usually updated on 12-hr increments

Fire Behavior

 Media Guide Fire Behavior

Atmospheric stability can be defined as the atmosphere's resistance to the upward or downward movement of air. Unstable air encourages the vertical movement of air and tends to increase fire activity. Stable air discourages the vertical movement of air and tends to reduce fire activity.

Other indicators can also reveal important information about local atmospheric conditions. Steady winds indicate stable air; gusty winds are indication of unstable air, except where mechanical turbulence (usually caused by terrain features) is the obvious cause. Fire whirls or dust devils are reliable indicators of instability near the surface. Haze and smoke tend to rise in unstable air and to spread horizontally in stable air.

Different cloud formations also indicate atmospheric stability or instability. Cumulus clouds are characterized by vertical currents and therefore indicate unstable atmospheric conditions and possibility of

 Media Guide Fire Behavior-2

gusty or strong winds. The heights of cumulus clouds indicate the depth and intensity of the instability. When the atmosphere is unstable, formerly calm fires may suddenly blow up and become very erratic.

Daily weather cycles also affect fire behavior, and they, too, tend to be predictable. For every 24 hr period, it is possible to make general predictions about burning conditions.

Local winds may also vary according to the time of day. In foothills, daytime heating of the land produces an upward movement of air, creating up-canyon winds. At night, cooling of the land produces a downslope wind.

Fire Weather

Short-term variations in the atmosphere are what we call weather. Weather is one of three components of the fire environment.

Weather conditions can result in the rapid spread of fires as a result of strong winds. On the other hand, an increase in humidity or precipitation can slow or extinguish fires. Of the three fire environment components, weather is the most variable over time, and at times, difficult to predict.

Firefighters conducting fire suppression must monitor the weather at all times to make safe and effective firefighting decisions. This can not be overstressed.

The basic principles and concepts of fire weather as they relate to wild land fire behavior include:

- Air Temperature and Relative Humidity (RH)
- Precipitation
- Atmospheric Stability
- Wind

Air temperature varies with time, location, and altitude. Abrupt changes in temperature can occur when migrating weather systems transport colder or warmer air into a region. In the wildland fire environment, direct sunlight and hot temperatures can preheat fuels and bring them closer to their ignition point. Above average temperatures are common on large fires.

Relative humidity is the amount of moisture in the air divided by the amount the air could hold when saturated at the same air temperature. It is usually expressed as a percentage. Small changes in RH that cannot be felt or seen can have a significant impact on wildland fire behavior (such as light, grassy fuels)

Temperature and relative humidity have an inverse relationship. When temperature increases, RH decreases. During the early morning hours, the temperature typically reaches its lowest point and the RH reaches its highest point.

When the temperature reaches its maximum for the day (usually in the late afternoon) the RH decreases and the fuel moisture reaches its minimum. The majority of large fire outbreaks and fire growth occur during this time.

Atmospheric Stability

Wildfires are greatly affected by surface winds, temperature, and RH, but, less obvious and yet equally important, is atmospheric stability and related vertical air movements that influence wildfires. Atmospheric stability is the degree to which vertical motion in the atmosphere is enhanced or suppressed. The temperature and stability of the atmosphere is constantly changing with variations over time.

A **stable atmosphere** is defined as an atmosphere that resists upward motion. In this condition, the extensive heat of the fire generates vertical motion near the surface, but the vertical motion above the surface is weakened, thus limiting ingrafts into the fire at low levels and fire intensity. **Some visual indicators of this are; Clouds in layers, stratus type clouds, smoke column drifts apart after limited rise, poor visibility due to smoke or haze, fog layers, steady winds.**

An **unstable atmosphere** is defined as an atmosphere that encourages upward motion. In this condition, vertical motion increases contributing to increased fire activity. Convection columns can reach greater heights producing stronger ingrafts and convective updrafts, spotting can occur, dust devils and fire whirls, and gusty surface winds. Fires burn hotter and with more intensity when the air is unstable. **Some visual indicators of this are; Clouds grow vertically and smoke rises to great heights, cumulus clouds, good visibility, gusty winds, and dust devils/fire whirls.**

Inversions and Nighttime (Radiation) Inversions

The usual temperature structure of the lower atmosphere is characterized by a decrease in temperature with altitude. However a layer where temperature increases with altitude (warm air over cold air) may exist. This is referred to as an inversion. During this time, fuel RH is usually higher, thus fire spread is reduced. Updrafts are usually weak and only rise until their temperature equals that of the surrounding air. Once this happens, the smoke flattens out and spreads horizontally. Nighttime (radiation) inversions develop on calm, clear nights when radiational cooling of the Earth's surface is greatest and are typically stronger in winter than summer. They're easy to identify because they trap smoke and gases resulting in poor visibilities in valleys or drainages.

Winds impact the fire environment by increasing the supply of oxygen to the fire, determine the direction of fire spread, increase the drying of fuels, carry sparks and firebrands ahead of main fire causing spot fires, bend flames that result in the preheating of fuels ahead of the fire, influence the amount of fuel consumed by affecting the residence time of the flaming front of the fire. The stronger the wind, the shorter the residence time and the less fuel is consumed. (This was apparent along Highway 154 during the Whittier Fire and "hopscotching" appearance).

Press Conferences For Large Incidents

 Media Guide Press Conferences For Large Incidents

For Santa Barbara County Fire Department, the Public Information Officer (PIO) Section is currently staffed with two full-time positions which work a M-Th 4/10 schedule, but are always on-call 24/7. There is a small cadre of others who will fill in with the on-call PIO duties when necessary.

For a large fire, they will respond as part of the initial assignment. Both are members of the IMT-3 and would be assigned to the fire as a single resource for the incoming IMT-2 or IMT-1, each of which has their own lead PIO as part of the Command/General Staff. In the Chain of Command, SBC PIO's would now be working for that Incident Management Team's PIO.

For large incidents, such as the Whittier or Rey Fire, there were 12 additional PIO's ordered as a Single Resource from as far away as Florida and Alaska. SBC's PIO Section will usually handle the local media requests due to existing relationships and knowledge of the area, but the others may do interviews as well. Primarily, the other PIOs will answer phone banks, go to temporary kiosks that have been placed near local businesses to answer incident information, as well as update InciWeb and social media. The updated information on acres burned and containment percentage is released during the morning and night briefing.

A formal press conference will usually take place at the request of the Incident Commander. This is to disseminate specific information that is necessary to get out to the public. Additionally, representatives from Cooperating Agencies and Elected Officials will be on hand to answer questions.

Every attempt is made by the PIOs to assist media with access, articles, and accurate information during incidents.

InciWeb is updated throughout the day and can be found at <https://inciweb.nwcg.gov>

 Media Guide InciWeb

Progressive Hose Packs

 Media Guide Progressive Hose Packs

Over 300,000 feet of hose line was used during the Whittier Fire.

Hose packs can be carried on the back or front of a firefighter (or both) to extend a line in attacking a fire. They are usually left at the scene for future mop-up and replaced with new packs at Base Camp. Due to the terrain and single jacket cotton design, they can tear or burst while in operation. A new section then replaces the old one. They pose additional hazard as they may have been dragged over poison oak and then handled by personnel.

Hose packs are folded and carried in a pack that can be easily deployed on a vegetation fire. They consist of;

 Media Guide Progressive Hose Packs-2

- 1 100' section of 1 1/2" single jacketed cotton hose.
 - 1 100' section of 1" single jacketed cotton hose.
 - 1 1 1/2" Gated Wye
 - 1 1 1/2" to 1" reducer
 - 1 Nozzle
-

SBC Crew 1-1 and 1-2

SBC has two hand crews. Crew 1-1 works 4/10 hour days Sunday-

 Media Guide Patrol and Crew Supt.

Wednesday, and Crew 1-2 works 4/10 hour days Wednesday-Saturday. Each crew has 15 crew members and a Crew Boss. They are supervised by a Captain, who is the Crew Superintendent. They are an "All Risk" crew and can be dispatched anywhere in the state.

Patrol and Crew Supt.

4 x 4 pickup with 150 gallon tank and pump. It carries additional hose, emergency supplies, fuel, and parts for equipment. One will

 Media Guide Crew Buggy

respond with each of the two crews and the other is assigned to the Captain who is also the Crew Superintendent.

Crew Buggy

Air-conditioned transport with 4 x 4 capabilities. It carries the Hand Crew to the scene or can be parked and the crew will hike to the necessary location. It carries 15 crew members and one crew boss, as well as all of their equipment and packs.

SBC Hand Crew PPE (Personal Protective Equipment)

 Media Guide SBC Hand Crew PPE

SBC Hand Crew Pack

 Media Guide SBC Hand Crew Pack

SBC Hand Crew Tools Of The Trade

 Media Guide SBC Hand Crew Tools Of The Trade

SBC Construction Section

 Media Guide SBC Construction Section

The primary mission of the section is vegetation fire suppression. The dozers are a resource for fire line construction. The personnel assigned to the section are responsible for the three dozers, transports, and a “swamper”.

The main function of the section is to fight vegetation fires with heavy equipment (such as bulldozers). **One dozer can do the work of about 60 hand crew members in building a fire line.**

The Construction Section serves many other important functions for the Department as well, such as: maintaining fire access roads, preparation for prescribed burns, hazard reduction projects, metal fabrication,

 Media Guide SBC Construction Section-2

chainsaw maintenance and repair, vehicle maintenance and repair, and many other special projects. This section may also be called upon to assist during other emergencies such as floods, earthquakes, structure fires, urban search and rescue, and more.

SBC usually constructs fire lines in one of two ways: with hand crews using hand tools, or by bulldozer. Bulldozer lines are constructed by blading the ground –removing flammable plant material down to bare soil.

Dozer lines can vary in width from a single dozer blade to many dozer blades wide, depending on the type of vegetation burning. Dozers can cut line at a rate of one to eight miles an hour, but typically cut line from one to three miles per hour depending on terrain, vegetation, and conditions.

Electrical Safety & Lines Down

 Media Guide Electrical Safety & Lines Down

On August 23, 2003, SBC acting Captain Howard Orr came in contact with a downed power line on a vegetation fire. He received 7,400 volts of electricity traveling throughout his body for nearly 30 seconds before he was saved by his firefighter who had to make several attempts to rescue him before he was successful.

It took several attempts to pull Orr from the downed line, which was hidden by a pile of logs the pair was trying to remove from their fire truck’s path. The electricity jolted him back with each attempt, but the firefighter ran to grab shovels from other approaching firefighters, who helped him pry Orr from the line.

A safety check-back is now initiated by dispatch to all responding units acknowledging the life-hazard if wires are known to be down.

Assume all lines are energized

 Media Guide Assume all lines are energized

Power lines on the ground can be dangerous without even being touched. When an energized electrical wire comes in contact with the ground, current flows outward in all directions from the point of contact. As the current flows in all directions away from the point of contact, the voltage drops. This is called ground gradient.

Depending upon the voltage involved and other variables such as ground moisture, this energized field can extend for several feet from the point of contact. A person walking into this field can be electrocuted because of the differing potentials between each foot.

Be aware of chain link fences and water puddles as they can become energized from a downed line.

To avoid this, one should stay away from downed wires a distance equal to one span between poles until one is certain that power has been turned off.

Fire Weather

Remote Automated Weather Stations

 Media Guide Fire Weather Watch and Red Flag Warning

RAWS means **Remote Automated Weather Station**. A RAWS is a tower equipped with computerized sensing equipment that samples weather conditions every hour and transmits data to a satellite. CAL FIRE uses the weather observations to calculate fire danger throughout the

day and dispatch appropriate levels of resources to incidents.

CAL FIRE has 78 permanent RAWS located throughout the state. In addition, CAL FIRE has 21 portable RAWS used to monitor weather conditions at emergency incidents and during control burns. The weather stations are part of an interagency network of over 350 RAWS located throughout the state and utilized by CAL FIRE and other wildland fire-fighting agencies.

[For Santa Barbara County and Southern California it can be found here.](#)

Fire Weather Watch and Red Flag Warning:

A fire weather watch or red flag warning simply indicates a state of readiness (there is no actual flag).

 Media Guide Fire Weather Watch and Red Flag Warning-2

The **National Weather Service** in Oxnard initiates the process. If the NWS believes weather conditions could exist in specified zones over the next 12-72 hours which may result in extreme fire behavior, they will notify the SBC of a fire-weather watch. SBC will notify the media, the Santa Barbara County Board of Supervisors, and the public after written notification from the NWS. A red flag warning is issued for events that will occur within 24 hours.

These watches and warnings are called because of a combination of **high temperatures, low humidity, and high winds**. They can also be issued when there is a possibility of dry lightning. The concern is that if a fire starts in those conditions, it has a better chance of spreading very rapidly and erratically.

During a Red Flag Warning, SBC will upstaff personnel or proactively stage equipment along the South Coast. There also may be parking restrictions in high-risk areas.

Enforcement & Investigation

“When you have eliminated the impossible, whatever remains, however improbable, must be the truth.” - *Sir Arthur Conan Doyle*

“The cause is under investigation.”

For the media, this can be a frustrating response as to the cause of a vegetation (or any) fire. You can see that the fire started near the road and don’t understand why a cause can’t be released quickly?

SBC’s Investigators utilize **“The Scientific Method”** in determining the cause of a fire. Take the roadside fire. What caused it? And **where is the Point of Origin?**

- Power lines (down due to weather, bird, mylar balloon)
- Passing vehicle (dragging a chain, catalytic converter, thrown object)
- Pedestrian
- Weather
- Near a neighborhood (juveniles)
- Near a ranch (cutting, welding, grinding)
- Arson
- Vehicle accident
- Vehicle fire
- Railroad
- Mower or power equipment
- Check with CHP or Sheriff for any similar reports in the area

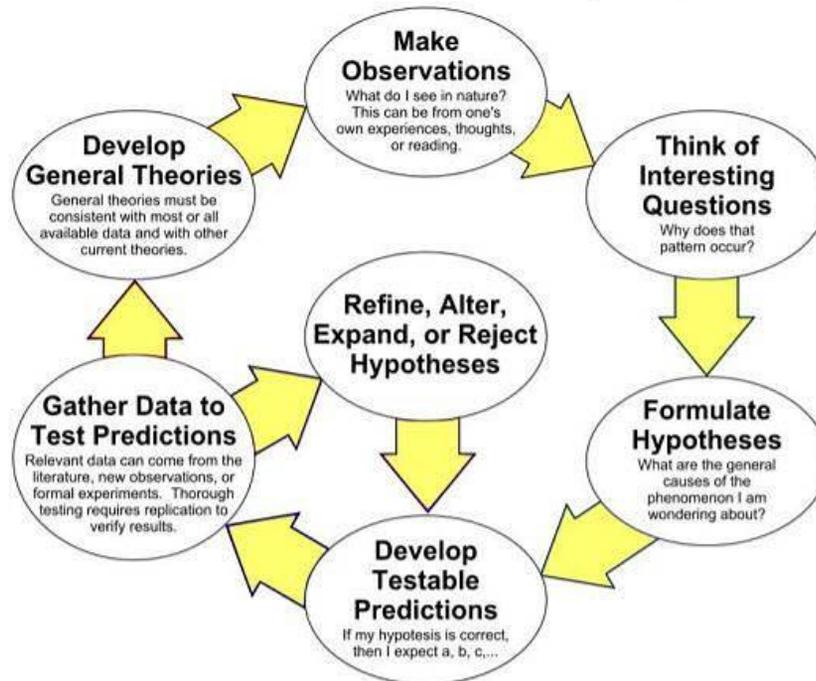
The reason for using this method is to **confirm or discredit a cause**. The Investigators have Peace Officer Powers in addition to being Firefighters. They work closely with other agencies including the District Attorney, as well as insurance companies, to determine a cause. They also may testify in court regarding their conclusions. **For the 10% of the time you see them at a scene, they will spend another 90% working on the investigation, writing reports, conducting interviews, etc.**

Sometimes the fire cause may be **“undetermined”**. This is because the Investigators need to be able to confirm-without a doubt-in order to state a specific cause. If it’s possible that two or more causes, such as the one mentioned above, are responsible for starting a fire, it would be listed as “undetermined”

This cause can also help in the future if similar fires occur and it’s later determined that it was the act of an arsonist. The earlier fire cause can now be reexamined and compared with the new fire because it was not given a specific irrefutable cause.

Simply put, for legal reasons, they can not release any information until a cause has been determined, agreed upon, and vetted. If it seems very similar to a law enforcement investigation, it's because it is one.

The Scientific Method as an Ongoing Process



All Fires Are Considered Crime Scenes Until Proven Otherwise

Please be mindful of the point of origin and nearby area. Stay a distance away as to not contaminate the scene with footprints, tire marks, etc.

Our Investigators, if time permits, are willing to accommodate the media and allow access from outside the Area of Origin at the scene once they have completed their work.

SBC has a team of two Engineer/Inspectors and one Captain that investigate several hundred cases a year in addition to their regular duties.

Vegetation Fire Vocabulary

Parts Of A Vegetation Fire

- **Point Of Origin** - The precise location where a competent ignition source came into contact with the material first ignited and sustained combustion occurred.
- **Head Of A Fire** - The side of the fire having the fastest rate of spread.
- **Flank Of A Fire** - The part of a fire's perimeter that is roughly parallel to the main direction of spread.
- **Rear Of A Fire** - That portion of a fire edge opposite the head. The slowest spreading portion of a fire edge. Also called heel of a fire.
- **Fire Perimeter** - The entire outer edge or boundary of a fire.
- **Fingers Of A Fire** - The long narrow extensions of a fire projecting from the main body.
- **Pockets Of A Fire** - Unburned indentations in the fire edge formed by fingers or slow burning areas.
- **Island** - Area of unburned fuel inside the fire perimeter.
- **Spot Fire** - Fire ignited outside the perimeter of the main fire by a firebrand.

Fire Behavior Terms

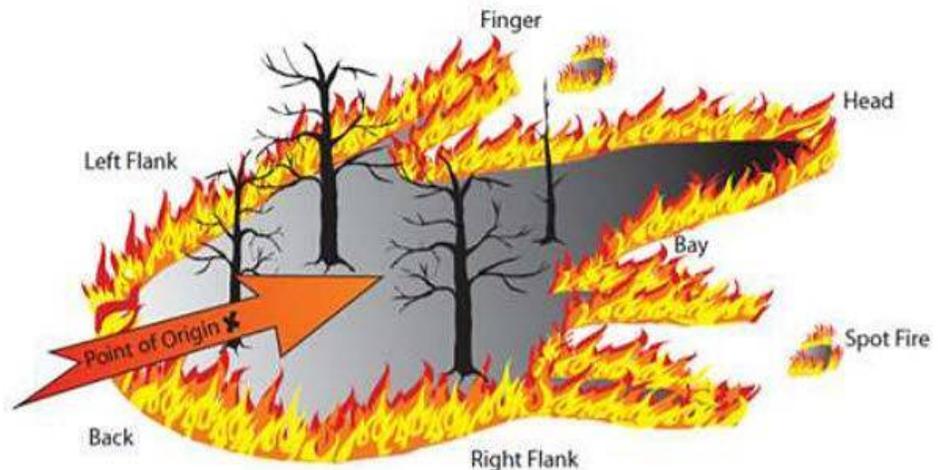
- **Smoldering** - Fire burning without flame and barely spreading.
- **Creeping Fire** - Fire burning with a low flame and spreading slowly.
- **Running Fire** - Behavior of a fire spreading rapidly with a well defined head.

- **Spotting** - Behavior of a fire producing sparks or embers that are carried by wind which start new fires beyond the zone of direct ignition by the main fire.
- **Torching** - The burning of the foliage of a single tree or a small group of trees, from the bottom up.
- **Crown Fire** - A fire that advances from top to top of trees or shrubs more or less independently of the surface fire.
- **Flare Up** - Any sudden acceleration in the rate of spread or intensification of the fire. Unlike a blowup, a flare-up is of a relatively short duration and does not change existing control plans.
- **Fire Whirl** - Spinning vortex column of ascending hot air and gases rising from a fire and carrying a lot of smoke, debris, and flame due to erratic winds. Fire whirls are common and range in size from

less than one foot to over 500 feet in diameter and can range from 10 to over 4,000 feet in height. Large fire whirls have the intensity of a small tornado with winds from 20 mph-70 mph, they are mostly

found on the leeward side of a ridge. They're dangerous also because they can carry embers and start new spot fires.

- **Backing Fire** - That portion of a fire with slower rates of fire spread and lower intensity, normally moving into the wind and/or down slope.
- **Flaming Front** - That zone of moving fire where the combustion is primarily flaming.



Vegetation Fire Vocabulary

Useful Firefighting Terms

- **Anchor Point** - An advantageous location, usually a barrier to the fire spread, from which to start construction of a fire line. The anchor point is used to minimize the chance of being flanked by the fire while a line is being constructed.
- **Control Line** - An inclusive term for all constructed or natural barriers and treated fire edges used to contain a fire.
- **Fireline** - The part of a containment or control line that is scraped or dug to mineral soil.
- **Mop-Up** - Extinguishing or removing burning material near control lines, and trenching logs to prevent rolling after an area has burned, to make a fire safe, or to reduce residual smoke.
- **Contained** - The status of a wildfire suppression action signifying that a control line has been completed around the fire, and any associated spot fires, which can reasonably be expected to stop the fire's spread.
- **Controlled** - The completion of control line around a fire, any spot fires, and any interior islands to be saved. Burn out any unburned area adjacent to the fire side of the control lines. Cool down all hot spots that are immediate threats to the control line, until the lines can reasonably be expected to hold under foreseeable conditions.
- **Green** - The area of unburned fuels next to the involved area is called the green.
- **Black** - The area opposite the green, it is the area in which the fire has consumed or "blackened" the fuels.
- **Direct Attack** - Is action taken directly against thermals at its edge or closely parallel to it. It is possible to mount both a direct and indirect attack on the same fire.
- **Indirect Attack** - Is used at varying distances from the advancing fire. Starting at an anchor point, a line is constructed some distance from the fire's edge and the unburned intervening fuel is burned out. This method is generally used against fires that are too hot, too fast, or too big for a direct attack.
- **Running Attack** - Use of a Type 3 Brush Fire Engine's unique pumping water capability while in motion. A firefighter is walking near the apparatus with a small hose line quickly knocking down the edge of a fire.

Flame Height

- 0-4' Firefighters can battle safely.

Safety Zones

- 4x the height of flames (distance you should be away from)
- 10' flame height = 40' away
- 20' flame height = 80' away
- 50' flame height = 200' away

Santa Barbara County Fire Vegetation Response

First Alarm (High Fire Season)

- 4 Engines
- 2 Dozers
- 1 Water Tender
- 1 Battalion Chief
- 1 Helicopter
- 2 Hand Crews
- 1 Air Attack
- 2 Air Tankers

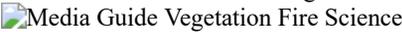
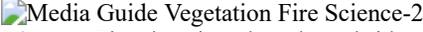
Second Alarm

- 4 Engines
- 2 Dozers
- 1 Water Tender
- 1 Battalion Chief
- 1 Division Chief
- 1 Safety Officer
- 1 PIO
- 1 Helicopter
- 2 Hand Crews
- 1 Air Attack
- 2 Air Tankers

Additional resources will also respond accordingly or can be ordered by the Incident Commander.

Vegetation Fire Science

Topography Influences Fire

- **Aspect** - The aspect is the direction a slope is facing. (Its exposure in relation to the sun) On the South Coast of Santa Barbara County, the Santa Ynez Mountain Range is the only one in  California with a true east-west direction, which means that the front country side of the range is exposed to direct sunlight throughout the day, unlike other ranges in Southern California. This has played a significant role in large wildfires on the South Coast through more exposure to higher temperatures, lower humidity, and lower fuel moisture. A north facing aspect will have less fire activity than a south facing slope.
- **Slope** - The amount or degree of incline of a hillside (a steep slope). Fire burns more rapidly uphill than downhill. The steeper the slope, the faster the fire burns. The reason is that the fuels above are brought into closer contact with upward moving flames, and conduction/radiant heat helps the fuel catch fire more easily and quickly. The position of the fire in relation to the topography is a major factor in the resulting fire behavior. A fire on relatively level ground (like the Santa Ynez Valley floor) is primarily influenced by fuels and wind.
- **Terrain** - Certain topographic features influence the wind speed and direction.
- **Box Canyon** - Fires starting near the base of a box canyon and/or a narrow canyon may react similarly to a fire in a wood-burning stove or fireplace. Air will be drawn in from the canyon bottom creating very strong upslope drafts with rapid fire spread; also known as the chimney affect. This can result in extreme fire behavior. 
- **Ridges** - Fires burning along lateral ridges may change direction when they reach a point where the ridge drops off into a canyon.
- **Saddle** - Wind blowing through a saddle or pass in a mountain range can increase in speed as it passes through the constricted area and spreads out on the downwind side.
- **Barriers** - Any obstruction to the spread of fire. Natural barriers include; rivers, lakes, rocks. Man-made barriers are roads, highways, reservoirs, constructed fireline, etc...
- **Danger** - Fire burns 10-16 times faster up hill due to pre-heating and radiant heat. The worst place to be covering a fire is from above, looking down, and not to have a safe zone/exit plan.

Wind Effects On Fire

- Wind increases the supply of oxygen to the fire.
- Determines the direction of spread
- Increases the drying of fuels

- Carries sparks ahead of fire and creates spotting

Before The Fire

 Media Guide Before The Fire

Defensible Space

Every spring, mailers are sent to residents that live in the urban-wildland interface areas of Santa Barbara County. It describes the 100' zone required by California law* and how residents should keep their homes safe by giving firefighters a chance to save them. It also gives safety tips for dealing with vegetation fires, and the Ready! Set! Go! program.

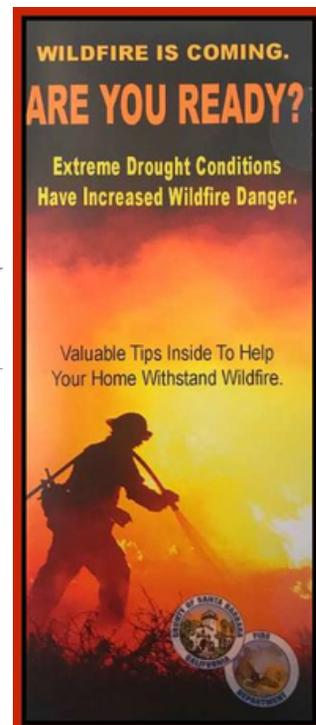
* PRC 4291 for State Responsibility Areas (SRA) * County Code Chapter 15, Section 4908 for Local Responsibility Areas (LRA)

Covering Vegetation Fires

In Southern California, as with much of the West, wildfires used to be referenced into a season, but not any longer. Bone-dry vegetation that hasn't burned in some places for decades have made fire authorities rethink the label. For Southern California, fire season is considered year-round for the crews that battle the flames. The only discernible difference is the amount of resources that respond to the fire at different times during the year.

As the green grasses of spring dry out by May, the height of the wildfire season begins and lasts until enough measurable rain has fallen in the early winter to downgrade the ever-present threat.

In Southern California, October is usually the hottest month of the year, and with it comes the infamous Sundowner and Santa Ana Winds. These highly localized winds originating in the desert bring with them extremely strong, sustained, down-canyon gusts that can drive a fire without a chance of it being stopped. This, coupled with high temperatures and low humidity, create the perfect recipe for a major wildfire that has become an all-too familiar sight. With the building of increasing number of homes closer and closer to the urban-wildland interface, the threat of loss of property and life becomes more probable.



 Media Guide Covering Vegetation Fires

Wildfires will occur every year. Some will be snuffed out by the initial assignment, and others will become major conflagrations that could take months to put out. This is a certainty, but there are some things that you can do, as a photojournalist, to cover a wildfire aggressively, but providing for your safety first.

The first thing you should do is talk with your local fire agency about the threat. They know where the areas are that are more concerning to them than others. By talking to them, not only do you now know the problem areas, but the fire crews will be able to recognize you as a professional photojournalist and not have to concern themselves with the person with the camera on the scene. I have gotten past many checkpoints when others have not simply because the firefighter recognizes me.

Now that you know the problem areas, you should familiarize yourself with those areas. When you have some time, drive the roads so that you know the ways in and out of the area. Practically everyone has a GPS in their car now, but you still need to know the layout of the land. Don't bet your life on a GPS. Look for low-lying landmarks that will be seen when the smoke cuts into visibility. Drive them at night also. Firefighters utilize the concept of safety zones. These are areas large enough to park a vehicle and be safe from a wildland fire moving through the area. As you drive through your area, make a mental note of large parking lots, cleared areas, and/or open-area parks. If you feel unsafe at any point, you'll want to take refuge in one of these areas.

It would also be prudent to keep your gas tank above 1/2. You don't want to be out at the fire and be low on fuel. With earthquakes always a potential, California media should always keep their tank above 1/2. When the earth shakes, the gas stations close due to their computer systems. You don't want to miss the shot or put yourself in danger because you're driving around looking for fuel.

You should have a complete set of flame-resistant Nomex brand fire fighting clothing, and a good pair of thick-soled leather ankle-high boots. Nylon hiking boots aren't ideal because the high heat can melt the shoe as you walk across the burned area. A helmet would be your best protection, but any hat will help aid in the prevention of heat absorption through the head. A light-colored helmet will help guard against heat related illnesses. A flame-resistant long-sleeved shirt and pair of pants along with the boots and helmet will set you back about \$300. I picked up a young student photographer walking in the middle of the fire zone wearing shorts, a t-shirt and flip flops. I loaned him my other set of Nomex clothing and kept him with me until I left the fire zone.

In addition to the clothing, a fire-service shelter is strongly recommended, however they aren't cheap, about \$300-and they are one time usage-only as a last resort. If you make the purchase, be sure to have your shelter with you if you are out of your car. When driving, keep your shelter

in the car. Don't lock it in the trunk where you may not be able to get to it when you really need it. Depending on your relationship with your local fire agency, ask if you can watch one of their videos on how to deploy and use a fire shelter.

Additionally, provide plenty of water or Gatorade for yourself through the use of a camelback or extra bottles in your vehicle along with some PowerBars. You may be on the lines for an extended period of time. You will dehydrate quickly and heat-stroke is a real concern while walking the fire lines. It's a good idea also to provide eye protection & carry a tiny bottle of Visine to clean your eyes, and have on hand a couple of bandanas and/or a mask that will help with acrid smoke you will encounter.

Other personal safety items you should include is a small first-aid kit for cuts and scrapes, along with a flashlight. Be mindful of ever-present rattlesnakes also.

A radio scanner will be an invaluable tool that will not only help you get the photos by knowing where the firefighters are working, and aircraft are making drops, but also keep you informed of any dangers being encountered by the forces battling the blaze.

During a major incident, such as in a National Forest, you will be required to check in at the base camp and there you will be outfitted with the appropriate flame resistant gear. You will then be escorted into the fire area with a qualified fire-media liaison.

Now that your personal safety is addressed, you should get to know a little about the fire you're covering-safely.

Remember that wildfires are fast moving and extremely dangerous. Firefighters have 10 standing orders and 18 watch-out situations they must always be aware of when battling a brush fire and these have been modified for the photojournalist.

Ten Standing Orders

1. Keep informed on fire weather conditions and forecasts.
2. Know what your fire is doing at all times.
3. Base all actions on current and expected behavior of the fire.
4. Identify escape routes and safety zones and make them known
5. Post a lookout when possible danger.
6. Be alert. Keep calm. Think clearly. Act decisively.
7. Maintain communications with your co-workers.
8. When fire crews give you instructions, make sure they are understood. Always follow these instructions.
9. Maintain control of the people you are with at all times.
10. Be aggressive in your photographing of wildfire, having provided for safety first.

Lookout

Communication

Escape Route

Safety Zone

Eighteen Watch-Out Situations

1. Fire not sized up properly.
2. Fire burning in an area you have not seen in daylight.
3. Safety zones and escape routes not identified.
4. Unfamiliar with weather and local factors influencing fire behavior.
5. No knowledge of hazards present. (wires down, 5 gal propane tanks, etc)
6. Be aware of aircraft making drops.
7. Be aware of flame length, type of fuel burning, direction and speed of wind.
8. Positioned mid-slope of fire.
9. Walking downhill to fire. Remember fire burns 4x faster up hill.
10. Positioning yourself at the front or head of the fire.
11. Unburned fuel between you and the fire.
12. Cannot see main fire, not in contact with anyone who can.
13. On a hillside where rolling material can ignite fuel below.
14. Weather is getting hotter and drier.
15. Wind increases and/or changes direction.
16. Getting frequent spot fires.
17. Terrain and fuel make escape to safety zones difficult.
18. Do not block the roadway with your vehicle.

What Info SBC Will And Will Not Release

Releasable Information

Only the following information shall be provided to the media.

Incident type and location, call time, who is affected, cause, duration of incident, resources that responded, jurisdiction, cooperating agencies, and current situation.

Information concerning fire investigations will be released once the investigation is complete. The outcome of the investigation will be released via a news release.

SBCFD will not release any information concerning an ongoing investigation.

Non-Releasable information

The Health Insurance Portability and Accountability Act (HIPAA) guarantees privacy of individuals' medical records. No health and or medical information can be released without the patient's written consent.

 Media Guide Access At Incident Scenes

Reasons For Denying Access To The Media



 Media Guide Reasons For Denying Access To The Media

Types Of Engines



[Type 1 Engine](#)

[More Info](#)



Type 3 Engine

[More Info](#)

Types Of Fixed-Wing Aircraft and Helicopters



B Ae-146



OV 10A "Bronco"



Beechcraft King Air 200



AH-1 Firewatch "Cobra"



DC-10



Grumman S-2T



•

Sikorsky S-61



•

Sikorsky S-64 "Skycrane"



•

Sikorsky S-70 "Firehawk"



•

Eurocopter AS332L "Super Puma"



•

Boeing-Vertol 107 "Vertol"



•

Boeing 234 "Chinook"



•

Kaman "K-Max"



•

Bell 212



•

UH-1H "Super Huey"



•

Bell 205 A++



•

Lockheed C-130



•

UH-60 "Blackhawk"



•

Boeing CH-46 "Sea Knight"



•

CH-47 "Chinook"



•

737-300



•

747-400



•

MD-87

SBC Radio Channels

Command Channel Frequency	Tactical Channel Frequency
• Command 1 (Dispatch) 153.770	• Tactical 7 155.595
• Command 2 153.905	• Tactical 8 154.845
• Command 3 153.980	• Tactical 9 154. 650
• Command 4 156.135	• Tactical 10 155.640
• Command 5 154.875	• CDF/Tactical 11 151.445
• Command 6 150.995	• Tactical 12 153.830
	• Tactical 13 154.190

	<ul style="list-style-type: none"> • CDF/Tactical 14 151.190
	<ul style="list-style-type: none"> • Tactical 15 155.970
	<ul style="list-style-type: none"> • CALCORD 156.075

Incident Management Team (IMT)

Santa Barbara County is unique in that it has established a IMT-3 team. With cooperation from all of the fire agencies in the county along with the SB County Sheriff and California Highway Patrol. It is an “All-Risk” Type-3 Team and can respond and manage any incident such as a hazardous materials spill or vegetation fire

Type 3: State or Metropolitan Area Level

A standing team of trained personnel from different departments, organizations, agencies, and jurisdictions within a state or DHS Urban Area Security Initiative (UASI) region, activated to support incident management at incidents that extend beyond one operational period. Type-3 IMTs will respond throughout the state or large portions of the state, depending upon State-specific laws, policies, and regulations.

Type 2: National and State Level

A federally or state-certified team; has less training, staffing and experience than Type-1 IMTs, and is typically used on smaller scale national or state incidents. There are thirty-five Type-2 IMTs currently in existence, and operate through interagency cooperation of federal, state and local land and emergency management agencies.

Type 1: National and State Level

A federally or state-certified team; is the most robust IMT with the most training and experience. Sixteen Type-1 IMTs are now in existence, and operate through interagency cooperation of federal, state and local land and emergency management agencies.

An incident management team consists of five subsystems as follows:

- **Incident command system (ICS)** – an on-scene structure of management-level positions suitable for managing any incident;
- **Training** – including needs identification, development, and delivery of training courses;
- **Qualifications and certification** – the United States has national standards for qualifications and certification for ICS positions;
- **Publications management** – the development, control, sourcing, and distribution of National Incident Management System (NIMS) publications provided by the National Wildfire Coordinating Group (NWCG); and
- **Supporting technology and systems** – technology and materials used to support an emergency response, such as Geographic Information Systems (GIS), orthophoto mapping, National Fire Danger Rating System, remote automatic weather stations, automatic lightning detection systems, infrared technology, and communications.

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APPENDIX F



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[SAFETY STORE](#) ▾ [SAFETY TRAINING](#) ▾ [CONTACT US](#)

FIRE BEHAVIOUR

Victoria is one of the most fire-prone areas in the world. Bushfires and grassfires start quickly, often without warning and they can threaten lives and properties within minutes.

There's no questioning the facts. During a fire, embers can travel up to 40 kilometres ahead of the fire front and fire speeds can reach over 25 kilometres per hour.

Remember, on high-risk fire days, leaving early before a fire starts, is always the safest option.

Facts of fire



(Video courtesy of Vic Emergency Website)

Terrain (topography)

A fire will burn faster uphill. This is because the flames can easily reach more unburnt fuel in front of the fire. Radiant heat pre-heats the fuel in front of the fire, making the fuel even more flammable.



For every 10° slope, the fire will double its speed. For example, if a fire is traveling at 5 km per hour along flat ground and it hits a 10° slope it will double in speed to 10 km per hour up the hill.

By increasing in speed the fire also increases in intensity, becoming even hotter.

The opposite applies to a fire traveling downhill. The flames reach less fuel, and less radiant heat pre-heats the fuel in front of the fire. For every 10° of downhill slope, the fire will halve its speed.

Fires tend to move more slowly as the slope decreases.

Vegetation (Fuel)

- Grass can burn early and quickly on hot, dry, windy days.
- Branches, twigs and leaves dropped from shrubs and trees become fine fuels, which burn easily. These can give off far more heat when they burn
- Fibrous and dry tree bark can carry fire to treetops. The fire can then break away and spread further
- Dry branches, twigs and leaves and other fine fuels found on the ground can also burn easily.

Weather Conditions

Bushfires are unpredictable and vary greatly according to weather conditions. They often start on hot, dry, windy days.

Temperature

A string of hot days dries out vegetation, making it easier to burn. This can be made even worse by underlying dry conditions caused by lack of rain.

The drier the vegetation the easier it will burn.

A fire spreads as a result of burning embers, radiant heat and direct flame contact.

Wind

Wind influences the:

- **speed** at which a fire spreads
- **direction** in which a fire travels and the size of the fire front
- **intensity of a fire** – wind provides more oxygen
- likelihood of **spotting** – burning pieces of leaves, twigs and bark (embers) that the wind carries ahead of the fire. These cause new ‘spot fires’ to ignite.

Wind Change

A change in wind direction is one of the most dangerous influences on fire behaviour. Many people who die in bushfires get caught during or after a wind change.

In Victoria, hot, dry winds typically come from the north and northwest and are often followed by a southwest wind change. In this situation the side of the fire can quickly become a much larger fire front.

Facts of fire - Wind speed



(Video courtesy of Vic Emergency Website)

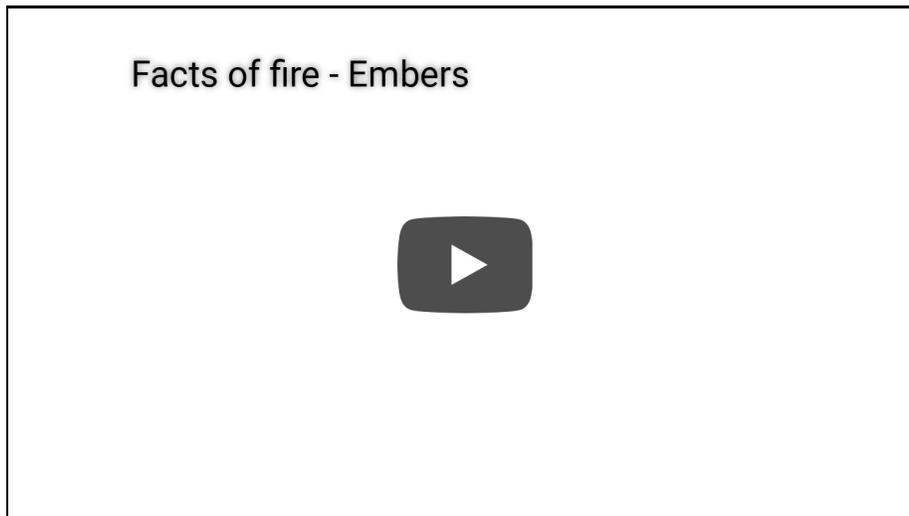
What is an Ember Attack?



- Embers are burning twigs, leaves and pieces of debris
- Ember attack occurs when twigs and leaves are carried by the wind and land on or around houses
- Ember attack is the most common way houses catch fire during bushfires
- Embers can land on top of debris in your gutters and set fire to your house
- Ember attack can happen before, during and after the

bushfire.

- Fire embers are glowing hot and remain after or precede a fire. Embers are often as hot as the fire which created them.
- During a fire, embers can travel up to 40 kilometres, starting spot fires well ahead of the fire-front – often without warning.
- There's no questioning the facts, leaving a high fire-risk area early is always the safest option.



(Video courtesy of Vic Emergency Website)

Spot Fires

The term spot fire describes a fire ignited outside of a burning unit as a result of a windborne ember (sometimes referred to as a firebrand).

- Spot fires can start new bushfires well ahead of the main fire front.
- In large fires, there's the potential for many spot fires

to start and quickly join together, blocking a safe escape.

- There's no questioning the facts, your garden hose is no match for spot fires so leaving a high fire-risk area early is always the safest option.



(Video courtesy of Vic Emergency Website)

Radiant Heat

Radiant heat is the heat you feel from a fire. It is the biggest killer in a fire. The best protection is distance.



Protection from radiant heat

- Make sure all skin is covered.
- Do not wear shorts, t-shirt and thongs.

- Cover up as soon as you are aware of a fire in your area.
- A solid object, such as a brick wall, can provide some protection from radiant heat.
- Distance is the best protection from radiant heat. Move as far away from the fire as you can, don't get caught out in the open.
- During a bushfire, the atmosphere will literally feel like hell on earth.
- Flame temperatures can reach up to 1100°C and radiant heat fluxes high enough to vaporise vegetation, only adding speed to the scorching hot flames.
- There's no questioning the facts, if you are stuck in a bushfire, your chances of survival are slim. Leaving early is always the safest option.



(Video courtesy of Vic Emergency Website)

Clothes to Wear:

- a long-sleeved, collared shirt made from cotton or wool
- pants made from cotton or some other natural fibre
- sturdy boots and woollen socks
- tough leather garden gloves – not rubber or synthetic
- a wide-brimmed hat to protect your head
- a face mask (P2 type) or towel to cover your mouth and nose
- eye protection such as smoke goggles to shield your eyes.

Protective clothing and a solid shield may NOT save your life.

If you're in a car

Do not travel on roads when there is a fire in your area. Late evacuation is extremely dangerous and can result in serious injury or death – always plan to leave early to avoid this situation. If you encounter smoke or flames and are **not** able to turn around and drive to safety, as a last resort:

1. Position the car to minimise exposure to radiant heat:

- Park away from dense bush – try to find a clearing
- If possible, park behind a barrier such as a wall or rocky outcrop
- The car should ideally face **towards** the oncoming fire front
- Park off the roadway and turn hazard lights on. Car crashes are common in bushfires due to poor visibility.

2. To increase your chances of survival:

- Stay in the car and tightly close windows and doors
- Cover up with woollen blankets and get down below window level – **this is your highest priority**
- Drink water to prevent dehydration

3. As soon as you become aware that the fire front is close by:

- Shut all vents and turn the air conditioning off.
- Turn engine off
- Be prepared: if you drive in high-risk areas, keep woollen blankets in your car. This is an essential precaution during the warmer months



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APPENDIX G



1300 I STREET, SUITE 125
P.O. BOX 944255
SACRAMENTO, CA 94244-2550

Public: (916) 445-9555
Telephone: (916) 210-7797
Facsimile: (916) 327-2319
E-Mail: Nicole.Rinke@doj.ca.gov

March 20, 2019

Planning Commission of Monterey County
Monterey County Resource Management Agency
Attn: Mike Novo
1441 Schilling Place – South, 2nd Floor
Salinas, CA 93901
Sent via email: novom@co.monterey.ca.us

Re: Paraiso Springs Resort, Project No. PLN040183

Dear Mr. Novo and Commissioners,

Our office has reviewed the Final Environmental Impact Report (“FEIR”) and the Recirculated Draft Environmental Impact Report (“DEIR”) for the proposed Paraiso Springs Resort Development (“Project”) and respectfully submits the following comments. We request that you consider our comments prior to certifying the FEIR. We spoke with County Counsel and staff on March 20, 2019 and alerted them we would be submitting comments prior to your consideration of the FEIR at your March 27, 2019 Planning Commission meeting.

The Attorney General’s Office submits these comments pursuant to the Attorney General’s independent power and duty to protect the environment and natural resources of the State from pollution, impairment, or destruction, and in furtherance of the public interest. (See Cal. Const., art. V, § 13; Gov. Code, §§ 12511, 12600-12612; *D’Amico v. Bd. of Medical Examiners* (1974) 11 Cal.3d 1, 14-15.)¹ In the wake of the State’s deadliest wildfires this past year and the increased occurrence of fires anticipated throughout the State in coming years, it is particularly important that local jurisdictions carefully review and consider new developments in fire prone areas. This is particularly important for new developments proposed in the wildland urban interface or in other relatively undeveloped and remote areas, like the area where the Project is proposed.

Paraiso Springs Resort, LLC, proposes to develop a spa resort along the floor of a canyon in the foothills at the end of rural Paraiso Springs Road in a “very high fire sensitivity

¹ This letter is not intended, and should not be construed, as an exhaustive discussion of the FEIR’s and DEIR’s compliance with the California Environmental Quality Act (“CEQA”) or the Project’s compliance with other applicable legal requirements.

zone.” The Project site is bordered to the east by grazing and farm land, and to the north, south and west by the Santa Lucia Mountains. (DEIR 2-1.) The Project site was previously operated as a commercial hot springs resort beginning in 1874. (DEIR 3-137.) The site has seen several fires over the years that have destroyed various structures on the Property, including a fire in 1891 that destroyed one of the more substantial buildings on the property, a fire in 1928 that destroyed the hotel, the bathhouse, a garage, the dance hall, and some other smaller buildings, and another major fire in 1954 that destroyed the rebuilt hotel and annex. (DEIR 2-15, 3-137-3-138.)

Paraiso Springs Road, the sole ingress and egress to the site,² is a narrow, two-lane road varying in width from 16 to 22 feet that dead ends at the Project site. (DEIR 2-45.) The road currently serves approximately 90 vehicles per day associated with single-family residences and local vineyards. (DEIR 3-329.) The Project would include the development of 103 hotel rooms, 77 multi-bedroom timeshare units, three restaurants, entertainment facilities, and various spa amenities at the end of this narrow two-lane rural road. (DEIR 2-17 – 2-18.) It is anticipated that there would be several hundred people at the resort on peak days. With the Project at 100% occupancy, there would be over 400 additional vehicle trips per day on the road. (DEIR 3-336.)³ Additionally, because of parking limitations at the proposed Project site and limitations with the capacity of the rural access road, the Project proposes to shuttle in many of the guests and 90% of all employees from a parking lot nearly two miles away. (DEIR 3-335 – 3-336.)

Monterey County, as the lead agency, has prepared a FEIR for the proposed Project. Despite the acknowledgment that the Project is located in a “very high fire sensitivity zone,” the FEIR fails to adequately address the risk of fire in several important respects.⁴

² In response to CalFire’s comments on the DEIR, the FEIR suggests that there is a service road for ingress and egress at the rear of the development. (FEIR, Response to comment letter No. 18, 2-12.) The response cites to maps within the DEIR. (*Ibid.*) These maps show service roads *within* the development, but these roads do not appear to provide ingress and egress *to the Project site*.

³ We note that several commenters questioned whether the traffic analysis for the Project underestimated the trips that will be associated with the Project. (See, e.g., FEIR, Comment Letter 10 (p 20-23).) While we have not evaluated the adequacy of the traffic analysis, we are concerned that the number of visitors accessing the site may be even higher than anticipated in the FEIR, which would exacerbate our concerns regarding the risks associated with wildfires and the FEIR’s inadequate analysis of those risks.

⁴ We understand that LandWatch submitted comments to the County on January 15, 2019 raising many of these same issues. The FEIR does not include a response to these comments.

I. THE FEIR MUST ANALYZE THE INCREASED RISK OF WILDFIRE THAT WILL RESULT FROM THE PROJECT.

The FEIR does not, but should, analyze the increased risk of wildfire that will result from siting the proposed development within a high fire sensitivity zone. The DEIR discussed emergency access to the site in the event of fire and onsite measures to provide fire protection.⁵ However, the DEIR did not disclose that locating new development in a high fire sensitivity zone will itself increase the risk of fire and, as a result, increase the risk of exposing existing residents in the area as well as guests and employees of the resort to an increased risk of fire. (See CEQA Guidelines Section 15126.2, subd. (a) [requiring the evaluation of potentially significant environmental impacts of locating development in areas susceptible to hazardous conditions such as wildfire risk areas, especially as identified in hazard maps and risk assessments].)⁶ It is well-accepted that building in wildland areas increases the risk and severity of fires.⁷ The California

⁵ A preliminary fire protection plan was prepared for the Project. (DEIR 2-55.) Fire protection elements include hydrants, sprinkler systems, and the use of fire-resistant building materials. (DEIR 2-55 – 2-56.) The Project also includes vegetation management for defensible space. (See e.g., DEIR 3-81 – 3-80.) Cal Fire’s Department of Forestry and Fire Protection commented on, among other issues, the adequacy of the vegetation management discussed in the DEIR. (FEIR Comment Letter 18.) In response to these comments, the FEIR simply refers back to the DEIR and does not provide any additional commitments or project modifications. (FEIR, Responses to Comment Letter 18, 2-12.)

⁶ Our comments are based on the CEQA Guidelines in effect prior to the recent 2019 update, but it is worth noting that the update confirms and clarifies the need to consider wildfire risks as part of the environmental review for new developments subject to CEQA.

⁷ See, e.g., Rapid Growth of the U.S. Wildland-Urban Interface Raises Wildfire Risk (February 6, 2018) (<https://www.pnas.org/content/pnas/115/13/3314.full.pdf>); *New York Times*, Climate Change is Fueling Wildfires Nationwide, New Report Warns (November, 2018) (<https://www.nytimes.com/interactive/2018/11/27/climate/wildfire-global-warming.html>); *Scientific American*, Living on the Edge: Wildfires Pose a Growing Risk to Homes Built Near Wilderness Areas (<https://www.scientificamerican.com/article/living-on-the-edge-wildfires-pose-a-growing-risk-to-homes-built-near-wilderness-areas/>); USDA, Wildfire, Wildlands, and People: Understanding and Preparing for Wildfire in the Wildland-Urban Interface (January 2013) (https://www.fs.fed.us/rm/pubs/rmrs_gtr299.pdf). While these articles and reports largely focus on the risks of locating housing within fire-prone areas, the same risks would appear to apply for commercial establishments offering overnight lodging. The issue with locating development in these areas is that most fires are human induced, so bringing people into wildland areas creates an increased risk that fire will occur. (*Ibid.*) In addition, the risks of fire are exacerbated because development in wildland areas alters the natural environment (e.g., it fragments native vegetation, introduces nonnatives species, and disturbs soils). (See Rapid Growth of the U.S. Wildland-Urban Interface Raises Wildfire Risk (February 6, 2018) (<https://www.pnas.org/content/pnas/115/13/3314.full.pdf>)). Further, fire management in developed wildland areas is more challenging because it is more difficult to fight fires in these

Supreme Court has confirmed that this kind of risk must be considered as part of the CEQA analysis for a proposed project. (*California Building Industry Assn. v. Bay Area Air Quality Management Dist.* (2015) 62 Cal.4th 369, 388 [holding that while CEQA does not require consideration of the environment's effect on a project, it does require analysis of the project's impacts on the existing environment].)

Concerns regarding the Project's impact on the occurrence of wildfires were raised in public comments on the DEIR. For example, Lois Panziera noted that "[w]hen more people are added to a high severity fire area, the potential for fires will occur." (FEIR, Letter 7, Comment 75.) In response, the FEIR simply refers back to the DEIR. (FEIR 2-58 – 2-59.) However, as explained above, the DEIR did not address the increased risk of fires that will result from locating new development within a high fire sensitivity zone. The County should address these issues prior to certifying the FEIR.

II. THE FEIR SHOULD ADDRESS EVACUATION IN THE EVENT OF FIRE.

Based upon the onsite fire fighting infrastructure (sprinkler systems, etc.) and the Project proponent's commitment to develop a fire protection plan, the DEIR concludes that the "occupants would be protected to the extent possible in the case of fire" such that the potential impacts associated with wildfire hazards would be less than significant. (DEIR 3-215 – 3-216.) The DEIR describes emergency access to the site, but does *not* address: (i) the evacuation of employees and guests in the event of a fire, (ii) the increased challenges that existing users of the sole ingress and egress road will face in the event of an evacuation due to the added users on the road, or (iii) the increased challenges that firefighters and emergency responders would face accessing the site and preventing the spread of a wildfire due to the simultaneous evacuation of guests and employees from the Project and neighboring areas. The EIR should include a more robust discussion of the fire hazards and describe the evacuation plan for guests and employees, as well as neighboring residents and existing users of Paraiso Springs Road. (See *Clews Land & Livestock, LLC v. City of San Diego* (2017) 19 Cal.App.5th 161, 194 [discussing whether or not the EIR adequately considered the risk of fire to future users of the project site, including acceptable evacuation plans]; *California Clean Energy Committee v. County of Placer* (Cal. Ct. App., Dec. 22, 2015, No. C072680) 2015 WL 9412772 [concluding that the EIR failed to adequately evaluate evacuation issues associated with the project].)

In response to public comments, including from CalFire's Department of Forestry and Fire Protection, asking about evacuation plans (see Comment Letter 18 starting on FEIR 2-11), the FEIR promises that a final Fire Protection Plan that includes evacuation procedures will be developed. (FEIR 2-12.) Meaningful analysis of the risk of fire and evacuation plans should not be deferred until after the FEIR is certified and the Project is approved. (See CEQA Guidelines

landscapes and fire management strategies that allow natural fires to burn are not an option. (*Ibid.*; see also *USDA, Wildfire, Wildlands, and People: Understanding and Preparing for Wildfire in the Wildland-Urban Interface* (January 2013) (https://www.fs.fed.us/rm/pubs/rmrs_gtr299.pdf).

Section 15126.4(a)(1)(B).) While the deferment of mitigation measures may sometimes be appropriate, here no basis has been provided for why the evacuation plan was not already prepared as part of the DEIR or FEIR, nor have any performance standards or potential mitigation measures been identified. (*Ibid*; see also, e.g., *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645, 671 [mitigation measure that included development of a post-FEIR management plan was found to be improperly deferred mitigation where no basis was provided for why the development of mitigation measures needed to be deferred to future plans and, no specific criteria, performance standards, or potential mitigation measures were set forth in the EIR].) In addition, based on the discussion in the DEIR, we are concerned that the Fire Protection Plan, when it is developed, may not adequately address the totality of issues related to evacuation (see above).

III. THE PROJECT MUST COMPLY WITH THE REQUIREMENTS FOR STATE RESPONSIBILITY AREAS.

The Project is located in a State Responsibility Area, which is an area for which the Board of Forestry and Fire Protection has designated the State to be financially responsible for preventing and suppressing fires. (Pub. Resources Code, § 4102.) Local jurisdictions may adopt standards for wildfire protections in State Responsibility Areas, but those standards must be at least as stringent as the State's minimum standards and be certified by the State. (Pub. Resources Code, § 4117.) Monterey County has adopted standards for this purpose. (Monterey County Code, §§ 18.56.010 – 18.56.100.) The proposed Project does not appear to comply with these standards.

First, Paraiso Springs Road is a dead end road that terminates at the proposed Project location. Both the County and State standards limit dead end roads to a cumulative length not to exceed 5,280 feet. (Monterey County Code § 18.56.060(11); Cal. Code. Regs., tit. 14, § 1273.09.) The Paraiso Springs Road that would serve as the sole ingress and egress for the Project is 1.9 miles long or 10,032 feet according to Google maps, nearly double the allowable limit. The FEIR and DEIR do not address the Project's failure to comply with the length limitation for dead end roads in State Responsibility Areas.

Second, the width of Paraiso Springs Road will not comply with the local or State standards. State standards generally require a minimum of two 10-foot traffic lanes. (Cal. Code Regs., tit. 14, § 1273.01.)⁸ The Project proposes to widen “*the majority of Paraiso Springs Road to either 18 or 20 feet wide.*” (DEIR 3-340.) However, the FEIR explains that the road will only be widened “*where feasible.*” (FEIR 2-10). The Project proponent should commit to widening not just a majority of the road, but the entirety of the road, to a distance that complies with the applicable standards.

⁸ The County requires that all roads have a minimum of two 9-foot traffic lanes. (Monterey County Code, § 18.56.060(3).) Therefore, the State's more stringent requirement would control.

IV. THE PROJECT SHOULD PROVIDE PROXIMAL ACCESS TO A FIRE STATION.

Despite a request from the local fire district, the Project proponent has declined to construct a small fire station onsite, concluding that it would be “incompatible with resort operations.” (DEIR 3-307.) The closest fire station is nine miles away, which the program Google Maps reports is an 18-minute drive. The DEIR claims the fire station is within the 15 minutes recommended by the applicable Monterey County General Plan. (DEIR 3-307.) Public comments on the DEIR noted the Project site is not within a 15-minute response time from the Soledad fire station. (See, e.g., Letter 7, Comment 74 starting on FEIR 2-33 and Letter 8, Comment 5 starting on FEIR 2-61). Rather than provide factual support for the DEIR’s claim that the fire station is within 15 minutes from the Project site or revise the Project so that it complies with the Monterey County General Plan recommendation, the FEIR simply restates the DEIR’s conclusion that “the project would not warrant construction of new or expanded facilities in order to maintain ... response times....” (FEIR 2-11). The FEIR should be revised to accurately reflect the distance of the nearest fire station to the Project site and should require compliance with the policy prescribed by the General Plan—preferably with construction of a fire station onsite as requested by the local fire district.

We appreciate your consideration of our comments and respectfully request that you defer certification of the FEIR and approval of the Project until you more fully address the risks of wildfire associated with the Project. If you have any questions or would like to discuss our comments, please feel free to contact us.

Sincerely,



NICOLE U. RINKE
Deputy Attorney General
HEATHER C. LESLIE
Deputy Attorney General

For XAVIER BECERRA
Attorney General

Written Public Comments
for **Item No. 7**

Sukhmani Purewal

From: Pin Yee Wong <PinYee.Wong@adctherapeutics.com>
Sent: Monday, July 11, 2022 11:03 AM
To: CMO_BoardFeedback
Subject: Comments to Board of Supervisors Meeting Agenda Item #7
Attachments: Petition_Parrott Drive Subdivision_11Jul22.pdf

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

11-Jul-2022

RE: Topic # 7: Appeal of the Planning Commission's denial of a Minor Subdivision Grading Permit, and Resource Management Permit for a proposed 3-lot subdivision, in the unincorporated Highlands area of San Mateo

Dear Board of Supervisors,

Please find attached signed petitions received by MANY individuals who strongly support to **uphold the unanimous denial** by the San Mateo County Planning Commissioners by rejecting the developer's appeal on the proposed Zmay subdivision, located along the 1100 block of Parrott Drive in the Baywood Park area of San Mateo based on the reasons provided in below copy of the petition. The attached signatures/signed petitions is still active and new individuals are continuing to sign the petition.

Sincerely,

Pin Yee Wong

1111 Parrott Drive

Part of the Parrottdrive Community

PETITION

To the San Mateo County Board of Supervisors:

I/We respectfully urge the San Mateo Board of Supervisors to uphold the unanimous denial by the San Mateo County Planning Commissioners by rejecting the developer's appeal on the proposed Zmay subdivision, located along the 1100 block of Parrott Drive in the Baywood Park area of San Mateo.

The Zmay subdivision would create sites for three large homes on extremely steep, landslide-prone slopes. These slopes are also highly vulnerable to catastrophic wildfire. Most egregiously, the project proposes connection to a failed sewer transmission line that has experienced numerous sewage spills over many years. The Planning Commissioners listened to the many community voices, and agreed that the proposed three home sites were unsuitable for residential use due to steep slopes, severe erosion potential, susceptibility to mudslides/landslides, exposure to fire, and inadequate sewage disposal capabilities. As such, the proposed subdivision does not meet applicable County Subdivision or Resource Management District Zoning requirements.

I do not oppose safe and appropriate development of three homes on this 60-acre property, but they must be located in less hazardous, and less environmentally damaging areas, most logically near 1551 Crystal Springs Road where the existing single-family residence on the property is located.

I am signing this Petition to add my voice to those of neighbors, community groups, and environmental organizations who are concerned about the potential significant adverse impact this project will have on the health, safety, and welfare of the project's future residents and the community at large.

Petition on the Risky and Unsafe Development along 1100 block of Parrott Drive

To the San Mateo County Board of Supervisors:

I/We respectfully urge the **San Mateo Board of Supervisors** to **uphold the unanimous denial by the San Mateo County Planning Commissioners** by rejecting **the developer's appeal** on the proposed Zmay subdivision, located along the 1100 block of Parrott Drive in the Baywood Park area of San Mateo.

The Zmay subdivision would create sites for three large homes on extremely steep, landslide-prone slopes. These slopes are also highly vulnerable to catastrophic wildfire. Most egregiously, the project proposes connection to a failed sewer transmission line that has experienced numerous sewage spills over many years.

The Planning Commissioners listened to the many community voices, and agreed that the proposed three home sites were unsuitable for residential use due to steep slopes, severe erosion potential, susceptibility to mudslides/landslides, exposure to fire, and inadequate sewage disposal capabilities. As such, the proposed subdivision does not meet applicable County Subdivision or Resource Management District Zoning requirements.

I do not oppose safe and appropriate development of three homes on this 60-acre property, but they must be located in less hazardous, and less environmentally damaging areas, most logically near 1551 Crystal Springs Road where the existing single-family residence on the property is located.

I am signing this Petition to add my voice to those of neighbors, community groups, and environmental organizations who are concerned about the potential significant adverse impact this project will have on the health, safety, and welfare of the project's future residents and the community at large.

	Name	City	State	Postal Code	Country	Signed On
	Parrott Drive Community				US	2022-06-16
1	Tania Leung	San Mateo	CA	94402	US	2022-06-16
2	Jennifer Chow	San Mateo	CA	94402	US	2022-06-17
3	Cynthia Jeung-Wesoloski	Redwood City	CA	94061	US	2022-06-17
4	Stuart Jeung	San Carlos	CA	94070	US	2022-06-17
5	Michael Jeung	San Mateo	CA	94402	US	2022-06-17
6	Nancy Chow	San Francisco	CA	94109	US	2022-06-17
7	Susan Anderson	San Mateo	CA	94403	US	2022-06-17
8	Marsha Heimbecker	San Mateo	CA	94403	US	2022-06-17
9	Barry T	San Mateo	CA	94401	US	2022-06-17
10	Florian Davos	San Mateo	CA	94403	US	2022-06-17
11	Anthony Serksnis	San Jose	CA	95129	US	2022-06-17
12	Jeanette W.	San mateo	CA	94402	US	2022-06-17
13	Brian Heimbecker	San Mateo	CA	94403	US	2022-06-17
14	Jenny Leung	Walnut Creek	CA	94597	US	2022-06-17
15	Sam Naifeh	San Mateo	CA	94402	US	2022-06-17
16	Cristine Johnston	San Mateo	CA	94402	US	2022-06-17
17	J Hitchcock	san mateo	CA	94402	US	2022-06-17
18	Darren Tsang	San Francisco	CA	94118	US	2022-06-17
19	Anita Zhu	San Francisco	CA	94124	US	2022-06-17
20	Michael Johnston	San Mateo	CA	94402	US	2022-06-17
21	Christy Lee	San Francisco	CA	94133	US	2022-06-17
22	James Wrathall	Burlingame	CA	94010	US	2022-06-17
23	Gary Trott	San Mateo	CA	94401	US	2022-06-17
24	Rosalind Ferrara	San Mateo	CA	94402	US	2022-06-18
25	Wendy Leung	SAN francisco	CA	94110	US	2022-06-18
26	Dennis Tsang	San Francisco	CA	94130	US	2022-06-18
27	Ian Ta	San Mateo	CA	94402	US	2022-06-18
28	Peggy Redford	Canonsburg	PA	15317	US	2022-06-18
29	Queenie Hua	San Mateo	CA	94403	US	2022-06-18
30	Taylor Richardson	Hilo		96720	US	2022-06-18
31	Sandra Chang	San Mateo	CA	94402	US	2022-06-18
32	Andrew Ferrara	San Mateo	CA	94402	US	2022-06-18
33	Cynthia Chang	San Mateo	CA	94402	US	2022-06-18
34	Cathy Won	San Mateo	CA	94402	US	2022-06-18
35	Aidin Massoudi	San Mateo	CA	94402	US	2022-06-18
36	Anamarie Pesusic	San Mateo	CA	94401	US	2022-06-18
37	Heather Sarmiento	San Mateo	CA	94402	US	2022-06-18
38	Hortense Manske	San Mateo	CA	94403	US	2022-06-19
39	Janet Yao	Moss Beach	CA	94038	US	2022-06-19
40	Aviv Alberts	San Mateo	CA	94404	US	2022-06-19
41	Eric Laguna	San Mateo	CA	94402	US	2022-06-19
42	Caroline Caufield	San Mateo	CA	94403	US	2022-06-19
43	Medea Bern	Hillsborough	CA	94010	US	2022-06-19
44	Kara McCarthy	San Mateo	CA	94402	US	2022-06-19
45	Elinor Westfold	Burlingame	CA		US	2022-06-19
46	Sen che Ta	Daly city	CA	94015	US	2022-06-19
47	Muoi Do	Daly City	CA	94015	US	2022-06-19
48	Akemi Dawn Ehrlich	San Mateo	CA	94402	US	2022-06-19
49	Roan Wong	San Mateo	CA	94402	US	2022-06-19

50	Ramya Sampath	sunnyvale	CA		94086	US	2022-06-19
51	lily avida	Belmont	CA		94002	US	2022-06-19
52	Rafi Holtzman	Hayward	CA		94544	US	2022-06-19
53	Marc Blumer	Belmont	CA		94002	US	2022-06-19
54	jacqueline Kroner swartz	San Mateo	CA		94402	US	2022-06-19
55	Jamie Duddy	San Mateo	CA		94403	US	2022-06-20
56	Eileen Hinch	San Mateo	CA		94404	US	2022-06-20
57	Anise Graham	San Mateo	CA		94401	US	2022-06-20
58	James Quartuccio	Lindenhurst			11757	US	2022-06-20
59	Kai Bear	Pottstown			19464	US	2022-06-20
60	Stephen Gerard	Burlingame	CA		94010	US	2022-06-20
61	Sara STRICKLEN					US	2022-06-20
62	Suzanne Kennedy	San Mateo	CA		94402	US	2022-06-20
63	Denise Johnson	Seattle			98134	US	2022-06-20
64	Linda Freeman	Yuba City			95991	US	2022-06-20
65	Carolyn Kong	San Mateo	CA		94403	US	2022-06-20
66	Fredler Fleurme	Boynton Beach			33435	US	2022-06-21
67	Jeff Lieppman	San Rafael	CA		94903	US	2022-06-21
68	Munson Ching	San Francisco	CA		94121	US	2022-06-21
69	Doris Ching	San Francisco	CA		94118	US	2022-06-21
70	Cheryl Yawata	San Rafael	CA		94903	US	2022-06-21
71	Jessica Stevenson	Hillsborough	CA		94010	US	2022-06-21
72	Marissa Ferenc	Oswego			60543	US	2022-06-21
73	Christopher Guzmán	Lyndhurst			7071	US	2022-06-21
74	Denise Groebner	Burlingame	CA		94010	US	2022-06-21
75	Yolanda Lopez	Gainesville	FL		32608	US	2022-06-22
76	ace denotter	Lakewood			80227	US	2022-06-22
77	Grace Hassid	Hillsborough	CA		94010	US	2022-06-22
78	Margaret Roth	San Francisco	CA		94102	US	2022-06-22
79	Kristy Arndt					US	2022-06-22
80	Alexander Elnabli	San Mateo	CA		94402	US	2022-06-22
81	Mary Patricia A. Letcher	Cape May			8204	US	2022-06-22
82	Genia Herring	Boaz			35957	US	2022-06-22
83	Jamie Trimble	Redwood City	CA		94062	US	2022-06-22
84	Lewis Thompson	Hillsborough	CA		94010	US	2022-06-22
85	Han Fong Wong	San Mateo	CA		94401	US	2022-06-22
86	Danielle Hassid	Burlingame	CA		94010	US	2022-06-22
87	Susanne Chin	Sunnyvale	CA		94087	US	2022-06-23
88	Liesje Nicolas	San Mateo	CA		94402	US	2022-06-23
89	Richard McConnell	Olympia Fields			60461	US	2022-06-23
90	Susan Yan	Burlingame	CA		94010	US	2022-06-23
91	Ellen Fisher	San Mateo	CA		94404	US	2022-06-23
92	Bryan Keller	San Mateo	CA		94402	US	2022-06-23
93	Kim Ricket	San Mateo	CA		94402	US	2022-06-23
94	Sherry Chen	San Mateo	CA		94402	US	2022-06-23
95	Norman Liang	San Mateo	CA		94402	US	2022-06-23
96	Michael Kim	San Mateo	CA		94402	US	2022-06-23
97	David Kong	San Mateo	CA		94402	US	2022-06-23
98	Margaret Bussey	San Mateo	CA		94403	US	2022-06-23
99	Rosemarie Thomas	San Mateo	CA		94403	US	2022-06-23
100	Mary Anne Payne	San Mateo	CA		94403	US	2022-06-23

101	Captain Hayes	San Mateo	CA	94402	US	2022-06-23
102	Alexis Gerard	Hillsborough	CA	94010	US	2022-06-23
103	Geraldine Landers	San Mateo	CA	94401	US	2022-06-23
104	Mark Payne	San Mateo	CA	94402	US	2022-06-23
105	Kevin Lin	San Mateo	CA	94403	US	2022-06-23
106	Tom Luong	San Mateo	CA	94402	US	2022-06-23
107	Vi Tran	San Mateo	CA	94402	US	2022-06-23
108	Craig Husfeld	San Mateo	CA	94403	US	2022-06-23
109	Stephen Mikulic	San Mateo	CA	94403	US	2022-06-23
110	Loan Ngo	San Mateo	CA	94402	US	2022-06-23
111	Alex Llerena	San Mateo	CA	94402	US	2022-06-23
112	Ines Malardino	San Mateo	CA	94401	US	2022-06-23
113	Linda and Tom Cooney	San Mateo	CA	94402	US	2022-06-23
114	Lori Jabagchourian	Oakland	CA	94606	US	2022-06-23
115	Erik Larsen	San Mateo	CA	94404	US	2022-06-23
116	Sonia Isaac	San Mateo	CA	94402	US	2022-06-23
117	LARRY PREISER	San Mateo	CA	94401	US	2022-06-23
118	donald munakata	San Mateo	CA	94402	US	2022-06-23
119	Judy Calvo	San Mateo	CA	94402	US	2022-06-23
120	Melinda Ricossa	San Mateo	CA	94403	US	2022-06-23
121	Lois Aldwin	San Mateo	CA	94402	US	2022-06-23
122	candice johnson	Republic		15475	US	2022-06-23
123	Wendy Woodard	San Mateo	CA	94402	US	2022-06-23
124	Margaret Payne	San Mateo	CA	94403	US	2022-06-24
125	Heide Hennen	San Mateo	CA	94403	US	2022-06-24
126	Eyal Ungar	Oakland	CA	94606	US	2022-06-24
127	Vivian Kong	San Mateo	CA	94404	US	2022-06-24
128	Edward Chang	San Mateo	CA	94403	US	2022-06-24
129	Sarah Senan	Hillsborough	CA	94010	US	2022-06-24
130	Andrew Lieb	Phenix City		36870	US	2022-06-24
131	Linda Ottoboni	San Mateo	CA	94402	US	2022-06-24
132	Alan Harrington	San Mateo	CA	94402	US	2022-06-24
133	Sujatha Marsden	San Mateo	CA	94402	US	2022-06-24
134	Susan Solomon	San Mateo	CA	94402	US	2022-06-24
135	Cherry Mao	San Mateo	CA	94402	US	2022-06-24
136	Efrain Lopez	Pharr		78577	US	2022-06-24
137	Yvonne Bull	San Mateo	CA	94403	US	2022-06-24
138	sylvia clifton	Ripley		38663	US	2022-06-24
139	Linda Chan	San Mateo	CA	94403	US	2022-06-25
140	Adam Kaluba	Burleson		76028	US	2022-06-25
141	Kevin Manalili	San Mateo	CA	94403	US	2022-06-25
142	Melissa Cheu	San Mateo	CA	94404	US	2022-06-25
143	Maxine Trinh	San Jose	CA	95109	US	2022-06-25
144	Amare Belay	Rochester		14623	US	2022-06-25
145	Stephanie Henriquez	San Mateo	CA	94404	US	2022-06-25
146	Sue Barnes	San Mateo	CA	94404	US	2022-06-25
147	John Luongo	Oakland	CA	94612	US	2022-06-25
148	Kurativ M	Columbia		29223	US	2022-06-25
149	Ari Holtzman	San Mateo	CA	94402	US	2022-06-25
150	Rebecca Luong	San Mateo	CA	94401	US	2022-06-25
151	sarah stockton	Concord		28025	US	2022-06-25

152	chip hennen	Grass Valley	CA	95949	US	2022-06-25
153	Suzanne Simms	San Mateo	CA	94402	US	2022-06-26
154	Jennifer Minton	San Carlos		94070	US	2022-06-26
155	Tito Calvo	San Mateo	CA	94402	US	2022-06-26
156	Paul Rudberg	SAN MATEO	CA	94402	US	2022-06-26
157	Gerard Ozanne	Traverse City	MI	49685	US	2022-06-26
158	Thomas Tuohey	San Mateo	CA	94404	US	2022-06-26
159	Karen Chew	San Mateo	CA	94403	US	2022-06-26
160	Jillian Warden	Gulfport		39507	US	2022-06-26
161	Laura Utile	San Mateo	CA	94142	US	2022-06-26
162	Amy Hawman	San Mateo	CA	94402	US	2022-06-26
163	Hamilton Cheng	San Mateo	CA	94403	US	2022-06-26
164	Ava Cauley	Nashville		37222	US	2022-06-26
165	Marie O' Rourke	San Mateo	CA	95602	US	2022-06-26
166	Mitra Solomon	New York	NY	10119	US	2022-06-26
167	Tourandokht Javid	San Mateo	CA	94402	US	2022-06-26
168	Kayla Solomon	Hillsborough	CA	94010	US	2022-06-26
169	Emma McClain	Los Lunas		87031	US	2022-06-26
170	Marilyn Haithcox	San Mateo	CA	94403	US	2022-06-27
171	Sharon Hsu	San Mateo	CA	94403	US	2022-06-27
172	Terry Duff	Hayward		94545	US	2022-06-27
173	Laurinda Busalacchi	San Mateo	CA	94402	US	2022-06-27
174	Spoon Holden	Swainsboro		30401	US	2022-06-27
175	Isabelle Cooper	Florida		10924	US	2022-06-27
176	Barbara Sullivan	San Francisco	CA	94402	US	2022-06-27
177	ryn bohn	Madison		53704	US	2022-06-27
178	Brandon Purcell	San Mateo	CA	94403	US	2022-06-27
179	Colby Hansen	Georgetown		78626	US	2022-06-27
180	Karin Huber-Levy	Hillsborough	CA	94010	US	2022-06-27
181	Camila Soler	Methuen		1844	US	2022-06-27
182	Nicole Billing	New Richland		56072	US	2022-06-27
183	Kathleen and Bill Gonzales	San Mateo	CA	94401	US	2022-06-27
184	Barbara Mikulic	San Mateo	CA	94402	US	2022-06-27
185	Marian finkelstein	Belmont	CA	94002	US	2022-06-27
186	Tanya Dubinsky	Hayward	CA	94541	US	2022-06-27
187	Liyanah Leak	Gainesville		32801	US	2022-06-28
188	Jane Tilton	Hillsborough	CA	94010	US	2022-06-28
189	Judy Kaine	Belmont	CA	94002	US	2022-06-28
190	Gloria Wahl	Hillsborough	CA	94010	US	2022-06-28
191	Amy McHugh	Burlingame	CA	94010	US	2022-06-28
192	Guy Sharma	Los Angeles		90036	US	2022-06-28
193	Lily Oshtry	Washington		20001	US	2022-06-28
194	Ediverto Galvez	Panorama City		91402	US	2022-06-29
195	Dai Chen	San Mateo	CA	94403	US	2022-06-29
196	Ben Xu	San Mateo	CA	94403	US	2022-06-29
197	Gabrielle Levy	Hillsborough	CA	94010	US	2022-06-29
198	edward yan	San Mateo	CA	94403	US	2022-06-29
199	Linda taylor	Columbus		43228	US	2022-06-29
200	Zoraida Ramirez	Bronx		10456	US	2022-06-30
201	Stuart Swink	Halifax		17032	US	2022-06-30
202	Connor Garofano	Caldwell		77836	US	2022-07-01

203	Leslie A.	Cary		27513	US	2022-07-01
204	Eric Hu	Winnetka		60093	US	2022-07-01
205	Poke Pyro	Philadelphia		19125	US	2022-07-01
206	Harrison Schnabel	Waxhaw		28173	US	2022-07-01
207	Maria Clair-Howard	Peekskill		10566-2584	US	2022-07-01
208	Jaylen Johnson	Columbus		31906	US	2022-07-01
209	Nicole Falsetti	Windham		3087	US	2022-07-02
210	Tate Anderson	Orem		84058	US	2022-07-02
211	Julie Morgan	Fort Jones		96032	US	2022-07-02
212	Skimi Minecraft	Detroit		48238	US	2022-07-02
213	Nathan Silas	Chandler		85224	US	2022-07-02
214	stanley trent bemis	Santa Monica		90404	US	2022-07-03
215	Jack Russell	Hope		71801	US	2022-07-03
216	Benjamin Rodriguez-Chicas	Falls Church		22042	US	2022-07-03
217	Carlos Ruiz	Harrisburg		28075	US	2022-07-03
218	Aleshia Wall	Louisa		23093	US	2022-07-03
219	Cali Caudill	Bristol		24201	US	2022-07-04
220	Wendy Gee	San Mateo	CA	94402	US	2022-07-04
221	Brick Warren				US	2022-07-04
222	Tyler Chin	Sunnyvale	CA	94087	US	2022-07-04
223	Jeff Chin	Sunnyvale	CA	94087	US	2022-07-04
224	Nicole merriman	West Des Moines	IA	50265	US	2022-07-04
225	Samantha Harvey	Philadelphia		19146	US	2022-07-04
226	Steve Hassid	HILLSBOROUGH	CA	94010	US	2022-07-05
227	Trenton Beras	Brooklyn		11208	US	2022-07-05
228	Jeanette Bartholomew	Hillsborough		8844	US	2022-07-05
229	Lean Colon	Kissimmee		34741	US	2022-07-05
230	Michelle Segura	La Puente		91744	US	2022-07-05
231	Joseph Napoli	San Mateo	CA	94402	US	2022-07-05
232	Therese Napoli	San Mateo	CA	94402	US	2022-07-05
233	Vanessa Lopez	South Gate		90280	US	2022-07-06
234	Lsa Wong	Redwood City	CA	94065	US	2022-07-06
235	Bully The strong	Yonkers		10704	US	2022-07-06
236	janis ripple	Orion		48362	US	2022-07-06
237	Andy Watts	Houston		77025	US	2022-07-06
238	Antonio Baldwin	Grovetown		30813	US	2022-07-07
239	Alicia Roberts	McDonough		30253	US	2022-07-07
240	ben dover 2.0	Oviedo		32765	US	2022-07-08
241	Michelle Guerra	Union City		7087	US	2022-07-08
242	Jerry Linker	Do		75024	US	2022-07-08
243	John Kramer	Marshfield		2050	US	2022-07-08
244	Lori ANTUNES	Palm Harbor		34683	US	2022-07-08
245	Mary Hilt	Rohnert Park	CA	94928	US	2022-07-08
246	Elizabeth Connolly	San Mateo	CA	94404	US	2022-07-09
247	Lisa Gallahar	Vonore		37354	US	2022-07-09
248	Mihee Song	Belmont	CA	94002	US	2022-07-09
249	S Wright	San Mateo	CA	94402	US	2022-07-09
250	Tamera Bramble	Gig Harbor	WA	98332	US	2022-07-09
251	Gabriel Hall	Portland		4101	US	2022-07-09
252	Dionicio Ruiz	Los Angeles		90066	US	2022-07-09
253	Kim Hoffman	San Mateo	CA	94403	US	2022-07-09

254	Eleni Hulman	San Mateo	CA		94403	US	2022-07-09
255	Lisa WONG	San Carlos	CA		94070	US	2022-07-09
256	Binal Patel	Las Vegas			89128	US	2022-07-09
257	Josh Raul	Auburn			98002	US	2022-07-09
258	Wanda Pope	San Mateo	CA		94402	US	2022-07-09
259	Ken Quan	San Mateo	CA		94403	US	2022-07-09
260	Diana Vazquez	San Mateo	CA		94403	US	2022-07-09
261	Pam Rittelmeyer	San Mateo	CA		94402	US	2022-07-09
262	Anthony Arrechea	San Mateo	CA		94402	US	2022-07-09
263	John Dunn	Morristown	NJ		7960	US	2022-07-09
264	David Krakower	San Mateo	CA		94404	US	2022-07-09
265	Norma Anderson	San Mateo	CA		94402	US	2022-07-09
266	Rachael Webster	San Mateo	CA		94402	US	2022-07-09
267	Dayna McKenzie	Los Angeles	CA		90037	US	2022-07-09
268	Kim Nations	San Mateo	CA		94401	US	2022-07-10
269	Ellie Kim	San Mateo	CA		94402	US	2022-07-10
270	Dede Heiman	San Mateo	CA		94403	US	2022-07-10
271	Heather Rarden	San Mateo	CA		94402	US	2022-07-10
272	Monika Peschke	San Mateo	CA		94401	US	2022-07-10
273	Sean Laughlin	Stockton	CA		95206	US	2022-07-10
274	Manuela Hipkins	Half Moon Bay	CA		94019	US	2022-07-10
275	Lynette Ferrero	71913	AR		71913	US	2022-07-10
276	苦无 源	Monrovia			91016	US	2022-07-10
277	Bruce Heiman	San Mateo	CA		94403	US	2022-07-10
278	Fran Stott	San Mateo	CA		94402	US	2022-07-10
279	Marc Rarden	San Mateo	CA		94401	US	2022-07-10
280	doria wosk	miami	FL	33116-3356		US	2022-07-10
281	Aleth Reilley	San Mateo	CA		94402	US	2022-07-10
282	Sarah Bustin	San Mateo	CA		94402	US	2022-07-10
283	Kathy Hwa	San Mateo	CA		94404	US	2022-07-10
284	Paul Blackburn	Elizabethtown	KY		42701	US	2022-07-10
285	MJ Patterson	San Mateo	CA		94402	US	2022-07-10
286	Sally Myerson	Burlingame	CA		94010	US	2022-07-10
287	John Sarna	North Little Rock			72118	US	2022-07-10
288	Jeanne Rhodes	San Mateo	CA		94403	US	2022-07-10
289	Astrid SPencer	San mateo	CA		94402	US	2022-07-10
290	Susie Kim	San Mateo	CA		94401	US	2022-07-10
291	Ornit Rose	San Mateo	CA		94404	US	2022-07-10
292	Erica Smulever	San Mateo	CA		94402	US	2022-07-10
293	Tressa Noehren	San Mateo	CA		94402	US	2022-07-10
294	betty winholtz	morro bay	CA		93442	US	2022-07-10
295	Stephanie Rosekind					Israel	2022-07-10
296	Brad Smith	Mishawaka	IN		46545	US	2022-07-10
297	george bourlotos	belleville	NJ		7109	US	2022-07-10
298	pamela hamilton	Palo Cedro	CA		96073	US	2022-07-10
299	Joan Klatt	Oakville		L6H		US	2022-07-10
300	Stephen Diamond	San Mateo	CA		94401	US	2022-07-10
301	Rick Priola	Downey	CA		90242	US	2022-07-10
302	Elizabeth Tun Zan	San Mateo	CA		94402	US	2022-07-10
303	Michael Hernandez	San Mateo	CA		94403	US	2022-07-10
304	Stefano Lindt	San Mateo	CA		94401	US	2022-07-10

305	Edward Markushewski	Huntsville	AL	35801	US	2022-07-10
306	Dianne Weitzel	San Mateo	CA	94402	US	2022-07-10
307	Anna Laidler	East Stroudsburg		18301	US	2022-07-10

Stop Risky Development on Parrott Drive Prevent Building on

- Steep Landslide-Prone Slopes
- Dangerous Catastrophic Fire Risk Areas
- Protect Parrott Drive Last Open Space

Name	Address	Email
1. Elinor Almagor	10 Fairfield Court, SM	Elinor Almagor
2. GAD AMIT	10 Fairfield Court SM	-
3. MARC BLUMER	3860 Wroughton Belmont	-
4. DAVID REZUSIK	1175 Parrott Dr.	-
5. Cynthia Chang	1239 Parrott Dr	kinikia70@yahoo.com
6. NICKI GUCHI	1199 " "	-
7. Kelvin Chui	20 Admire Ct Hills	-
8. Doug Johnson	1398 Parrott Dr.	Doug Johnson 777@yahoo.com
9. Larry Preiser	1357 Parrott Dr.	lpreiser@hotmail.com
10. Steve Harris	1090 Parrott Dr	-
11. Lisa Han	75 Tobin Clark	-
12. Meha Mahal	1359 Enchanted Way	-
13. George Nisorenki	1474 Parrott Dr	-
14. Changyue Xu	1203 Parrott Dr.	xy 3118123@hotmail.com
15. CAP HAYES	1312 PARROTT DR	CAPHAYES@GMAIL.com
16. Lois Aldwin	179 Lakeshore Dr	psgarb@gmail.com
17. Jeff Marshall	3250 Upper Lock Belmont CA	
18.		
19.		
20.		

Stop Risky Development on Parrott Drive

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Name	Address	Email
1. JOHN PHILLIPS	1724 LOS ALTOS DR. SM	camp-phillips@comcast.net
2. Tim Robertson	2719 Sequoia Way	timothyrobertson@comcast.net
3. Gareth Stamp	530 E 16th Ave	gstamp@gnpsail.com
4. Larisa Margulis	2023 Kings Ln, SM	
5. RICH MARINACCO	18 Havenridge Ct SM	tinkey85@gmail.com
6. Erik & Huiing	1200 De Anza Blvd #211 SM	elfalt2000@yahoo.com
7. John Jensen	1571 Brandyside	
8. Kim Porter	667 Spruce St HMB	kmalgreen77@yahoo.com
9. Allison Herman	2200 Lake Rd #302	allegherman7@gmail.com
10. VICTORIA NG	2285 BANNER HILL DR.	VICTORIANGL116@GMAIL.COM
11. Laurie Mittelstadt	2355 Lyall Way, Belmont	
12. Tim Knox	1292 Laurel Hill Dr, San Mateo	Tgknox25@gmail.com
13. Julie Farand	1703 Yorktown Rd	juliefarand@gmail.com
14. Kristen Leonardini	1234 31st Ave	kristen@nuwe.com
15. Willi Gheer	"	williamgheer@gmail.com
16. Leslie White	1190 W. Hillsdale Blvd	lesliewhite@gmail.com
17. GEORGE JENNOTT	1230 Emerson, Palo Alto	
18. Noa Lee Holtzman	1103 Parrott Drive, San Mateo	heeyougothen@gmail.com
19. Jody Everstage	734 Parrott Dr San Mateo	
20. Kelly Witt	524 Yale Dr	

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Name	Address Hills	Email
Charlotte McFadden	1220 South Howard, CA	Charlotte94010ct@gmail.com
2. [Signature]	1555 W Hillside	GR25FYW@hotmail
3. [Signature]	2510 Cadwell Dr	FLUCKUM76@hotmail
4. [Signature]	1550 9th Ave	Casey724@yahoo
5. [Signature]	2135 Queen's Lane	
6. Anne Brown	1 Skymont Ct., Belmont	
7. Rachel McBonegal	3711 Enclave Way, Belmont	
8. Deepak Thakral	1644 Ascension Dr San	Mto d thakral@gmail.com
9. Carisa Hamilton	784 Pico Ave	
10. Tony SALAN	22 DEER LAKE CT	
11. [Signature]	2215 Alhambra Way	bcrews3@gmail.com
12. JOHN T MALLOY	1016 Constance Way #101 Belmont CA	JOHNTHUNDER1032@yahoo
13. Corinne E. Davin	1260 tony Ave. San Mateo, CA	corinnea@davin@aol.com
14. RAE LAVANOV	18 haven ridge court	rae021@me.com
15. [Signature]	3460 Glenwood Dr.	
16. King C Hsu	6 Deer Lake Ct	
17. [Signature]	2224 Dubuque	[Signature]@gmail.com
18. Rosy Vagg - Egnia	1899 Parrott Dr.	rosy.vagg@gmail.com
19. Luis Espinosa	1899 Parrott Dr.	[Signature]@gmail.com
20. FRED VAN DEN HAAR	3600 Hillcrest Dr. Belmont CA	FREDVHA@gmail.com

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Name	Address	Email
1. <i>Michael Hingman</i>	2019 Parrott Dr. #2 ⁹⁴⁰⁴² San Mateo CA	<i>michaelh@comcast.net</i>
2. <i>[Signature]</i>	2019 Parrott Dr San Mateo ⁹⁴⁰⁴² CA	<i>doreline@comcast.net</i>
3. <i>Paul Kertz</i>	750 Bynhow Dr.	
4. <i>Sib Ob</i>	1316 St Camino Real Burlingame, CA 94010	<i>Sintzekob@att.net</i>
5. <i>Hamid Motamed</i>	2520 Sherbourn Dr.	<i>Hemotamed@AOL.COM</i>
6. <i>Bradna Mas</i>	53 Creeklodge Ct	
7. <i>KEVAN EHSANPOOR</i>	1240 JAKUZZO RD	
8. <i>Eva Chen</i>	1776 Parrott Dr. ^{Hillsdale - CA 94015} San Mateo	<i>chenr29@yahoo.com</i>
9. <i>Julie Hens</i>	1420 Enchanted Way San	
10. <i>Tom Bell</i>	2136 Lyon Ave Belmont	<i>thbellman@gmail.com</i>
11. <i>Ed Chang</i>	1323 Rainbow Dr, San Mateo	<i>edchang8@yahoo.com</i>
12. <i>Gil Johnson</i>	74 Woudridge Lane	
13. <i>N. Snypp</i>	1537 Soro St. San Fran	<i>DAVID49ER@YAHOO.COM</i>
14. <i>N. Coats</i>	401 S. Sophia Rd.	<i>Nicholas.Coats@virginia.edu</i>
15. <i>R. Ran</i>	1110 Edinburgh St	
16. <i>Mary Brown</i>	7736 Ensenada Way	<i>mbrown676@gmail.com</i>
17. <i>Sigfredo Carranza</i>	786 5th Ave	<i>sigfredocarranza2@gmail.com</i>
18. <i>Ana Blaneo</i>	786 5th ave RWC	<i>anablaneo94@gmail.com</i>
19. <i>Uma Sivan</i>	2252 Alhambra Way	<i>lin3@comcast.net</i>
20. <i>N. ALINAS</i>	11008 Overlook Dr	

Stop Risky Development on Parrott Drive

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Name	Address	Email
1. Luzia Queiroz	111 W. 28th Avenue #10	
2. Lance Wong	2653 Wakefield Dr, Redwood City 94062	
3. Sarah Yan	1819 Parrott DR SM	
4. Hilda Sun	1867 Randall Rd. #14	
5. JAMES PAK	1500 Black Mountain Rd	
6. Pearl Borden	1636 Lexington Ave	
7. Carol Mason	1686 Lexington Ave	
8. Alar Thorpe	1652 Lexington Ave	
9. Ed Bridges	2052 New Brunswick	
10. Ron Laufer	111 Arroyo Canyon	
11. Barbara L. Lambert	111 Arroyo Ct., San Mateo	
12. Parjita Tedapari	2296 Cobblehill PL SM	
13. John France	2600 Belmont Canyon RD B.	
14. Jimmy Kim	1059 TAHOE DR	
15. Muneen Tamashi	2108 Cipriani Blvd	
16. Jenn Pung	2924 San Juan	
17. John Strickley	1399 Parrott Dr.	
18. Maximo Alvarez	625 Old County Rd #11 ^{Belmont}	
19. Maritza	Same Jan above	maritza@insbureau@gmail.com
20. Julia Lam	793 Dunsmuir Dr, Walnut Creek CA 94598	Julia.s.lam@gmail.com

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Name	Address	Email
1. Brian Suzuki	1020 Tournament Dr	bsuzuki@cox.net
2. Nancy Farrell	1272 Laurel Hill	
3. M L Penney		
4. Kathleen M. Hargis	1099-21 Ave	
5. Suzanne Powers	El Encanto - SN	
6. Andre M. Howlett	2621 Medina Dr SAN Bruno, CA 94066-1217	
7. Donna Leaf	9105 3 rd St San Jose 95112	donna.d.leaf@gmail.com
8. F. J. Hannon	400 Palomas	
9. Luis Quijano	3504 E. Magn Lane	luisquijano@panamint.com
10. Jim Lalonde	1895 Lexington	jim.lalonde@yahoo.com
11. Maria Crump	2814 Avenida de las Pulgas	
12. Ingrid S. Fischer	316 N. El Comino	
13. Leann Hummer	3820 Naughton Ave	Leann Hummer
14. Sasha Stevens	370 Independ Way Pl	
15. M.K. Skaff	1318 Overland Dr. May of K. Spz	
16. BRIAN PETERSEN	55 TRENTON PL	BAP1666@GMAIL
17. Ann Murphy	Sequoia Ave S.M	Ann Murphy
18. MAX JABLONSKI	2276 SHERATON PL.	maxjablonski@gmail.com
19. Leo Alejandro	1725 Monticello Rd.	leo_alejandro10
20. Eric Aljean	SM. A 94412	yahoo.com

(same address) aljandros@me.com
@yahoo

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Prevent Building on**

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Name	Address	Email
1. Kim Ricket	1625 Ascension Dr	kim@sluggo.com
2. Joyce Ahlheim	1447 Bonita Ave, MV	—
3. Linda Goodman	1430 Carlton Rd	—
4. Gail Oshima	2043 New Brunswick Dr	
5. Abe Ankunah	3331 Castro Ct, San Mateo	✓
6. Anne Horgan	1687 Bayville Way #117	
7. Chris Wisniewski	205 De Anza Blvd #152	
8. Corrie Halperin	320 Garcia HMB	
9. Marvin Kim	1457 Parrott Dr	
10. Meenami Menon	1740 University Ave. Palo Alto	
11. Kapil Dalwani	2153 De Anza Blvd, ^{San} Mateo	Kapil dalwani@gmail.com
12. Vasheli Bajaj	— " —	— " —
13. Natalie Cabrera	400 Marineros Is. San Mateo 94404	
14. Heeta Cabrera Sr.	" "	
15. Guy RounsaVICe	949 Tournament Dr Hillsborough	rounsey@gmail.com
16. Marcus Briseno	1100 Paloma Ave	
17. Pat Ayres	1015 Centrales Way	Pat Ayres
18. Kelco Bodan	5 City Ln. San Carlos CA 95070	—
19. Tom Giboney	2154 Avy Ave, Menlo Park	Tomgiboney@gmail.com
20. Hemant Bhatia	1548 Ascension Dr.	

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Name	Address	Email
1. HANON ARMSTRONG	35 INDEPENDENCE, HILLSBORO	aaron.armstrong@gmail.com
2. SHE LEIGHMAN	1064 W. Hillside -	
3. DON SALLI	3213 Shasta Dr	donaldsalli@gmail.com
4. Pat Mann	156 Forest View	
5. Diane Cohn	800 Vista Rd Hills.	
6. Kirmang	2600 Eastern Ave	
7. Marcos Cruz	1308 PACOS VERDE DR.	
8. Jennifer Ransom	916 W. Hillside	
9. David Brown	15 Woodcreek Ct	
10. Female Lin	1340 Brandt Rd Hills	
11. Debbie Shea Fox	366 Mamita Dr	
12. EVELYN SZELNYI	10 CONDON CT SM 94403	
13. Dan Ferenc	84 Valley View Sm 94402	
14. S. Martin	2214 Bettens Ave	
15. H. Pong		
16. Sue [unclear]	2846 SAN JUAN Blvd.	
17. Don Nugent	35 SEARSVILLE CT	
18. Sarah Hackman	3711 Kingridge Dr.	
19. Becky Cuthbert	1752 Lexington Ave	rkesweder@yahoo.com
20. [unclear]	500 Alane Ln	

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Name	Address	Email
1. Mati Ma	1652 Quindt St SF CA 94126	
2. Daisy Zhang	36 Avalon Dr. Daly City CA 94015	94015
3. Danny Lien	36 Avalon Dr. Daly City CA 94015	
4. Wei Quan Zhang	850 Madrid St. SF CA 94112	
5. Sherry Tan	850 Madrid St. SF CA 94112	
6. Situ, Joanne	2307 28th Ave SF CA 94116	
7. Tai, Ken	2307 28th Ave SF CA 94116	
8. Joanne Jeng	3937 Crofton Way, SSF, CA 94080	
9. Nathan Yang	3937 Crofton Way, SSF, CA 94080	
10. Richard Yang	16 Timberhit Ct, Pacifica, CA 94044	
11. Shu Hui Chow	2904 Sanderling Drive, Fremont, CA 94535	
12. Stella Jeng	34604 18th Pueblo Terrace, Fremont, CA 94535	
13. Amy Yan	278 Munich St SF CA 94112	
14. Wing Chiu	278 Munich St SF CA 94112	
15. Xiu Hua Zeng	824 Russia Ave SF CA 94112	
16. PA XUE Yan	824 Russia Ave SF CA 94112	
17. Lisa Yan	824 Russia Ave SF CA 94112	
18. Danny Yan	824 Russia Ave SF CA 94112	
19. Wendy Yee	824 Russia Ave SF CA 94112	
20. Daisy Tam	1589 Sacramento St. #6	

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Name	Address	Email
1. Jason Lam	1504 Sacramento St. #6	
2. BEATRICE HUANG	1520 Stockton St. SF	
3. HENRY YIP	1520 Stockton St. SF	
4. Skylar Guo	1520 Stockton St SF	
5. Zeki Zeng	1520 Stockton St SF	
6. Kimberly Lin	1247 48th Ave SF	
7. Edmund Lin	1247 48th Ave SF	
8. Melody Chow	401 Crescent Ct. Apt #4306 SF. CA 94134	
9. Simon Lee	401 Crescent Ct Apt #4306 SF	
10. Tak Wai Lee	401 Crescent Ct. Apt #4306 SF	
11. Lok Yin Chow	401 Crescent Ct. Apt 4306 SF	
12. Yuk Ying Lam	766 11th Ave SF	
13. Kam Wan Lee	766 11th Ave SF	
14. Jenny Tsai	1961 San Jose Ave SF	
15. Wan Long Tsai	1961 San Jose Ave SF	
16. Celia Yao	727 36th Ave SF	
17. Chao Li	727 36th Ave SF	
18. AARON LI	727 36th Ave SF	
19. BRIAN LI	727 36th Ave SF	
20. Charles Yao	962 AURON AVE SF	

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Name	Address	Email
1. Kevin Lin	1506 Ascension Dr.	kwantec@gmail.com
2. Sandy Pethan	807 Canada Rd Woodside	
3. Mathew Prokos	146 Dartmouth Rd	mathew.prokos@gmail.com
4. George Rayzel	2063 Fairmont Dr.	
5. Gloria Margueret	2063 Fairmont Dr.	
6. Laura Rainsberger	1020 Yates Way 94403	Laurarainsberger@hotmail.com
7. Mahal Olomny	444 Murphy Creek Rd	
8. Deanne K... ..	516 Hanbury Dr. F.O.	
9. Elizabeth Stone	1412 Ashwood Dr. SM	
10. Meredith Charlson	1412 Ashwood Dr. SM	
11. Sarah M. ...	960 Seavolt Ave, Millbrae	
12. Michelle Sonnenfeldt	1448 Cortez Ave	
13. Janet Chan	7744 Yosemite Dr	
14. Pam Fitch	181 Ruby Ave SC	
15. NANCY	100 WILSON ST SE, CA	
16. Chris Kujat	1624 Overmade Way	
17. Jason Fox	284 91st Ave San Mateo	
18. Martha Cutcomb	1331 Ernestine Lane ^{Mar Vista}	
19. Marie Butler	316 N El. Camino ^{#33}	
20. Mark Malhetra	28 W. 4th Ave	

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Name	Address	Email
1. Robert A. Kehn	613 [unclear] Ave	
2. LATERRA BARNES	118 CRESTVIEW DR, SC	laterra@barnes@aol.com
3. Comi Simms	117 16th Ave	
4. THELISA BRADY	1021 Beach Park FC	
5. Ti Chang	65 Wilson Creek Road	
6. Allan Gade	349 N. Chasman St	allan.gade.net
7. G. Chin	PO Box 838 Millbrae	g580@gmail.com
8. Joe Beckman	105 Challenge Ct Foster City 94404	
9. Sue Decker	1026 Cambridge Ave New York 10025	
10. George Javidani	10 Anita Rd Burlingame CA	
11. S. Preizer	6 Shadetree Madison, WI 53717	
12. m. [unclear]	" " " "	" "
13. Jennifer Liu	136 Newton Dr Burlingame CA 94010	
14. Brent Coffey	2200 Seminole Way	
15. Aida Hess	82 Westbrook Dr.	
16. BRIAN GILMORE	82 WESTBROOK DR	
17. Kim Ash	211 Nanticoke Pl. PTC	
18. George E.	1308 El Cumino, Burlingame	
19. KATHLEEN GENTNER	761 FOSTER City Blvd	
20. CATHY LING STEVENS	38 College View Way BELMONT	

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Name	Address	Email
1. GEORGE S.	3810 KENNESA BOULEVARD	Yue.Hu@yaboo.com
2. Sofia Engstrom	635 Handley Trail 94062	Engstrom@mail.com
3. Sergey Serou	673 LILKA LA Foster City	cska.com/ysho.com
4. Tatiana Masolkina	" "	" "
5. Vera Kudina	425 Anchor Rd San Mateo	
6. Alex Kudinov	425 Anchor Rd San Mateo	
7. Robert Moser	6 Warren Rd SM	Robert.aaron.moser@gmail.com
8. JOSHUA BALTOR	165 GRAMERCY DR. SM.	
9. Heidi Inberg	1818 Hillman Ave Belmont	
10. L Christine Folan	215 Alta Mesa PRSSF	cfolan@mercyhosp.com
11. Tiffany Chen	Dominica Lane, Fidelity	
12. Dorothy A. Kogl	521 Bucknell Drive	Kogl@att.net
13. RICHARD KOGL	521 BUCKNELL DRIVE	KOGL@ATT.net
14. Nivedita Sahasrabudhe	315 SUSSEX CT Belmont, CA	nivedita@gmail.com
15. Sujatha Narbden	1844 Randall Rd, San Mateo	
16. Caroline Tracy	935 Solano Ave, Albany	
17. Laraine Ray	1745 Valley View Ave Belmont	
18. Ben Drucker	1507 Tenn Lane Foster	
19. Phyllis Lunardi	8 Bennington Ct SM	
20. William Powry	2335 TILWATER DR S.M.	

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Name	Address	Email
1. Pin Yee Wong	1111 Parrott Dr. ^{San Mateo CA} 94402	wongjeatt.net
2. Linda Chan	4202 George Ave	faithhs2003@yahoo.com
3. Wing Yung	1001 Rosewood Ave 94070	wingyr2@gmail.com
4. Alison Ho	10 Mercat Pl 94100	alisonhofamily@yahoo.com
5. David Kirov	151 Dolton Av	Henryde@gmail.com
6. BOGENHUBER	225 VIRGINIA AV. 3F	alyed.bogenhuber@stbc.com
7. Shannon Kirkpatrick	17595 SW Phoenicia Ln. 97003	Shannon Kirkpatrick Kirkpass@gmail.com
8. A Cassally	735 Nevada San Mateo	
9. Yutao Ma	1100 Geneva road Fremont	
10. Marie Nguyen	6 W. Cavour San Mateo	
11. Ted Ochiani	6 W. Cavour San Mateo	
12. Adrian Amecente	640 Cadillac Hwy	
13. LEON	688 Marinas ^{SM 94404} St. Louis	wd_email1000@gmail.com
14. JAMES HUTCHINSON	650 PARROTT DR SM	jimhutch2@gmail.com
15. DICKER	1424 Edinburg St	
16. K. Mule	" "	
17. Puhfager	45 Mission Trail Road, Napa	
18. ALEX GLOB	2613 BARCLAY WAY, Belmont	alexide@gmail.com
19. Ron Stutz	27 Oak Valley Rd. ^{S.M.} 94402	
20. Jung Lee	1707 Toledo Ave Burlingame	

Stop Risky Development on Parrott Drive

Prevent Building on

- Steep Landslide-Prone Slopes
- Dangerous Catastrophic Fire Risk Areas
- Protect Parrott Drive Last Open Space

Name	Address	Email
1. Bailey Meyer	285 Rayton	ll
2. Debbie Isles	980 Norton St, SM.	
3. [Signature]	28 Doris Ct, RWC CA 94061	
4. [Signature]	1245 Parrott Dr	
5. Salma A. Holtzman	1103 Parrott Dr. SM	
6. Carlos Lopez	1226 Palos Verdes Apt 9	
7. Nardia Mesquite	1326 Palos Verdes Dr # 9	
8. Anadalupe Peña	5 Mateo 1700 El Camino Real	
9. [Signature]	585 Wumpshire Ave	
10. ZE MARTINHO	1005 Edgewood Rd RWC	
11. Lamen Yaman	477 Umaker St	
12. Anthony Ricci	173 Kupper Ave RWC	
13. Yvonne Fan	ll	
14. Jean Perry	300 San Pablo Ave Millbrae	
15. Olesya Solovtsova	1687 Bayridge, apt. 109	
16. Alexey Solovtsov	1687 Bayridge apt 109	
17. Boigail Vargas	250 Stitt Ct Folsom City	
18. Nancy E. Wente	513 Hiller St, Belmont CA	
19. Erik Olson	Walter Dr. Menlo Park, CA	
20. YANA DOBOV	658 Island Pl, Redwood City CA	

**Stop Risky Development on Parrott Drive
Prevent Building on**

- Steep Landslide-Prone Slopes
- Dangerous Catastrophic Fire Risk Areas
- Protect Parrott Drive Last Open Space

Name	Address	Email
1. Robyn Magaglia	1119 Alameda #74	
2. Sandra Harrington	609 MacArthur Av	harringtons@yahoos
3. Esther Miner	108 Molino Dr.	
4. Jeff Haas	348 Sunset Terr	jeffhaas@astand.net
5. Suzanne Cobery	3148 Sunset Terr	skcobery@gmail.com
6. Jerrold Anicete	70 BERTA CTR.	jerroldanicete@gmail.com
7. Elle Jo Tulio	120 Bayview Drive	ellejotulio@gmail.com
8. CHRISTENE TALAPIT	3374 GLENDORA DR	
9. John Konopka	125 16 th Ave San Mateo	
10. Michelle Bacigalupi	148 Plymouth Ave. San Carlos, CA 94070	
11. Aya Kubo	3224 E Laurel Creek Rd	ayakubolunde@gmail.com
12. Xumin Nie	3026 Whispering Circle	
13. Valentin Gorenko	2507 Dekoven Ave	Belmont.
14. Ben Kang	847 Woodside	benkang@gmail.com
15. Jihea Park	847 Woodside	jiheapark@yahoo.com
16. TORESA YOON	2130 Belmont Canyon	rusophie@sbcglobal.net
17. Heidi Coster	234 Sycamore, Woodside	
18. Jennifer Lotfy	2946 San Juan Blvd Belmont	jclotfy@gmail.com
19. Nicholas Frangos	61 Segovia Ct, San Carlos	nicholas.frangos@sjsu.edu
20. Kameron Burnett	4261 Woodwell Dr. San Mateo	

Stop Risky Development on Parrott Drive

Prevent Building on

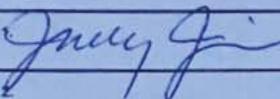
- Steep Landslide-Prone Slopes
- Dangerous Catastrophic Fire Risk Areas
- Protect Parrott Drive Last Open Space

Name	Address	Email
1. Emily Souther	San Carlos, CA	emilyrosesouther@gmail.com
2. Alex Paskulin	1408 Lodi Ave San Mateo	alex.paskulin@gmail.com
3. Sundance Friedrich	87 Lodi Ave San Mateo	
4. Charles Daniel	87 Lodi St SM	
5. ROB FETTERMAN	651 ISLAND PL RUS	
6. Suzanne Sims	1879 Los Altos Dr	
7. Pham Phu	2114 Rolling wood	Pham Jr 3@yahoo.com
8. Michael Chadd	1048 Annopolis Dr	SM
9. James Burke	1048 Annopolis	SM
10. Matthew Khan	1239 Parrott Drive	mattkhan@yahoo.com
11. Hunter Irving	944 Laurel St, San Carlos	
12. RAFI HOLTZMAN	1103 PARROTT DR.	HOLTZMAN@GMAIL.COM
13. J. Ayler		
14. Paul Seo	1449 Royal Ave S.M.	
15. Cristina Rodulsen	3257 Glendora St	cristina_rodulsen@yahoo.com
16. ANNE MOSER	6 WARREN RD SAN MATEO	
17. Grandison Gordon	2026 Brewster Ave. RCU	ggsto@yahoo.com
18. Myra Gordon	2026 Brewster Ave RCU	mysgo@yahoo.com
19. Patti NAZARBEGIAN	643 29th San Mateo CA	
20. Joanne Silken	1219 Alameda de las Pulgas #143 San Mateo 94403	

Stop Risky Development on Parrott Drive

Prevent Building on

- Steep Landslide-Prone Slopes
- Dangerous Catastrophic Fire Risk Areas
- Protect Parrott Drive Last Open Space

Signature	Print First & Last name	Contact	Date
	JUDY JIN	xiaoxuanjin@yahoo.com 936351768	12/4/2018
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Stop Risky Development on Parrott Drive

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Name	Address	Email
1. Pin Yee Wong	1111 Parrott Dr.	pinyong92@yahoo.com
2. Patricia Duly	15 CREEKWOOD WAY Hills mexy	padacang@aol.com
3. Amy Bailey	" " "	—
4. Derrick Bridger	111 W. 39th Ave. San Mateo CA 94403	dgbidger@yahoo.com
5. Jordan Ferré	320 Bridge Rd.	jordanmferre@gmail.com
6. Tracy Koltz	424 Maple Ln. S.B. 94061	TKoltz@yahoo.com
7. JooHee Yi	65 Lyonnridge Ln	hyung_43@yahoo.com
8. Nancy Miceli	1726 Gum St, SM 94402	—
9. Walt Cromplz	" " "	nmiceli@astound.net
10. Malcolm Urena	297 Filbert NMB 94041	baykerbabe@gmail.com
11. Edward Flores	734 VERA AVE	—
12. Neela Patel	2712 Manserret Ave	neela.patel@shyglobal.net
13. Harriete Behman	1057 42nd Ave S	harriete@sbcglobal.net
14. DIVESH CHAN	1735 Cedarwood Dr	D.CHAN@haimail.com
15. Gordon Fung	1045 Sycamore Pr. Millbrae	fedeeon1051@yahoo.com
16. Liyi Wang	4147 George Ave	quitchat@gmail.com
17. Jianmei Shi	4147 George Ave	Jianmei0315@gmail.com
18. Cathy Fradette	119 TURNSWORTH	CathyFradette@gmail.com
19. Radhika Kenkre	615 Port Dr.	radhika.kenkre@gmail.com
20. Reva Segall	456 Cornell Ave	Revassegall@gmail.com

Stop Risky Development on Parrott Drive

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Name	Address	Email
1. Michele Tonges	2043 FAIRMONT Dr SAN MATEO, CA 94402	
2. Dorethea Hernandez	1790 Monticello St	
3. SUSAN DUNN	1509 De ANZA BLVD	
4. HARDIE DUNN	1509 De Anza Blvd	
5. IAN SMALL	123 LAKESHORE DRIVE	
6. FIONA SMALL	123 LAKESHORE DR.	
7. Steve Andriella	1061 Parrott Dr.	steve@andriella.com*
8. Amir QAWAN	1260 PARROTT DR	
9. Big y Almalu	1110 Tournament Dr.	
10. ANDREW WAHL	1130 TOURNAMENT DR	awahl@RAMENTL.COM*
11. LISA BERRERA	1135 Tournament Drive	berreralisa@hotmail.com
12. Joe Juel	20 Broolce court	
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Stop Risky Development on Parrott Drive

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Name	Address	Email
1. ERICA TAN	182 VERNON ST CA 94132	
2. ERIC CHUNG	182 VERNON ST. S.F. CA 94132	
3. CRYSTAL CHUNG	182 VERNON ST. S.F. CA 94132	
4. DONALD CHUNG	182 VERNON ST. S.F. CA 94132	
5. MUI LAM	182 VERNON ST. S.F. CA 94132	
6. YUE QIONG	218 MINERVA ST. S.F. 94112	
7. Niki Xue	240 Peabody St S.F CA 94134	
8. Yong Jian Xu	240 Peabody St S.F CA 94134	
9. Muoi Do	55 Castleton Ave Daly City 94015	
10. One Senta	55 Castleton Ave Daly City 94015	
11. Elinoar Almager	10 Fairfield Ct. S.M 94402	
12. Gad Amit	10 Fairfield Ct. S.M 94402	
13. Dana Amit	10 Fairfield Ct. S.M 94402	
14. Abigail Amit	10 Fairfield Ct. S.M 94402	
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Stop Risky Development on Parrott Drive

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Name	Address	Email
1. Allison Wolke	3551 Bay Rd Redwood City	wolk.naj@gmail.com
2. Jazreel Konstantinos	1000 South Rd Apt 17 Belmont	JKon812@gmail.com
3. Jennifer Nagarajan	37 Nevada St. RWC	Jennifer.nagarajan@gmail.com
4. Tom Sharp	286 Monterey St.	tsharp5656@yahoo.com
5. SAVVA MOROZOV	211 Elm St	SAVVA.MOROZOV@gmail.com
6. Jose Carranza	34 S Fremont St	
7. Dominic Osejo	323	dominic.osejo@gmail.com
8. JULIA LARSON	258 STATE ST SAN MATEO	
9. Michael Epstein	421 Guerrero CA 94110 10105	
10. Gloria Brown	619 Plymouth St FC	gdrewo@gmail.com
11. Melissa Donly	1338 Johnson St 93405	
12. Lucy Hill	1927 Bridgepointe Pkwy	
13. Winnie Heslin	600 El Camino Real Belmont	
14. Rosi Cosme	344 Diamond Ave SSF 94050	Rosi.cosme143@gmail.com
15. Miguel Hernandez	544 Diamond Ave SSF	MAH2877@gmail.com
16. Joy B Thomas	1041 Schuman St FC	Joybeach@gmail.com 94111
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Stop Risky Development on Parrott Drive

Prevent Building on

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Name	Address	Email
1. Tom Spediaci	36 Michael Ln. Millbrae	tspediac@6mail.com
2. LISA NASH	450 Parrott, S.M. MATEO	LISADNASH@yahoo.com
3. Keldyn West	543 Grand St, RWC	westkel@gmail.com
4. Becki McGlashan	Seville Wy	Beckimcglash@gmail.com
5. Dorey "	"	"
6. SARAH Elliott	2708 Hallmark	sarahberridge@gmail.com
7. Mary Abinanti	153 Mabry Ln	mabinanti@vnc.com
8. Joe Fragola	119 TURNBORTH AVE	jfragola@gmail.com
9. Cathy FRAGOLA	119 TURNBORTH AVE Noblesville, IN	CathyFragola@gmail.com
10. Jennifer Lambdin	219-29th Ave San Mateo	jlambdin56@gmail.com
11. Mark Schick	" " "	Fbslug@hotmail.com
12. India Robledo	603 Bentwood Ct	igr@icloud.com
13. SUZANNE CGATA	SAN MATEO RESIDENT	—
14. Diana Sperger	1112 W. Hillsdale S.M.	dsperger@gmail.com
15. Amanda Huff	1952 Parrott SM	amanda.silber.lewit@gmail.com
16. Cynthia Aronch	822 Bryantwood RWC	cynthia.aronch@gmail.com
17. Bob Gutierrez	1871 Lexington Way	musicbybobg@gmail.com
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Stop Risky Development on Parrott Drive Prevent Building on

- Steep Landslide-Prone Slopes
- Dangerous Catastrophic Fire Risk Areas
- Protect Parrott Drive Last Open Space

Name	Address	Email
1. Jason Wright	12625 Lido Way, Sarasota	olaje@concast.net
2. Allen Cary	896 Anita Ave, Bmt	allenecary@icloud.com
3. Eleanor Wong	78 Lakewood Cir, Sey	eleanorwong@yahoo.com
4. Tim Morrison	115 Dartmouth Rd.	T.MORRISON@MSN.COM
5. Pat Meyer	520 Laurel Circle S.W.	essences@patmeyer.com
6. Barbara Basques	50 Mounds Rd S.W.	bbasques@yahoo.com
7. Tony Basques	50 Mounds Rd ²⁰³ S.W.	tony.basques@gmail.com
8. Karen Hill	405 El Camino Red Rd.	
9. Nancy Gungy	1819 El ^W Verano Way Belmont	
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Petition on the Risky and Unsafe Development along 1100 block of Parrott Drive

To the San Mateo County Board of Supervisors:

I/We respectfully urge the **San Mateo Board of Supervisors** to **uphold the unanimous denial by the San Mateo County Planning Commissioners** by rejecting **the developer's appeal** on the proposed Zmay subdivision, located along the 1100 block of Parrott Drive in the Baywood Park area of San Mateo.

The Zmay subdivision would create sites for three large homes on extremely steep, landslide-prone slopes. These slopes are also highly vulnerable to catastrophic wildfire. Most egregiously, the project proposes connection to a failed sewer transmission line that has experienced numerous sewage spills over many years.

The Planning Commissioners listened to the many community voices, and agreed that the proposed three home sites were unsuitable for residential use due to steep slopes, severe erosion potential, susceptibility to mudslides/landslides, exposure to fire, and inadequate sewage disposal capabilities. As such, the proposed subdivision does not meet applicable County Subdivision or Resource Management District Zoning requirements.

I do not oppose safe and appropriate development of three homes on this 60-acre property, but they must be located in less hazardous, and less environmentally damaging areas, most logically near 1551 Crystal Springs Road where the existing single-family residence on the property is located.

I am signing this Petition to add my voice to those of neighbors, community groups, and environmental organizations who are concerned about the potential significant adverse impact this project will have on the health, safety, and welfare of the project's future residents and the community at large.

Gad Amit
Name

10 Fairfield Ct, SM CA
Address 941402

gadiamit@me.com
Email

Petition on the Risky and Unsafe Development along 1100 block of Parrott Drive

To the San Mateo County Board of Supervisors:

I/We respectfully urge the **San Mateo Board of Supervisors** to **uphold the unanimous denial by the San Mateo County Planning Commissioners** by rejecting the developer's appeal on the proposed Zmay subdivision, located along the 1100 block of Parrott Drive in the Baywood Park area of San Mateo.

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Elinor Almagor
Name

10 Fairfield Court, San
Address
Mateo, CA
94402

elinor@comcast.net
Email

Petition on the Risky and Unsafe Development along 1100 block of Parrott Drive

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I/We respectfully urge the **San Mateo Board of Supervisors** to **uphold the unanimous denial by the San Mateo County Planning Commissioners** by rejecting **the developer's appeal** on the proposed Zmay subdivision, located along the 1100 block of Parrott Drive in the Baywood Park area of San Mateo.

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Dania Amit 10 FAIRFIELD CT. SAN MATEO daniaamit02@gmail.com
Name Address CA 94402 Email

- Steep Landslide-Prone Slopes
- Dangerous Catastrophic Fire Risk Areas
- Protect Parrott Drive Last Open Space

Name	Address	Email
1. Andrew Alexander	1215 Emerson, Palo Alto	amhe@UChicago.
2. Rob Zamber	2880 Washington Ave Redwood City CA 94061	Zamber158@gmail
3. Michelle Norgan	2850 Washington Ave Redwood City CA 94061	monorgan@gmail.
4. SONALI SINGH	151 DURAZNO WAY, MENLO PARK CA 94028	seaswimming@gmail
5. Alex Kopelyan	729 Roble Ave Menlo Park CA 94025	
6. Zachary Smith	308 Castello Dr. Los Altos CA 94024	zachs@Sulwh
7. Orián Smith	2771 Delaware Ave Redwood City CA 94061	ot:orian@gmail.
8. Michelle Gran	145 DeSoto Way, San Bruno CA	michellegran692@hotmail
9. JEN PAULL	117 park rd. Burlingame CA	
10. Abby Pasternak	45 San Benito Way San Francisco CA 94127	abigailhpasternak
11. Ariva Jacobstein	6565 Girvin Dr. Oakland, CA 94611	
12. Marya Peterson	6565 Girvin Dr Oakland CA 94611	
13. Ransom Byers	3264 Madera Ave Oakland 94619	ransom.byers@gmail
14. Paul Gallagher	3169 Jefferson Ave RWC 94062	
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Stop Risky Development on Parrott Drive

Prevent Building on

- Steep Landslide-Prone Slopes
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- Protect Parrott Drive Last Open Space

Name	Address	Email
1. Mike Stohser	1957 Vista Del Mar	mike.stohser@gmail.com
2. Ellen Eagan	149 Santa Maria Ave ^{SB}	hudsonswimmer@gmail.com
3. Joe Fragola	119 TURNBULL AVE RWC 94062	jfragola@gmail.com
4. Joanna O'Brien	1581 Lago St, SM, 94403	jmeobrien1@gmail.com
5. Bailey Meyer	2455 Rock Ln	cbmeyer@aol.com
6. Pete Williams	2201 Bridgeport Ave, SM CA C142 94404	pwilliams342@yahoo.com
7. Edw Mamerstl	41 KICHMUND DR MILLBRAE CA 94030	emamerstl@yahoo.com
8. Marci Keffmann	3216 Monterey St SM	
9. Michael Liffmann	3216 Monterey St SM	
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Prevent Building on

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Signature	Print First & Last name	Contact	Date
1. <i>Joanne Trott</i>	Joanne Trott	1215 Parrott Dr San Mateo, CA	12-8-2018
2. <i>[Signature]</i>	Tania Leung	1127 Parrott Dr 94402	12-11-18
3. <i>[Signature]</i>	Barry Ta	1127 Parrott Dr 94402	12-11-18
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To the San Mateo County Planning Commission:

I/We respectfully urge the San Mateo County Planning Commission to require an Environmental Impact Report (EIR) for the proposed Zmay subdivision, located along the 1000 block of Parrott Drive in the Baywood Park area of San Mateo.

The Zmay subdivision would create sites for three large homes on extremely steep, landslide-prone slopes. These slopes are also highly vulnerable to catastrophic wildfire. Most egregiously, the project proposes connection to a failed sewer transmission line that has experienced numerous sewage spills over many years.

The San Mateo County Resource Management District Zoning District (Section 6324.6(f)) states: "No land shall be developed which is held unsuitable by the Planning Commission for its proposed use for reason of exposure to fire susceptibility, to mudslides or earth-slides, to severe erosion potential, on steep slopes, with inadequate sewage disposal capabilities, or any other features that are harmful to the health, safety and welfare of the future residents or property owners of the proposed development and to the community-at-large." The Zmay subdivision is out of compliance with all of these RM Zone requirements.

I do not oppose development of three homes on this 60-acre property, but they must be located in less hazardous, and less environmentally damaging areas, most logically near 1551 Crystal Springs Road where the existing single family residence on the property is located.

I am signing this Petition to add my voice to those of neighbors, community groups, and environmental organizations who are concerned about the potential significant adverse impact this project will have on the health, safety, and welfare of the project's future residents and the community at large.

Date	Signature	Print Name	email	Address
Nov 4 '18	<i>Lursula Esteves</i>	LURSULA ESTEVES		1817 Redwood Rd. 94402
Nov 4, 18	<i>Marie P. Dinnian</i>	MARIE P. DINNIAN		225 Virginia Ave 1F
Dec. 3, 2018	<i>Robert Winegard</i>	Robert Winegard		Cobb Hill Place
Dec 3, 2018	<i>Ann Spawers</i>	Ann Spawers		1541 De Anza Blvd
12/3	<i>Dan Miller</i>	DAN MILLER		255 South Ave
12/3/18	<i>Yvonne Bull</i>	Yvonne Bull		1712 Luvalto Dr.
12/3/18	<i>Marina Alvarez</i>	Marina Alvarez		253 E Bellevue ave San Mateo CA 94401

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Date	Signature	Print Name	email	Address
12/2/18	<i>Helena O'Connor</i>	Helena O'Connor		1711 Lexington Ave San Mateo
12-3-18	<i>Joseph M. Damon</i>	Joseph Damon		"
12-3-18	<i>Linda Burnside</i>	LINDA BURNSIDE		1715 LEXINGTON AVE SAN MATEO
12/3/18	<i>Diane Prentiss</i>	Diane Prentiss		1719 Lexington Ave SAN MATEO 94402
12/3/18	<i>Robert Prentiss</i>	Robert Prentiss		1719 Lexington Ave
12/2/18	<i>S. Jones</i>	Strom Jones Strom Jones		1507 Forge Rd
12/2/18	<i>Cam Shaw</i>	CAM SHAW		1710 LEXINGTON

To the San Mateo County Planning Commission:

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Date	Signature	Print Name	email	Address
12-3		Monika Peschke	Monika.Peschke@hotmail.com	10 White Plaza
12-3		CAROL ANNE GENNARO		47 ERICSON Rd.
12-4		DORZEN FINERTY		10 LOS ALTOS PL SAN MATEO
12-4		Mary Jo Anstey		100 Southdown Ct. Millbrae
12-4		Katherine Messinger		449 Wisconsin St SM
12-4		Gertrude Hurler		2239 Coleridge Rd SM
12-4		Marilyn Hays		2500 Fairmont Dr

To the San Mateo County Planning Commission:

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Date	Signature	Print Name	email	Address
12/4/18		Annette DeBastiani	annetemd33@yahoo.com	10891 Eya Mare Dr.
12-4-18		Jane Frank	somerebil@gmail.com	306 Barnes Ave
12/3/18		LI-ANNE TSAI	luansai@yahoo.com	1900 De Anza Blvd
12/3/18		LEORA TSAI		#100, San Mateo
12-3-18		TOM BAUER	N/A	16824 Lexington San Mateo
12/3/18		Janet Pastin		1684 Lexington Ave.
12/3/18		JANNY BEALE		271-41st Ave, San Mateo

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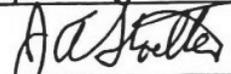
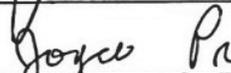
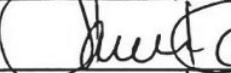
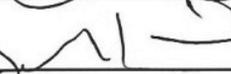
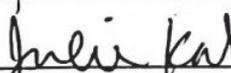
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Date	Signature	Print Name	email	Address
12/2		TINA SHAN	tina.shan@qmail.com	1720 Lexington
12-2		JOHN STOLLER		1712 LEXINGTON
12-2		JOYCE PRIOLA	J.	1703 Lexington
12/2		BRIAN DAVIS		1707 Lexington
12/2		LAUREL DAVIS		✓
12/2		DEVON DAVIS		"
12/2		JULIE KANTOR		710 Bennington Ave

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Date	Signature	Print Name	email	Address
		Carole Hockaday		150 Crestwood SC
		JOAN COURTNEY		515 ANCHOR C.I.
		M. Ruth Anderson		1201 Homewood, S.H.
		Denise MARKS		100 So. Ranch Rd Pescadero
		MICHAEL SOREK		1708 Lexington Ave
		J. CARTER		1716 Lexington Ave.
		Mollie Carter		1716 Lexington Ave.

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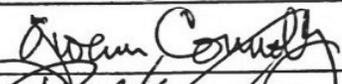
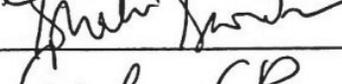
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Date	Signature	Print Name	email	Address
12-3-18		Eileen Connolly		25 Laurel Hill Ct. San Mateo, CA
12-3-18		Barbara Estes	bgestes@comcast.net	400 Occidental Ave San Mateo, CA 94402
12-3-18		SHALINI SARPINA		2279 Bunker Hill
12-4-18	Carolyn C. Pann	Carolyn Pann		700 Laurel Ave S.M. 94401
12/4/18	Rosalind M. Chan	Rosalind M. Chan		10 Hoods Pt Way SM CA 94402
12/4/18	Pingying Han	China		2015 Neo Brunswick Dr San Mateo CA 94402
12/4/18		Galine		111 St. Matthews Ave SM #104

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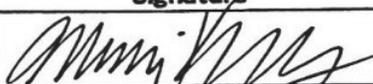
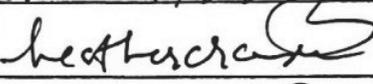
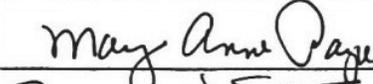
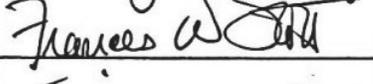
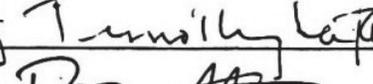
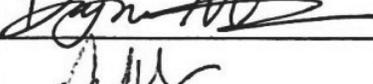
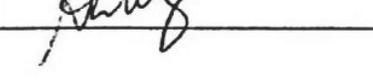
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Date	Signature	Print Name	email	Address
12/3/2018		Mimi Kravitz	mimikravitz@gmail.com	1888 Lexington
12/03/18		Heather Raden	hcamp714@yahoo.com	2008 New Brunswick Dr.
12/3/18		Mary Anne Payne	maryanne@pfconsulting.net	1720 Parrott
12/3/18		FRANCES STOTT	FRANLH@Comcast.net	1592 Lexington
12/3/18		TIMOTHY LAFARGE	TIMLAF@Embarq.net	1592 Lexington Ave, San Mateo, CA, 94402
12/3/18		Dayna McKenzie	daynagalvin@hotmail.com	1927 Lexington Ave, San Mateo, CA, 94402.
12/3/18		Sarah Fong	sarahyf75@yahoo.com	1356 Palo Verde San Mateo CA

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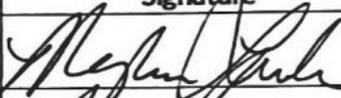
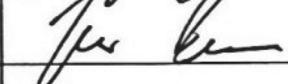
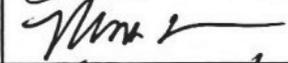
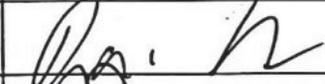
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Date	Signature	Print Name	email	Address
11/27/18		Meghan Lubker	mslubker@gmail.com	30 Stoney Pt. Pl. San Mateo
11/27/18		Marc RARDEN	mer3@cornell.edu	2008 NEW BRUNSWICK DR SAN MATEO
11/22/18		Betty Oen	oen@stanford.edu	1767 Yorktown Rd San Mateo CA
11/27/18		Nina Lewis	nina.lewis@gmail.com	1714 Monticello Rd San Mateo, CA
11/27/18		DAVID BARD	Davidbard@scripps.edu	1716 Monticello Rd San Mateo, CA
11/27/18		SHIRISH JOSHI	SHIRISH@OUTLOOK.COM	2040 Tiendeck San Mateo CA
11-27-18		Vince Oen	losgaiter@yahoo.com	1767 YORKTOWN SAN MATEO.

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11-27-18		JOSEPH M. O'CONNOR		1711 LEXINGTON AVE SAN MATEO
11-27-18		Helen O'Connor		1711 Lexington Ave San Mateo 94402
11-27-18		Kara McCarty	karamccarty@ hotmail.com	1660 Lexington Ave San Mateo
11.27.18		Dylan Ashbroke	dylanashbroke@ gmail.com	5 Burgoyne Court San Mateo, CA 94402
12.3.18		Emily Bonel	emily.p.bonel@ gmail.com	2068 New Brunswick Dr. San Mateo CA 94402
12.3.18		Nancy Wilkens	1821 Cambridge St Nancy Wilkens 1821 Cambridge St	1821 Cambridge St SM, CA 94402
12.3.18		Pamela Bubowski	pamelabubowski@ gmail.com	2042 Kings Lane San Mateo 94402

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Date	Signature	Print Name	email	Address
12-04-18		PRISCILLA SCARAM	beaglenest@att.net	144 ELKING LANE SAN MATEO, CA 94402
12-04-18		ELEANOR CAMERON	N/A	1571 FORGE RD SAN MATEO CA 94402
12/4/18		Mami Kawakita		238 Pitt Road Foster City, CA 94404
12/4/18		CATHERINE CAMPBELL		2012 NEW BRUNSWICK SAN MATEO, CA 94402

Date	Signature	Print Name	email	Address
12/4/18		ANDERS BOND	anders.bond@gmail.com	208 New Brunswick Drive San Mateo

Sukhmani Purewal

From: Lennie Roberts <lennie@greenfoothills.org>
Sent: Monday, July 11, 2022 12:45 PM
To: Don Horsley; Carole Groom; Dave Pine; Warren Slocum; David Canepa
Cc: CMO_BoardFeedback; Winter King; Carmen J. Borg
Subject: Green Foothills Itr re: Item #7 on BOS Agenda 7-12-2022; PLN2014-00410
Attachments: GF BOS Zmay 7-11-2022.pdf; GF -SMCPC Zmay 7-26-2021.pdf; Zmay Historical Landslides Dr. G. Trott.pdf

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear President Horsley and Supervisors,

Attached is my letter on behalf of Green Foothills asking you to **Uphold the Planning Commission's Unanimous Decision** re the "Zmay" proposed subdivision on Open Spaces General Plan and Resource Management zoned lands as well as copies of my letter to the Planning Commission that was submitted to the Planning Commission.

Thanks very much for considering our comments, as well as those of the affected neighbors and many other concerned citizens.

All best,

Lennie Roberts

July 11, 2020

President Don Horsley and Members of the Board of Supervisors
400 County Center,
Redwood City, CA 94063

Re: Agenda Item #7, on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

Dear President Horsley and Supervisors,

On behalf of Green Foothills, I respectfully request that you uphold the Planning Commission's unanimous denial of the proposed "Zmay" subdivision.

Each of your Planning Commissioners clearly articulated their reasons for Denial.

Commissioner Hansson summarized the problems with the proposed location of new parcels at the top of the property: "We are looking at a piece of land that for a lot of reasons hasn't been developed...wetlands in the area, water underground, failing sewer system, steepness, landslides, old fill, and fire hazard...a concoction of everything you have thrown at it except for nuclear waste sitting here."

Commissioner Gupta stated there are many concerns with the main ones being active landslides and fire, and she was not going to support the Negative Declaration.

Commissioner Ketcham said she disagreed with the conclusions of the staff report, found the Negative Declaration inadequate, and could not make the findings to support the project.

Commissioner Ramirez stated that he was concerned by the fire danger, impacts to wetlands, and sewer line deficiencies.

Commissioner Santacruz cited specific sections of the RM Zoning code (6324.6 (f) and 6326 criteria 3 and noted the overwhelming opposition from Green Foothills, neighbors and other interested parties.

The three additional conditions of approval added by staff do nothing to significantly reduce the exposure of the new homes and people to catastrophic wildfire and landslide hazards.

New Condition 94 would require regular irrigation on steep slopes for 100 feet below the future homes. This is absurd, particularly in light of recent findings that 2021-2022 is the driest 22-year period since at least 800 A.D., when Vikings sailed and Mayans built temples. See:

<https://www.mercurynews.com/2022/02/14/current-drought-is-worst-in-1200-years-in-california-and-the->



[american-west-new-study-shows/](#) People all over California and the West are ripping out lawns and other water-guzzling landscaping. Furthermore, the consequences of watering these landslide-prone slopes which could substantially increase the potential for landslides is a potentially significant new impact that has not been analyzed under CEQA.

New Condition 95 would require an ember resistant zone within five feet of each future home. This is duplicative of AB 3074 requirements that by January 1, 2023, a new ember-resistant zone within zero to 5 feet of homes (“Zone 0”) must be adopted by the Board of Forestry and Fire Protection and will become part of the Building Codes of California. At the Building Permit stage, the three new homes will have to comply, therefore Condition 95 is unnecessary.

New Condition 96 would extend the 100-foot defensible space zone onto the “parent parcel” through requiring recordation of a deed restriction on the parent parcel prior to selling of the lots. The Marin Fire Safe Council recommends 150 to 200 feet to protect Moderate or Steep Slope Properties: “Push fuel modification area beyond the 100-foot distance, if at all possible. A target for the extended fuel modification area would be between 150 feet and 200 feet.” See <https://firesafemarin.org/create-a-fire-smart-yard/topography/>

As stated in our letter to the Planning Commission, one of the key factors affecting wildfire behavior is Topography. According to Fire Safe Marin, “Wildfires burn up slope faster and more intensely than along flat ground. A steeper slope will result in a faster-moving fire, with longer flame lengths. While moderate or steep slopes greater than 20% are very dangerous, any slope can potentially increase the amount of heat a structure will be subject to during a wildfire.” See: <https://firesafemarin.org/create-a-fire-smart-yard/topography/>

Green Foothills engaged the law firm of Shute, Mihaly, and Weinberger to address the points raised by the Applicant’s attorney as well as deficiencies in the Initial Study/Mitigated Negative Declaration (IS/MND); their letter has been sent separately to you.

Regarding landslide risks, a key unaddressed issue is that a much larger historical landslide upslope of the property has not been mapped or analyzed by the project’s engineering geologists nor analyzed in the IS/MND. See attached graphic: Historical Landslides not mapped or considered by Engineering Geologists.

All the points in our letter of July 26, 2021 support the Planning Commission’s denial and are still relevant. I have attached this letter for your convenience.

There are relatively safer locations at the bottom of the property within the nine acres surrounding the existing home. They may not be as lucrative, but in today’s housing market, that difference is negligible.

Please deny the Appeal and uphold the unanimous decision of the Planning Commission.



Sincerely,

Lennie Roberts

Lennie Roberts, Legislative Advocate





July 26, 2021

Lisa Ketcham, Chair and Planning Commissioners,
San Mateo County Planning Commission
455 County Center, 2nd Floor
Redwood City, CA 94063

Re: Item #1 on the July 28, 2021 Agenda: File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

Dear Chair Ketcham and Commissioners,

On behalf of Green Foothills, I write to respectfully request that you Deny the above-referenced project for the following reasons:

- *The proposed subdivision is inconsistent with the County General Plan and Resource Management District (RM) Zoning.
- *The three proposed parcels would expose future residents to extraordinary hazards from catastrophic wildfire due to their location at the top of the property in a designated Very High Fire Severity Zone.
- *The proposed parcels would also expose future property owners/residents to hazards from landslides/mudslides due to their location on very steep (30-50%+) landslide-prone slopes.
- * There are feasible alternative locations for the subdivision.

This 60-acre property is an extremely challenging site to develop because of its steep, landslide-prone slopes, and very high fire susceptibility. The property is designated as **Open Space** in the County General Plan due in part to its steep slopes which: “pose severe hazards to public health or safety”.

The applicant proposes to subdivide this property and create three more home sites – located at the top of the property along Parrott Drive. These home sites would be on some of the steepest, most landslide-prone areas of the property, as well as in the area most susceptible to catastrophic wildfire.

This location is not allowed by the RM Zoning District (Section 6324.6(f) which states (in relevant part): **“No land shall be developed which is held unsuitable by the Planning Commission for its proposed use for reason of exposure to fire....susceptibility to mudslides or earthslides, severe erosion potential, steep slopes, inadequate...sewage disposal capabilities, or any other feature harmful to the health, safety or welfare of the future residents or property owners of the proposed development or the community-at-large.”**

Green Foothills is a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code. Your contribution is deductible to the fullest extent of the law, as no goods or services were provided in consideration of your gift. Our tax identification number is 94-6121854.

Local. Vocal. Effective.

(650) 968-7243 • info@greenfoothills.org • greenfoothills.org • 3921 E Bayshore Road, Palo Alto, CA 94303



California's New Normal

Climate change has brought increased intensity of storm events/rainfall, more severe drought, and increased uncontrollable, devastating wildfires. This is widely acknowledged as California's "New Normal".

This property is particularly susceptible to hazards from both extreme storms and wildfire. We need to do everything we can to avoid placing more people and property at risk from these hazards.

Landslides: Due to its underlying geology (Franciscan Formation) and steep slopes, this property has experienced multiple landslides already. Future intense storm events will result in accelerated stormwater runoff that is likely to reactivate old landslides, create new ones, and even mobilize whole hillsides.

Wildfire: Other property characteristics also make it particularly susceptible to wildfire. Its west to southwest-facing steep slopes support fire dependent vegetation types (oak woodland, chamise chaparral, northern coastal scrub, and northern coyote brush scrub) that are highly susceptible to wildfire events. Its steep slopes increase fire hazard risks. Fires burn uphill 10-16 times more quickly than downhill due to pre-heating and radiant heat (per Santa Barbara County Fire Department). Urban Forester and Fire Ecologist Ray Moritz, inspected the Zmay site on May 5, 2021, and has concluded that **"The proposed development is an extreme risk to the potential residents and residences of the proposed development and significantly exacerbates the risk to the community as a whole."** (Please note that Mr. Moritz was using an earlier Map of the proposed project that included four parcels; his comments are nonetheless still relevant to the revised Map that now has only Parcels 1, 2, and 3.)

In August, 2020, the devastating CZU Lightning Complex Wildfire burned 86,000 acres and destroyed 911 homes in San Mateo and Santa Cruz Counties. This unprecedented fire, along with many others throughout California and the West, has brought into sharp focus the susceptibility of our communities to catastrophic wildfire.

We can't always prevent new homes from being built on existing legal parcels in Very High Fire Severity Zones, but we can, and we should, prevent creation of new parcels that will place people in harm's way. In this case, there are alternative sites for new homes that are less hazardous. The Applicant's proposed Vesting Tentative Subdivision Map includes a 9-acre area around the existing home at 1551 Crystal Springs Road which is labeled "To Remain Buildable." This area is also excluded from the lands covered by the proposed Conservation Easement Area. This 9-acre area could accommodate the proposed three parcels; there are also other alternative sites along Crystal Springs Road that are less hazardous than those along Parrott Drive.

Green Foothills is a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code. Your contribution is deductible to the fullest extent of the law, as no goods or services were provided in consideration of your gift. Our tax identification number is 94-6121854.

Local. Vocal. Effective.

(650) 968-7243 • info@greenfoothills.org • greenfoothills.org • 3921 E Bayshore Road, Palo Alto, CA 94303



In summary, Green Foothills asks that you Deny this project based on the cited hazards to future homes/residents and its inconsistency with the General Plan and Zoning.

Sincerely,

Lennie Roberts, Legislative Advocate

Green Foothills is a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code. Your contribution is deductible to the fullest extent of the law, as no goods or services were provided in consideration of your gift. Our tax identification number is 94-6121854.

Local. Vocal. Effective.

(650) 968-7243 • info@greenfoothills.org • greenfoothills.org • 3921 E Bayshore Road, Palo Alto, CA 94303

From: jackiyahn@everyactioncustom.com on behalf of [Jacki Yahn](#)
To: [CMO BoardFeedback](#)
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants
Date: Monday, July 11, 2022 1:10:55 PM

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Jacki Yahn
228 Beverly Dr San Carlos, CA 94070-1641
jackiyahn@mac.com

Written Public Comments
for **Item No. 7**

Sukhmani Purewal

From: laura.brash@everyactioncustom.com on behalf of Laura Brash
<laura.brash@everyactioncustom.com>
Sent: Monday, July 11, 2022 1:20 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Laura Brash
4022 Kingridge Dr San Mateo, CA 94403-5046 laura.brash@gmail.com

Sukhmani Purewal

From: kristin.zlogar@everyactioncustom.com on behalf of Kristin Zlogar
<kristin.zlogar@everyactioncustom.com>
Sent: Monday, July 11, 2022 1:24 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,

Kristin Zlogar

Sincerely,

Kristin Zlogar

2213 Bunker Hill Dr San Mateo, CA 94402-3832 kristin.zlogar@gmail.com

Sukhmani Purewal

From: majordan421@everyactioncustom.com on behalf of Marty Jordan <majordan421@everyactioncustom.com>
Sent: Monday, July 11, 2022 1:26 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

With climate change, we will experience more severe weather that can cause land slides, and when the slides happen, taxpayers foot the bill for the infrastructure repairs.

This is not fair to taxpayers and can be avoided by not allowing this subdivision to go forward and others like it.

Sincerely,
Marty Jordan
229 State St San Mateo, CA 94401-2215
majordan421@outlook.com

Sukhmani Purewal

From: rarden@everyactioncustom.com on behalf of Linda Ann Rarden
<rarden@everyactioncustom.com>
Sent: Monday, July 11, 2022 1:26 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Linda Ann Rarden
218 Tilton Ave San Mateo, CA 94401-4506 rarden@sbcglobal.net

Sukhmani Purewal

From: cketner@everyactioncustom.com on behalf of Chris Ketner <cketner@everyactioncustom.com>
Sent: Monday, July 11, 2022 1:28 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Chris Ketner
1407 Tarrytown St San Mateo, CA 94402-3819 cketner@me.com

Sukhmani Purewal

From: csandoval.716@everyactioncustom.com on behalf of Cynthia Sandoval <csandoval.716@everyactioncustom.com>
Sent: Monday, July 11, 2022 1:30 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

We have become increasingly aware of the hazards living in transition zones. Building new homes in high fire risk zones is foolish and puts other properties and many lives at risk.

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Cynthia Sandoval
716 87th St Daly City, CA 94015-3605
csandoval.716@gmail.com

Sukhmani Purewal

From: rvsteele@everyactioncustom.com on behalf of Robert Steele <rvsteele@everyactioncustom.com>
Sent: Monday, July 11, 2022 1:36 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Robert Steele
1840 Idyllwild Ave Redwood City, CA 94061-3319 rvsteele@pacbell.net

Sukhmani Purewal

From: maryrspangl@everyactioncustom.com on behalf of Mary Spangler
<maryrspangl@everyactioncustom.com>
Sent: Monday, July 11, 2022 1:37 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Thank you
Mary spangler
1115 Edgewood rd
Redwood City
94062

Sincerely,
Mary Spangler
1115 Edgewood Rd Redwood City, CA 94062-2703 maryrspangl@gmail.com

Sukhmani Purewal

From: steveninagoodale@everyactioncustom.com on behalf of Nina Goodale
<steveninagoodale@everyactioncustom.com>
Sent: Monday, July 11, 2022 1:43 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Thank you for conscientiously placing public and environmental safety foremost by upholding the unanimous decision by the Planning Commission.

Sincerely,

Nina Goodale

825 Portwalk Pl Redwood City, CA 94065-1819 steveninagoodale@comcast.net

Sukhmani Purewal

From: keith@everyactioncustom.com on behalf of Keith Goldberg <keith@everyactioncustom.com>
Sent: Monday, July 11, 2022 1:45 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great.

Sincerely,
Keith Goldberg
2072 Queens Ln San Mateo, CA 94402-3931 keith@goldbergemail.com

Sukhmani Purewal

From: samoy2164@everyactioncustom.com on behalf of Stephanie Moy <samoy2164@everyactioncustom.com>
Sent: Monday, July 11, 2022 1:53 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Stephanie Moy
53 Lakewood Cir San Mateo, CA 94402-3971 samoy2164@gmail.com

Sukhmani Purewal

From: pete <psgarb@gmail.com>
Sent: Monday, July 11, 2022 1:59 PM
To: CMO_BoardFeedback
Subject: proposed development on Parrott Drive

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

I am writing in great distress to protest your consideration of overturning the planning commission's rejection of this proposed development. Not only is this area extremely fire prone (and the recent fire at Edgewood Park shows how disastrous a fire could be in these steep hills), but also subject to slides. And the crumbling sewer situation is not going to be remedied by this development and will subject many downstream residences to pollution.

Moreover, this neighborhood has been extremely negatively affected by the disastrous Bel Aire Heights development, where several of the proposed and promised mitigations have not yet been implemented. Like the truck turnaround on Bel Aire, so that heavy duty trucks detour regularly through Rainbow Drive and Lakeshore Drive. Like the erosion mitigations at the corner of Bel Aire and Ascension. And the hiking trail that convinced one planning member to vote for the development has been severely curtailed.

If anyone checks the state of the roads around this

development, such as Rainbow and Parrott, they will find quite a bit of damage. Is this developer going to pay to shore up these crumbling streets?

The Zmay company has acres of safer ground to develop at the bottom of the canyon. These won't have the spectacular views that will command premium prices, but will be a lot safer for the whole community. Thank you for your consideration.

Sincerely,

Lois Aldwin

179 Lakeshore Drive, San Mateo, CA 94402

Sukhmani Purewal

From: Harriete@everyactioncustom.com on behalf of Harriete Berman
<Harriete@everyactioncustom.com>
Sent: Monday, July 11, 2022 2:05 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

In addition, I am going to add an additional concern: Have you ever seen the way they access these ADU and housing structures with steep stairs? Can you imagine getting a person in or out in an emergency on a stretcher or with any disability? This is dangerous.

Houses on steep property is dangerous in many ways. Literally life-threatening.

We have also had fires in a steep area...and the fire going straight up the hills, and yet, the property is so steep you can't even walk on the ground.

Crazy!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!

Sincerely,
Harriete Berman

Sincerely,
Harriete Berman
657 42nd Ave San Mateo, CA 94403-5059
Harriete@sbcglobal.net

Sukhmani Purewal

From: lizolson2005@everyactioncustom.com on behalf of Maureen Olson <lizolson2005@everyactioncustom.com>
Sent: Monday, July 11, 2022 2:12 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Maureen Olson
2227 Allegheny Way San Mateo, CA 94402-4002 lizolson2005@gmail.com

Sukhmani Purewal

From: marialenar@everyactioncustom.com on behalf of Marialena Malejan-Roussere
<marialenar@everyactioncustom.com>
Sent: Monday, July 11, 2022 2:34 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Marialena Malejan-Roussere
522 Iowa Dr San Mateo, CA 94402-3217
marialenar@hotmail.com

Sukhmani Purewal

From: kaknapper@everyactioncustom.com on behalf of Kim Knapp <kaknapper@everyactioncustom.com>
Sent: Monday, July 11, 2022 2:35 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Thank you!

Kim Knapp

Sincerely,
Kim Knapp
516 Davey Glen Rd Belmont, CA 94002-2136 kaknapper@gmail.com

Sukhmani Purewal

From: nbarnby@everyactioncustom.com on behalf of Nancy Barnby <nbarnby@everyactioncustom.com>
Sent: Monday, July 11, 2022 2:37 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Why, oh why would you even consider building housing on this precipitous parcel? It is wholly unsuitable for various reasons, especially because of fire danger -- think of the recent fire in Edgewood Park which threatened homes in Emerald Hills.

Further, although we have state mandates to increase our housing, I wonder how life will be in the future with more residents and less water.

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property. Thank you.

Sincerely,
Nancy Barnby
169 Spruce Ave Menlo Park, CA 94025-3039 nbarnby@comcast.net

Sukhmani Purewal

From: lindaozanne@everyactioncustom.com on behalf of Linda Ozanne
<lindaozanne@everyactioncustom.com>
Sent: Monday, July 11, 2022 2:34 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Linda Ozanne
1434 Enchanted Way San Mateo, CA 94402-3622 lindaozanne@me.com

Sukhmani Purewal

From: jerryozanne@everyactioncustom.com on behalf of Gerard Ozanne
<jerryozanne@everyactioncustom.com>
Sent: Monday, July 11, 2022 2:42 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

The appeal to approve the Zmay subdivision must never be approved by the Board of Supervisors. A portion of the neighborhood and the entire San Mateo Planning Commission have both expressed well-reasoned and compelling arguments for rejecting this extremely dangerous proposal. No arguments responding to these objections have been presented to the neighborhood and consequently there is no justification for approval.

The Board of Supervisors should reject the proposal unanimously.

Sincerely,
Gerard Ozanne
1434 Enchanted Way San Mateo, CA 94402-3622 jerryozanne@me.com

Sukhmani Purewal

From: mas@everyactioncustom.com on behalf of Mary Anne Sayler <mas@everyactioncustom.com>
Sent: Monday, July 11, 2022 2:48 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

I strongly oppose the development of the Zmay subdivision.

Mary Anne Sayler

Sincerely,
Mary Anne Sayler
611 S B St Ste 2 San Mateo, CA 94401-4120 mas@saylerdesign.com

Sukhmani Purewal

From: maryanne@everyactioncustom.com on behalf of Mary Anne Payne
<maryanne@everyactioncustom.com>
Sent: Monday, July 11, 2022 2:50 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,

Mary Anne Payne

1720 Parrott Dr San Mateo, CA 94402-3609 maryanne@pfconsulting.net

Sukhmani Purewal

From: deannewt@everyactioncustom.com on behalf of Deanne Thomas
<deannewt@everyactioncustom.com>
Sent: Monday, July 11, 2022 3:00 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Deanne Thomas
40 White Plains Ct San Mateo, CA 94402-4057 deannewt@gmail.com

Sukhmani Purewal

From: cohevann@everyactioncustom.com on behalf of Marsha Cohen
<cohevann@everyactioncustom.com>
Sent: Monday, July 11, 2022 3:18 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

I support the unanimous decision of the County Planning Commission to deny the proposed "Zmay" subdivision. The high probability of damaging events, such as landslides and wildfires, occurring on the property are well documented. The tax payers in San Mateo County would be paying for fighting the wildfires and mitigating the landslides and that is neither fair nor balanced. There are other less hazardous areas for the three new lots on this property.

Climate change has increased the probability that damaging events will occur in accident prone, more rural areas of the county. Now is the time to adopt a different mind-set for the review/approval of this and similar projects in San Mateo County.

I urge the Board of Supervisors to deny the appeal of the applicants and support the Planning Commission's decision to deny the development on the hazardous "Zmay" property.

Sincerely,
Marsha Cohen
Resident, North Fair Oaks
San Mateo County

Sincerely,
Marsha Cohen
746 7th Ave Redwood City, CA 94063-3921 cohevann@gmail.com

Sukhmani Purewal

From: aaholtzman@everyactioncustom.com on behalf of Ariel Holtzman
<aaholtzman@everyactioncustom.com>
Sent: Monday, July 11, 2022 3:26 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Ariel Holtzman
1103 Parrott Dr San Mateo, CA 94402-3626 aaholtzman@gmail.com

Sukhmani Purewal

From: countrywse@everyactioncustom.com on behalf of Rob Landi
<countrywse@everyactioncustom.com>
Sent: Monday, July 11, 2022 3:26 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Rob Landi
133 South Blvd San Mateo, CA 94402-2538 countrywse@aol.com

Sukhmani Purewal

From: tucson103@everyactioncustom.com on behalf of susan bryan <tucson103@everyactioncustom.com>
Sent: Monday, July 11, 2022 10:12 AM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please listen to the good advice you're getting from the Planning Commission and deny the proposed hill-top subdivision of Zmay properties. The area has been designated by the state with the highest fire danger possible. It is foolhardy to allow anyone to build in any area with that designation. In addition, the proposed buildings would be susceptible to landslides. We know climate change is going to exacerbate the severity of storms, the intensity of flooding that make it a community danger to build on hills prone to landslides. We have enough trouble taking care of what we've already built in fire and landslides areas. Please tell the home builders that there is plenty of room at the bottom of the hill. I know the view from these proposed dwellings might be spectacular -- but the amount of damage they are prone to will also equally spectacular.

Thank you for listening to citizens who pay taxes rather than developers who have no long-term take in the community.

Sincerely,
susan bryan
222 Blackburn Ave Menlo Park, CA 94025-2706 tucson103@att.net

Sukhmani Purewal

From: countrywse@everyactioncustom.com on behalf of Rob Landi
<countrywse@everyactioncustom.com>
Sent: Monday, July 11, 2022 3:26 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Rob Landi
133 South Blvd San Mateo, CA 94402-2538 countrywse@aol.com



SIERRA CLUB

LOMA PRIETA CHAPTER

July 11, 2022

San Mateo County Board of Supervisors
400 County Center
Redwood City, CA 94063

Via: boardfeedback@smcgov.org
dpine@smcgov.org
cgroom@smcgov.org

dhorsley@smcgov.org
wslocum@smcgov.org
dcanepa@smcgov.org

Re: Item 7, July 12, 2022, Agenda, PLN 2014-00410

Dear San Mateo County Supervisors,

On behalf of the Sierra Club Loma Prieta Chapter, I wish to commend the San Mateo County Planning Commission for its unanimous denial of the Zmay subdivision. There are sites on the subject property that pose considerably less liability to the County from a fire and landslide perspective, less liability to the project's neighbors from a safety perspective, and more consistency with the County's Resource Management Zoning.

Wisely, the Commissioners took due cognizance of the hazards posed by this proposal and we seek the Board of Supervisors' support for their conscientiousness. Please deny this appeal.

Sincerely,

Gladwyn d'Souza
Conservation Chair
Sierra Club Loma Prieta Chapter

Sukhmani Purewal

From: michellehmackenzie@everyactioncustom.com on behalf of Michelle MacKenzie
<michellehmackenzie@everyactioncustom.com>
Sent: Monday, July 11, 2022 4:24 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,

Michelle MacKenzie

980 Berkeley Ave Menlo Park, CA 94025-2331 michellehmackenzie@gmail.com

Sukhmani Purewal

From: ramya.anjana.sampath@everyactioncustom.com on behalf of Ramya Sampath
<ramya.anjana.sampath@everyactioncustom.com>
Sent: Monday, July 11, 2022 3:34 PM
To: CMO_BoardFeedback
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

As climate change continues to render our beautiful California at increased risk for erosion, fires, and numerous harms, we cannot take actions that will further compromise the safety and well-being of our citizens. The Zmay subdivision will dramatically increase our community's risk of adverse outcomes that will threaten the wellbeing and safety of many. When there are other suitable options for this proposed property that would not result in catastrophic endangerment of human life and housing security, how can we possibly take this risk?

We cannot. Please do what is right and uphold the Planning Commission's denial of the proposed subdivision on the grounds of promoting security and safety for our people and our property.

Sincerely,
Ramya Sampath
739 Calico Ct Sunnyvale, CA 94086-6559
ramya.anjana.sampath@gmail.com

From: fchang51@everyactioncustom.com on behalf of [Florence Chang](#)
To: [CMO BoardFeedback](#)
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants
Date: Monday, July 11, 2022 4:27:12 PM

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Sincerely,
Florence Chang
1789 Monticello Rd San Mateo, CA 94402-4031
fchang51@gmail.com

From: alanpalter@everyactioncustom.com on behalf of [Al Palter](#)
To: [CMO BoardFeedback](#)
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants
Date: Monday, July 11, 2022 4:35:12 PM

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Dear Board of Supervisors,

I am a supporter of new housing in San Mateo. However I request that you uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. New development that increases risks to nearby people and property must be rejected. Please respect the RM Zoning.

Sincerely,
Al Palter
2035 San Mateo, CA 94402
alanpalter@gmail.com

From: lindaliebess@everyactioncustom.com on behalf of [Linda Liebes](#)
To: [CMO BoardFeedback](#)
Subject: Item Number 7 on the July 12 Agenda: Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants
Date: Monday, July 11, 2022 4:54:30 PM

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Board of Supervisors,

Please uphold the unanimous decision of the Planning Commission to deny the proposed subdivision. The risks to people and property are too great; there are other less hazardous areas for the three new lots on this property.

Among the many reasons to deny the proposed subdivision is the issue of climate change. Climate change will continue to bring more severe droughts, increased intensity of storm events, flooding, and landslides, as well as uncontrollable, devastating wildfires. All of these extremes are potentially present in the area under consideration for construction.

You have taken the lead to address increased risks from climate change. You now have a golden opportunity to demonstrate your commitment to the County's "climate ready strategies" in this real life, consequential land use decision. We can't — and shouldn't — go back to business as usual when it comes to safety of people and homes under California's New Normal.

Thank you for your consideration of my letter urging you to uphold the County's Planning Commission's unanimous decision to deny this proposed subdivision.

Linda Liebes

Sincerely,
Linda Liebes
501 Portola Rd Apt 8048 Portola Valley, CA 94028-7603
lindaliebess@comcast.net

San Mateo Highlands Community Association
1851 Lexington Ave. San Mateo, CA 94402
Est 1956

Re: **Item #7 on the July 12, 2022 Agenda:** Appeal of Planning Commission's denial of the "Zmay" subdivision. File No. PLN2014-00410, Z Enterprises LP, Owner, Steve and Nicolas Zmay, Applicants

July 11, 2022

Dear San Mateo County Supervisors,

On behalf of the San Mateo Highlands Community Association, we ask that you uphold the decision of the Planning Commission to deny the proposed subdivision project. The planning commissioners have unanimously denied this proposal for not complying with the General Plan and Resource Management regulations on July 28 and Aug 28th of 2021.

The parcel is designated as Open Space in the General Plan and is zoned Resource Management. This land is NOT zoned for residential development. This is not a residential infill. Subdivisions of Resource Management lands have stricter requirements to protect against hazards than residential zoning. The subdivision proposes to locate three residential lots on extremely steep landslide prone slopes above federally protected documented wetlands. The Resource Management zoning (section 6324.6) "does **NOT** allow development on land that is **susceptible** to landslides, fire and other features harmful to the health, safety or welfare of future residents, other property owners or the community at large". The Planning Commissioners found that the location of the 3 lots did not comply with this and other requirements of the Resource Management Zoning. We request that the County enforce zoning regulations at this stage, and not make exceptions that endanger the health and safety of the existing residents.

The added Conditions of Approval, do not remove the **susceptibility** of the land to landslide nor fire. As well, our community has previous experience with other developments, and there has not been enforcement of Conditions of Approval by County Planning. The defensible space of 100 ft, 30ft, or 5 ft, is not enforceable by the County nor Calfire; we've tried with Chamberlain. County Planner Leong claimed that the County can't require Chamberlain to even remove his 40 foot tree that fell onto a neighbor's fence. There are 9 acres on the applicant's map surrounding the existing home, that are "to remain buildable" and should be considered for the proposed three lots.

Neighbors have not forgotten that these proposed lots are within the very same USGS mapped landslide area as the catastrophic Polhemus landslide of 1997. Local residents are already paying for that landslide in perpetuity. We have gathered more than 800 signatures of residents that support the denial of this project and are watching what is decided today.

We ask the Supervisors to support the Planning Commissioners' unanimous decision to deny this subdivision.

Thank you,

Liesje Nicolas

Liesje Nicolas
San Mateo Highlands Community Association, President