

January 24, 2024

Marco Constant  
PO Box 371114  
Montara, CA 94037

Subject: **LETTER OF DECISION**  
File Number: PLN 2022-00217  
APN: 037-259-010

On January 24, 2024, the San Mateo County Planning Commission considered a Coastal Development Permit and Design Review Permit to allow the construction of a new, detached 1,081 sq. ft., three-car garage with a second-floor 800 sq. ft. Accessory Dwelling Unit on an existing 9,963 sq. ft. legal parcel, currently developed with a 1,054 sq. ft. single-family residence with an attached two-car garage located at 836 Park Avenue in the unincorporated Moss Beach area of San Mateo County. The project involves only minor grading and no tree removal. In conjunction with the requested permits, the Planning Commission determined that the project is categorically exempt from California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15303 Class 3(e). This project is appealable to the California Coastal Commission.

Based on information provided by staff and evidence presented at the hearing, the Planning Commission approved the Coastal Development Permit and Design Review Permit, County File Number PLN 2022-00217 by making the required findings and adopting the conditions of approval in Attachment A.

Any interested party aggrieved by the determination of the Planning Commission has the right to appeal to the Board of Supervisors within ten (10) business days from such date of determination. The appeal period for this matter will end at 5:00 p.m. on February 7, 2024.

Please direct any questions regarding this matter to the Project Planner, Glen Jia at [bjia@smcgov.org](mailto:bjia@smcgov.org).

Sincerely,



---

Angela Montes  
Planning Commission Secretary

cc: Dean & Patricia Lauritzen  
California Coastal Commission  
Department of Public Works, San Mateo County  
Planning Director, City of Half Moon Bay  
Midcoast Community Council

County of San Mateo  
Planning and Building Department

**RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL**

Project File Number: PLN 2022-00217

Hearing Date: January 24, 2024

Prepared By: Glen Jia, Project Planner

For Adoption By: Planning Commission

**RECOMMENDED FINDINGS**

Regarding the Environmental Review, Find:

1. That this project is exempt from environmental review, pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15303, Class 3(e), which pertains to the construction of accessory structures. The project involves solely the construction of a three-car garage and an accessory dwelling unit, which is ancillary to the existing single-family residential use on the property.

Regarding the Design Review, Find:

2. That the project, as proposed and conditioned, has been reviewed and found to be in compliance with the Design Review Standards for One-Family and Two-Family Residential Development in the Midcoast, Section 6565.20 of the San Mateo County Zoning Regulations, specifically elaborated as follows:
  - a. Section 6565.20(D) ELEMENTS OF DESIGN; 1. Building Mass, Shape, and Scale; d. Daylight Plane/Facade Articulation: Facade articulation would be employed to break up the appearance of the shear walls through the placement of projecting or recessing architectural details.
  - b. Section 6565.20(F) LANDSCAPING, PAVED AREAS, FENCES, LIGHTING, AND NOISE; 4. Lighting: As proposed and conditioned, all exterior lighting would be "Dark-Sky" compliant as indicated on the exterior elevations and the exterior lighting specification(s).
  - c. Section 6565.20(D) ELEMENTS OF DESIGN; 2. Architectural Styles & Features; b. (1) Openings Windows: Windows and doors have been selected that are compatible with the dominant types on the house and in the neighborhood.

- d. Section 6565.20(D) ELEMENTS OF DESIGN; 4. Exterior Materials and Colors; Standards a. (2): As proposed and conditioned, the proposed colors and materials would be compatible with the exterior materials and colors used on the primary residence and other developments in the neighborhood.

Regarding the Coastal Development Permit, Find:

3. That the project, as described in the application and accompanying materials required by Section 6328.7 and as conditioned in accordance with Section 6328.14, conforms to the plans, policies, requirements, and standards of the San Mateo County Local Coastal Program. Specifically, the project complies with policies regarding locating and planning new development, preservation of visual resources, and maintenance of shoreline access.
4. That where the project is located between the nearest public road and the sea, or the shoreline of Pescadero Marsh, that the project is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Section 30200 of the Public Resources Code). The project is located between the nearest public road and the sea; as proposed and conditioned, the construction would not impede shoreline access via the existing public roads.
5. That the project conforms to the specific findings required by policies of the San Mateo County Local Coastal Program as discussed in Section A.2 of the staff report.
6. That the number of building permits for construction of new dwelling units other than for affordable housing issued in the calendar year does not exceed the limitations of Policies 1.22 and 1.23 as stated in Section 6328.19. As of the printing of this report, no building permits have been issued for new dwelling units in 2024. This requested permit would be valid for 5 years; therefore, the project is likely to be, and would be required to be, within the building permit limit.

**RECOMMENDED CONDITIONS OF APPROVAL**

Current Planning Section

1. The project shall be constructed in compliance with the plans approved by the Planning Commission on January 24, 2024, and in compliance with the plans reviewed by the Coastside Design Review Committee (CDRC) on October 12, 2023. Any changes or revisions to the approved plans are subject to review and approval by the Director of Planning and Building. Minor adjustments to project design may be approved by the Director of Planning and Building if they are consistent with the intent of and are in substantial conformance with this approval. Alternatively, the Director of Planning and Building may refer consideration of the revisions to the Coastside Design Review Committee and the Planning Commission, with applicable fees to be paid.

2. The Coastal Development Permit and Design Review Permit shall be valid for five (5) years from the date of final approval, in which time a building permit shall be issued, and a completed inspection (to the satisfaction of the building inspector) shall have occurred within 180 days of its issuance. The design review approval may be extended by one time for a one (1) year increment with submittal of an application for permit extension and payment of applicable extension fees 60 days prior to the expiration date.
3. The applicant shall provide “finished floor elevation verification” to certify that the structure is actually constructed at the height shown on the submitted plans. The applicant shall have a licensed land surveyor or engineer establish a baseline elevation datum point in the vicinity of the construction site.
  - a. The applicant shall maintain the datum point so that it would not be disturbed by the proposed construction activities until final approval of the building permit.
  - b. This datum point and its elevation shall be shown on the submitted site plan. This datum point shall be used during construction to verify the elevation of the finished floors relative to the existing natural or to the grade of the site (finished grade).
  - c. Prior to Planning approval of the building permit application, the applicant shall also have the licensed land surveyor or engineer indicate on the construction plans: (1) the natural grade elevations at the significant corners (at least four) of the footprint of the proposed structure on the submitted site plan, and (2) the elevations of proposed finished grades.
  - d. In addition, (1) the natural grade elevations at the significant corners of the proposed structure, (2) the finished floor elevations, (3) the topmost elevation of the roof, and (4) the garage slab elevation shall be shown on the plan, elevations, and cross-section (if one is provided).
  - e. Once the building is under construction, prior to the below floor framing inspection or the pouring of the concrete slab (as the case may be) for the lowest floor(s), the applicant shall provide to the Building Inspection Section a letter from the licensed land surveyor or engineer certifying that the lowest floor height, as constructed, is equal to the elevation specified for that floor in the approved plans. Similarly, certifications on the garage slab and the topmost elevation of the roof are required.
  - f. If the actual floor height, garage slab, or roof height, as constructed, is different than the elevation specified in the plans, then the applicant shall cease all construction and no additional inspections shall be approved until a revised set of plans is submitted to and subsequently approved by both the Building Official and the Director of Planning and Building.

4. The applicant shall indicate the following on plans submitted for a building permit, as stipulated by the Coastside Design Review Committee:
  - a. Exterior lighting should be minimized and designed with a specific activity in mind so that outdoor areas will be illuminated no more than is necessary to support the activity designated for that area. Limit the number of exterior lights to:
    - One lighting fixture on only one side of any single door, and
    - One on each side of any double door.
  - b. Introduce additional color contrast between first and second floors by darkening the color of the lower garage level.
5. The Coastside Design Review Committee has the following suggestion regarding the project design: Consider lowering the starting elevation of structure to reduce apparent massing and to reduce the slope of the proposed driveway.
6. The property owner shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program “General Construction and Site Supervision Guidelines,” including, but not limited to, the following:
  - a. Delineation with field markers of clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses within the vicinity of areas to be disturbed by construction and/or grading.
  - b. Protection of adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
  - c. Performing clearing and earth-moving activities only during dry weather.
  - d. Stabilization of all denuded areas and maintenance of erosion control measures continuously between October 1 and April 30.
  - e. Storage, handling, and disposal of construction materials and wastes properly, so as to prevent their contact with stormwater.
  - f. Control and prevention of the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
  - g. Use of sediment controls or filtration to remove sediment when dewatering site and obtain all necessary permits.

- h. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
  - i. Limiting and timing applications 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. Removing spoils promptly, and avoiding stockpiling of fill materials, when rain is forecast. If rain threatens, stockpiled soils and other materials shall be covered with a tarp or other waterproof material.
  - n. Additional Best Management Practices in addition to those shown on the plans may be required by the Building Inspector to maintain effective stormwater management during construction activities. Any water leaving the site shall be clear and running slowly at all times.
  - o. Failure to install or maintain these measures would result in stoppage of construction until the corrections have been made and fees paid for staff enforcement time.
7. The applicant shall include an erosion and sediment control plan to comply with the County's Erosion Control Guidelines on the plans submitted for the building permit. This plan shall identify the type and location of erosion control measures to be installed upon the commencement of construction in order to maintain the stability of the site and prevent erosion and sedimentation off-site.
8. An Erosion Control and/or Tree Protection Inspection is required prior to the issuance of a building permit for grading, construction, and demolition purposes, as the project requires tree protection of significant trees. Upon the completion of a pre-site inspection, the Project Planner will send an approved job copy of the Erosion Control and/or Tree Protection Plan. Once the Erosion Control and/or Tree Protection measures have been installed per the approved plans, email photos to the Project Planner. 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 Project Planner.

9. All new power and telephone utility lines from the street or nearest existing utility pole to the main dwelling and/or any other structure on the property shall be placed underground.
10. No site disturbance shall occur, including any vegetation removal or grading, until a building permit has been issued.
11. To reduce the impact of construction activities on neighboring properties, comply with the following:
  - a. All debris shall be contained on-site; a dumpster or trash bin shall be provided on-site during construction to prevent debris from blowing onto adjacent properties. The applicant shall monitor the site to ensure that trash is picked up and appropriately disposed of daily.
  - b. The applicant shall remove all construction equipment from the site upon completion of the use and/or need of each piece of equipment which shall include but not be limited to tractors, back hoes, cement mixers, etc.
  - c. The applicant shall ensure that no construction-related vehicles or materials impede through vehicle and pedestrian traffic along the right-of-way on Park Avenue, La Grande Avenue, and San Ramon Avenue. All construction vehicles shall be parked on-site outside the public right-of-way or in locations which do not impede safe access on Park Avenue, La Grande Avenue, and San Ramon Avenue. There shall be no parking of construction vehicles or storage of materials (including debris boxes) in the public right-of-way.
12. Color and materials verification shall occur in the field after the applicant has applied the approved materials and colors but before a final inspection has been scheduled.
13. Noise sources associated with demolition, construction, repair, remodeling, or grading of any real property shall be limited to the hours from 7:00 a.m. to 6:00 p.m. weekdays and 9:00 a.m. to 5:00 p.m. Saturdays. Said activities are prohibited on Sundays, Thanksgiving and Christmas (San Mateo County Ordinance Code Section 4.88.360).
14. Installation of the approved landscape plan is required prior to final inspection. At the building permit application stage, if applicable, the project shall demonstrate compliance with the Water Efficient Landscape Ordinance (WELO) and provide required forms. WELO applies to new landscape projects equal to or greater than 500 square feet. A prescriptive checklist is available as a compliance option for projects under 2,500 sq. ft. WELO also applies to rehabilitated landscape projects equal to or greater than 2,500 square feet. The following restrictions apply to projects using the prescriptive checklist:

- a. Compost: Project shall incorporate compost at a rate of at least four (4) cubic yards per 1,000 sq. ft. to a depth of 6 inches into landscape area (unless contra-indicated by a soil test).
  - b. Plant Water Use (Residential): Install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 75% of the plant area excluding edibles and areas using recycled water.
  - c. Mulch: A minimum 3-inch layer of mulch should be applied on all exposed soil surfaces of planting areas, except in areas of turf or creeping or rooting groundcovers.
  - d. Turf: Total turf area shall not exceed 25% of the landscape area. Turf is not allowed in non-residential projects. Turf (if utilized) is limited to slopes not exceeding 25% and is not used in parkways less than 10 feet in width. Turf, if utilized in parkways is irrigated by sub-surface irrigation or other technology that prevents overspray or runoff.
  - e. Irrigation System: The property shall certify that Irrigation controllers use evapotranspiration or soil moisture data and utilize a rain sensor; irrigation controller programming data would not be lost due to an interruption in the primary power source; and areas less than 10 feet in any direction utilize sub-surface irrigation or other technology that prevents overspray or runoff.
15. Per Section 9296.5 of Division VII (Building Regulations) of the San Mateo County Ordinance Code, all equipment used in grading operations shall meet spark arrester and firefighting tool requirements, as specified in the California Public Resources Code.
16. Per Section 6295.4 (Action on Building Permits) of the Zoning Regulations, no building permit shall be approved in a "GH" District until:
- a. It has been evaluated by the County Geologist and has met the criteria set forth in the district regulations. The County Geologist shall approve, approve with conditions, or disapprove any building permit in the "GH" District.
  - b. The applicant has recorded the following restriction which binds the applicant and any successors in interest on the parcel deed:
 

*This property is located in Zone 3 of the Seal Cove Geologic Hazards District established by Section 6296 of the San Mateo County Ordinance Code, Zoning Annex. Maps of this district are on file with the County Geologist and the Planning and Building Department, San Mateo County.*



### County Geotechnical Section

17. The submitted geotechnical report shall be updated to address the requirements of the current adopted California Building Code. Specifically, the geotechnical consultant/engineer's recommendations regarding the seismic design, retaining wall, foundation design, pavement, drainage, and grading and site preparation shall be updated to address all relevant requirements. The updated report shall be subject to the review of the County Geotechnical Section. Additionally, the geotechnical consultant/engineer of record shall perform the site geotechnical inspections specifications as identified in the geotechnical report and in compliance with the California Building Code.

### Department of Public Works

18. Prior to the issuance of a building permit, the applicant shall submit a driveway "Plan and Profile," to the Department of Public Works, showing the driveway access to the parcel (garage slab) complying with County standards for driveway slopes (not to exceed 20%) and to County Standards for driveways (at the property line) being the same elevation as the center of the access roadway. When appropriate, as determined by the Department of Public Works, this plan and profile shall be prepared from elevations and alignment shown on the roadway improvement plans. The driveway plan shall also include and show specific provisions and details for both the existing and the proposed drainage patterns and drainage facilities.
19. 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.
20. Prior to the issuance of a building permit, the applicant shall be required to provide payment of "roadway mitigation fees" based on the square footage (assessable space) of the proposed building per Ordinance No.3277.

21. Vegetation trimming shall be performed for sight distance clearance.

### Building Inspection Section

22. A building permit shall be obtained for the proposed construction.
23. The applicant shall complete and submit a Request for Address Assignment (if applicable) form to the Building Inspection Section at a minimum of 30 days prior to submittal of a building permit application.

## County Drainage Section

24. At the time of building permit application, the project shall demonstrate compliance with the County Drainage Manual, including preventing stormwater from development from flowing across property lines. For projects that trigger size and/or slope thresholds, the applicant shall have prepared, by a registered civil engineer, a drainage analysis of the proposed project, subject to the Drainage Section's 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 shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the pattern of flow. The analysis shall detail the measures necessary to certify adequate drainage. Post-development flows and velocities shall not exceed those that existed in the pre-developed state. Recommended measures shall be designed and included in the improvement plans.
25. The following shall be required at the time of building permit application submittal:
  - a. Final Drainage Report stamped and signed by a registered Civil Engineer.
  - b. Final Grading and Drainage Plan stamped and signed by a registered Civil Engineer consistent with the requirements in the County's current Drainage Manual.
  - c. Final C.3 and C.6 Development Review Checklist.

## Coastside Fire Protection District

26. Smoke Alarms: Smoke Detectors which are hard wired: As per the California Building Code, State Fire Marshal regulations, and Coastside Fire District Ordinance 2016-01, the applicant is required to install State Fire Marshal approved and listed smoke detectors which are hard wired, interconnected, and have battery backup. These detectors are required to be placed in each new and recondition sleeping room and at a point centrally located in the corridor or area giving access to each separate sleeping area. In existing sleeping rooms, areas may have battery powered smoke alarms. A minimum of one detector shall be placed on each floor. Smoke detectors shall be tested and approved prior to the building final. Date of installation must be added to exterior of the smoke alarm and will be checked at the building final inspection.

Note: The ADU would not require Fire Sprinklers (FS) if main house does not have fire sprinklers.

27. Escape or rescue windows shall have a minimum net clear openable area of 5.7 square feet, 5.0 sq. ft. allowed at grade. The minimum net clear openable height dimension shall be 24 inches. The net clear openable width dimension shall be

20 inches. Finished sill height shall be not more than 44 inches above the finished floor. (CFC 1030)

28. Identify rescue windows in each bedroom and verify that they meet all requirements on plans.
29. As per Coastside Fire District Standard CI-013, building identification shall be conspicuously posted and visible from the street. (TEMPORARY ADDRESS NUMBERS SHALL BE POSTED PRIOR TO COMBUSTIBLES BEING PLACED ON SITE). The letters/numerals for permanent address signs shall be 4 inches in height with a minimum 1/2-inch stroke. Such letters/numerals shall be internally illuminated and facing the direction of access. Residential address numbers shall be at least six feet above the finished surface of the driveway. Where buildings are located remotely to the public roadway, additional signage at the driveway/roadway entrance leading to the building and/or on each individual building shall be required by the Coastside Fire Protection District. This remote signage shall consist of a 6 inch by 18-inch green reflective metal sign with 3-inch reflective Numbers/ Letters similar to Hy-Ko 911 or equivalent shall be placed at the entrance from the nearest public roadway.
30. As per Coastside Fire District Ordinance 2016-01, the roof covering of every new building or structure, and materials applied as part of a roof covering assembly, shall have a minimum fire rating of Class "B" or higher as defined in the current edition of the California Building Code.
31. Vegetation Management (LRA) – The California Fire Code Chapter 49 and Public Resources Code 4291. A fuel break of defensible space is required around the perimeter of all structures to a distance of not less than 30 feet and may be required to a distance of 100 feet or to the property line. This is neither a requirement nor an authorization for the removal of living trees. Trees located within the defensible space shall be pruned to remove dead and dying portions, and limbed up 6 feet above the ground. New trees planted in the defensible space shall be located no closer than 10 inches to adjacent trees when fully grown or at maturity. Remove that portion of any existing trees, which extends within 10 feet of the outlet of a chimney or stovepipe or is within 5 feet of any structure. Maintain any tree adjacent to or overhanging a building free of dead or dying wood.
32. There is a hydrant within the required 500 feet distance, but it is a dry barrel hydrant or non-compliant hydrant. Applicant shall change it to the required (Clow 960) hydrant. As per CFC, Appendix B the hydrant must produce a minimum fire flow of 500 gallons per minute at 20 pounds per square inch residual pressure for 2 hours. Contact the local water purveyor for water flow details.

(MWSD)

33. Applicant shall video CCTV lower lateral and submit to MWSD for review. Any defects or pipes that do not meet the current MWSD codes shall be replaced. The construction details and additional backflow protection requirements shall comply with the current code. A second lateral for new ADU may be required.
34. A water meter addition may be required. The condition of the existing water meter(s), backflow prevention (BFP) and water lateral connection shall be inspected by MWSD to determine if they are in good working condition; MWSD may require repair or replacement of the existing water meter(s), BFP, and water lateral connection.
35. If connection to MWSD's fire protection system is required, a certified fire protection contractor shall certify adequate fire flow calculations. Connection fee for fire protection system is required. Connection charge shall be paid prior to the issuance of private fire protection permit.
36. The applicant(s), rather than their contractor, shall directly file their permit application with Montara Water and Sanitary District.

2024\_01\_08\_PLN\_2022-00217\_PCSR\_WPC\_FINAL