

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

DATE: July 6, 2017

TO: Zoning Hearing Officer

FROM: Planning Staff

SUBJECT: Consideration of a Non-Conforming Use Permit and Architectural Review Exemption, pursuant to Section 6133.3.b.2 of the County Zoning Regulations and Streets and Highways Code Sections 154, 227-229.1, 260 and 261, respectively, for the legalization of a 388 sq. ft. storage room attached to the house that encroaches into the front setback by approximately 16 feet. The property is located at 13280 Skyline Boulevard in the unincorporated Woodside area of San Mateo County.

County File Number: PLN 2016-00342 (Ice)

PROPOSAL

The applicant proposes to legalize a 388 sq. ft. storage room that encroaches into the required 20-foot front setback by approximately 16 feet. The area of the storage room was originally constructed in 1961 as an uncovered patio area. A use permit per Section 6137 of the Zoning Nonconformities Regulations is required in this case as any proposed development that does not conform with the zoning regulations currently in effect requires the issuance of a use permit. The project also includes the removal and replacement of a 598 sq. ft. deck and 57 sq. ft. balcony. The project qualifies for an Architectural Review Exemption due to its negligible visual impact as viewed from Skyline Boulevard.

RECOMMENDATION

That the Zoning Hearing Officer approve the Use Permit, County File Number PLN 2016-00342, by making the required findings and adopting the conditions of approval listed in Attachment A.

BACKGROUND

Report Prepared By: Tiare Pena, Project Planner, Telephone 650/363-1850

Owner/Applicant: Christopher Ice

Location: 13280 Skyline Boulevard, Woodside

APN: 067-012-050

Parcel Size: 26,800 sq. ft.

Existing Zoning: R-1/S-10 (Single-Family Residential/1-5 acres minimum parcel size)

General Plan Designation: Very Low Density Residential (0.0 – 0.2 dwelling units/acre)

Existing Land Use: Single-Family Residential

Water Supply: Skyline County Water

Sewage Disposal: Septic System

Parcel Legality: Map 2, Lot 55 of Sierra Morena Woods (Volume 21, page 12; recorded December 15, 1924)

Flood Zone: Zone X (areas of minimal flooding), FEMA Panel No. 06081-C0294E, Effective date: October 16, 2102

Environmental Evaluation: Exempt from Environmental Review per CEQA Section 15301, Class 1 (minor alteration of existing structures)

Setting: There is an existing 1,051 sq. ft. two-story residence located 34 feet from the front property line. The property slopes downward from the front to the rear of the property. There is a legal 584 sq. ft. second dwelling unit (13282 Skyline Boulevard, PLN 2001-00413, BLD 2009-00269) and a 442 sq. ft. two-car covered carport on the property. The site is heavily wooded containing mature significant trees, as well as shrubbery and groundcover. The project site is bordered by similarly zoned, low density single-family residential development.

DISCUSSION

A. KEY ISSUES

1. Conformance with General Plan

Staff has reviewed the project for conformance with the visual quality and rural residential subdivisions policies contained in the General Plan and have determined that the project is in conformance. The policies applicable to this project include the following:

Policy 4.23 (*Rural Development Design Concept*) calls for the regulation of the location and siting of structures in rural areas to encourage positive visual quality in relation to the scenic character of the natural landscape. As the parcel is already developed, the applicant has chosen to utilize materials

and colors that will continue the scenic character of the surrounding natural landscape. The storage room addition is minor and as the existing house sits below street level, the visual impact to surrounding structures and natural landscape is minimal.

Policy 4.34 (*Rural Subdivisions Design Concept*) calls for the regulation of development to be compatible with established architectural styles and patterns of development present in adjacent older structures and to respect the character of the surrounding natural landscape. The property owner will be repairing both the first-floor deck which allows access into the dwelling and the upper balcony that are in poor condition. This use permit is to allow the legalization of the storage room that was constructed as a patio in 1961. Due to the topography of the site, neither the house nor the storage room are visible from Skyline Boulevard.

Policy 4.25 and 4.28 (*Earthwork Operations/Trees and Vegetation*) call for the minimization of grading or earth-moving operations and to preserve trees and natural vegetation. The applicant is not proposing any grading or requesting any tree removal associated with the project. Further, the removal and replacement of the existing deck and balcony will not require any vegetation removal.

Policy 9.21 (*Development Standards for Rural Residential Subdivisions*) calls for the evaluation of proposals to consider the compatibility with the existing development pattern and potential impacts of development on visual, timber, agricultural, and other resources. As the subject parcel is already developed and located within an existing residential subdivision the proposed project is consistent with the existing development pattern and has no impact on timber or agricultural resources. As discussed previously, staff has determined that the proposed project will result in minimal visual quality impacts due to its location and size.

2. Conformance with Zoning Regulations

a. R-1/S-10 Zoning District Regulations

As shown in the table below, the proposed addition does not comply with the S-10 Zoning Regulations with regard to the required minimum front yard setback. The proposed addition/remodel complies with all other aspects of the Zoning Regulations.

	A	B	C	D
	S-10 Combining District Standards	Existing	Proposed	Degree of Non-Conformance**
Minimum Lot Size	20,000 sq. ft.	26,800 sq. ft.	No Change	N/A
Maximum Building Site Coverage	25% or 5,000 sq. ft.	9% or 2,465 sq. ft.	No Change	N/A
Minimum Front Setback	20 ft.	4 ft.*	4 ft.*	-16 ft.**
Minimum Side Setback	10 ft.	> 10 ft. (right) > 10 ft. (left)	No Change	N/A
Minimum Rear Setback	20 ft.	130 ft.	130 ft.	N/A
Maximum Building Height	36 ft.	32 ft.	32 ft.	N/A
Parking Covered Uncovered	2 1	2 1	2 1	N/A
* Indicates aspects of existing residence that are legal non-conforming.				
** Degree of non-conformance calculates extent of project non-conformance with zoning district regulations, for which a use permit is requested.				

b. Zoning Non-Conformities Regulations

Section 6135.4 of the County Zoning Regulations allows enlargement of a non-conforming structure provided the enlargement conforms with the zoning regulations currently in effect. However, the non-conforming portion of the structure may be enlarged upon the issuance of a use permit per Section 6137. See chart above for details on the non-conforming aspects of the proposed project and the use permit finding below in Section 4.

3. Conformance with Use Permit Findings

The following finding as required by Section 6503 of the San Mateo County Zoning Regulations must be made in order to approve a use permit for the proposed project:

- a. **The establishment, maintenance and/or conducting of the proposed use will not, under the circumstances of the particular case, result in a significant adverse impact to coastal resources, or be detrimental to the public welfare or injurious to property or improvements in said the neighborhood.**

The proposed addition will be contained entirely on the subject property and does not pose a detriment to public welfare or neighboring properties. The project will have no impact on coastal resources, as the property is not located in the Coastal Zone. To date, no opposition by neighbors has been raised. Staff has added conditions to prevent the discharge of any construction materials into the drainage way and minimization of any erosion and runoff impacts resulting from the project. The project, as conditioned, will not create any significant visual or erosion impacts and is compatible with development in the neighborhood.

4. Conformance with the Architectural Review Exemption Standards

The County's Architectural Standards for Skyline Boulevard allow an exemption from Architectural Review if proposed structures are not visible from Skyline Boulevard, a designated State Scenic Corridor. Site evaluation confirms that the storage room will not be visible from Skyline Boulevard, utilizes colors that blend with the natural environment and requires no vegetation removal. Therefore, this project is not subject to formal Architectural Review.

B. ENVIRONMENTAL REVIEW

This project is exempt under Section 15301, Class 1 (minor alteration of existing structures) of the California Environmental Quality Act (CEQA).

C. REVIEWING AGENCIES

Building Inspection Section
Department of Public Works
Environmental Health Division
Cal-Fire

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
- B. Vicinity Map
- C. Site Plan
- D. Deck Plans
- E. Elevations

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County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2016-00342

Hearing Date: July 6, 2017

Prepared By: Tiare Pena, Project Planner

For Adoption By: Zoning Hearing Officer

RECOMMENDED FINDINGS

Regarding Environmental Review, Find:

1. That this project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), Section 15301, Class 1, relating to the construction of additions to existing structures.

Regarding the Use Permit, Find:

2. That the establishment, maintenance and/or conducting of the proposed use will not, under the circumstances of the particular case, result in a significant adverse impact to coastal resources, or be detrimental to the public welfare or injurious to property or improvements in said the neighborhood. As proposed and conditioned, the proposed addition to the existing home will be contained entirely on the subject property and does not pose a detriment to public welfare or neighboring properties.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

1. The approval applies only to the proposal as described in this report and materials submitted for review and approval by the Zoning Hearing Officer on July 6, 2017. Any changes or revisions to the approved plans shall be submitted for review by the Community Development Director to determine if they are consistent with the intent of and in substantial conformance with this approval.
2. This Use Permit is valid for one (1) year, in which time, a building permit shall be issued. An extension may be granted upon written request at least sixty (60) days prior to expiration and payment of applicable extension fees.

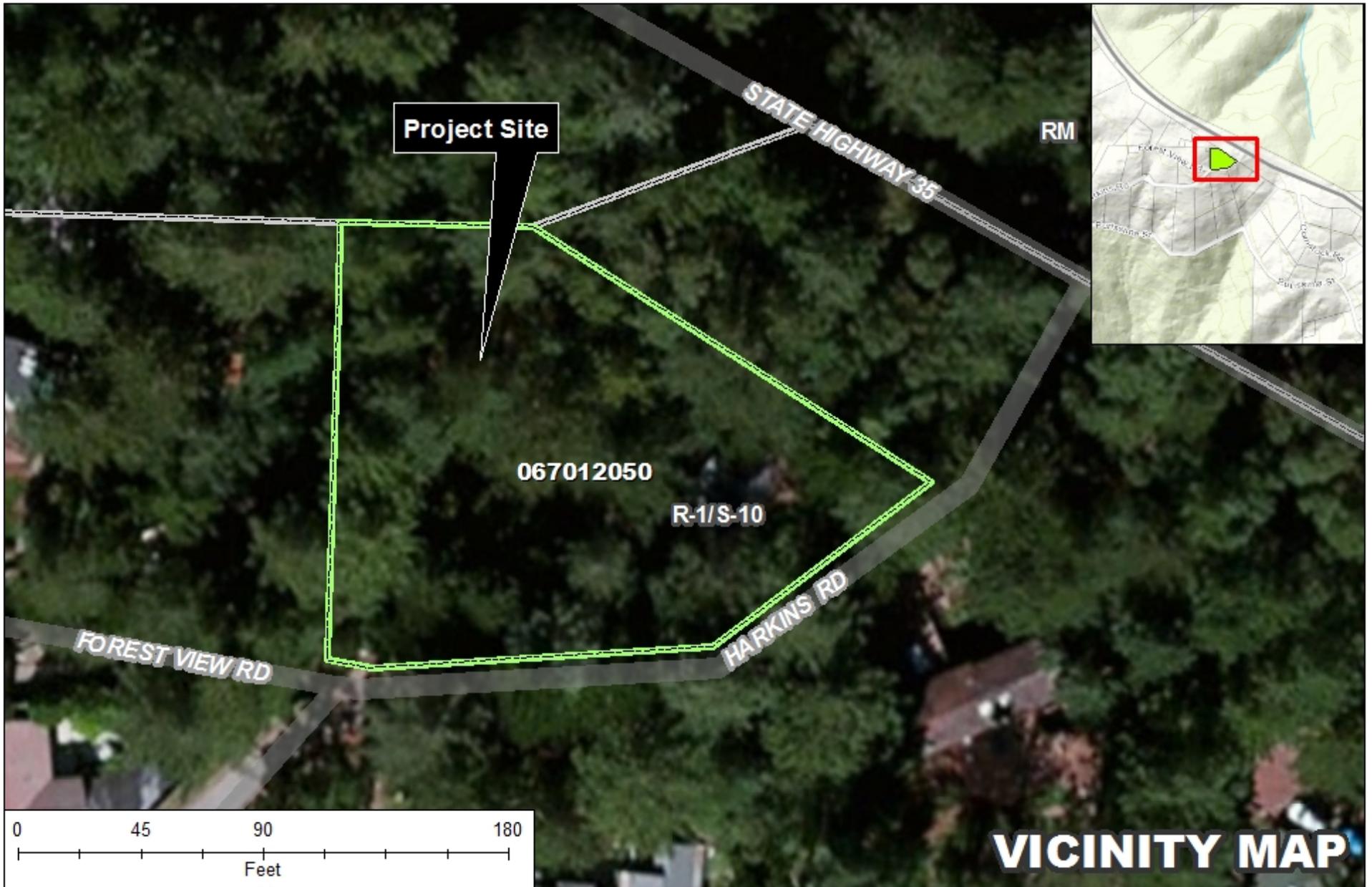
3. The applicant shall include an erosion and sediment control plan on the plans submitted for the building permit. This plan shall identify the type and location of erosion control devices to be installed upon the commencement of construction in order to maintain the stability of the site and prevent erosion and sedimentation off-site.
4. The applicant shall apply for a building permit and shall adhere to all requirements from the Building Inspection Section, the Department of Public Works and Cal-Fire.
5. No site disturbance shall occur, including any grading, until a building permit has been issued. No trees are permitted to be removed. If any trees are required to be removed, a separate tree removal permit and process are required and then only those trees approved for removal shall be removed.
6. 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 shall impede through traffic along the right-of-way on Skyline Boulevard and there shall be no storage of construction vehicles in the public right-of-way.
7. Noise sources associated with demolition, construction, repair, remodeling, or grading of any real property shall be limited to the hours from 7:00 a.m. to 6:00 p.m. weekdays and 9:00 a.m. to 5:00 p.m. Saturdays. Said activities are prohibited on Sundays, Thanksgiving and Christmas (San Mateo Ordinance Code Section 4.88.360).
8. Prior to the beginning of any construction or grading activities, the applicant shall implement the approved erosion and sediment control plan. Erosion control measure deficiencies, as they occur, shall be immediately corrected. The goal is to prevent sediment and other pollutants from leaving the project site and to protect all exposed earth surfaces from erosive forces. Said plan shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:

- a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 1 and April 30. Stabilizing shall include both proactive measures, such as the placement of hay bales or coir netting, and passive measures, such as revegetating disturbed areas with plants propagated from seed collected in the immediate area.
- b. Storing, handling, and disposing of construction materials and wastes properly, so as to prevent their contact with stormwater.
- c. Controlling and preventing 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.
- d. Using sediment controls or filtration to remove sediment when dewatering the site and obtaining all necessary permits.
- e. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
- f. Delineating with field markers clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses.
- g. Protecting adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
- h. Performing clearing and earth-moving activities only during dry weather.
- i. Limiting and timing application of pesticides and fertilizers to prevent polluted runoff.
- j. Limiting construction access routes and stabilizing designated access points.
- k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
- l. The contractor shall train and provide instructions to all employees and subcontractors regarding the construction best management practices.
- m. The approved erosion and sediment control plan shall be implemented prior to the beginning of construction.

Department of Public Works

9. Prior to the issuance of the building permit or planning permit (for Provision C3 Regulated Projects), the applicant shall have prepared, by a registered civil engineer, a drainage analysis of the proposed project and submit it to the Department of Public Works for review and approval. The drainage analysis shall consist of a written narrative and a plan. The flow of the stormwater onto, over, and off 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 and submitted to the Department of Public Works for review and approval.
10. 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.

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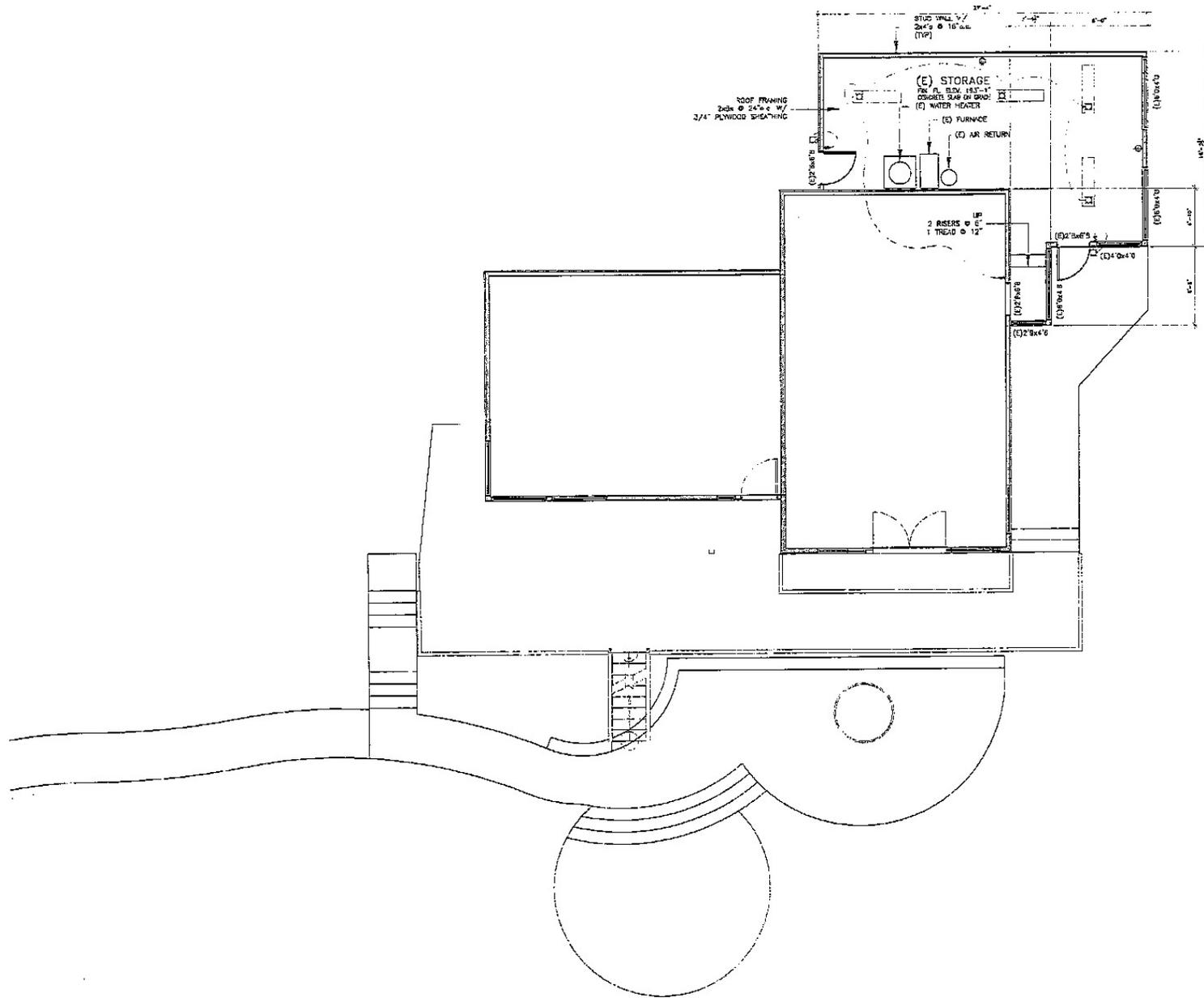


San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____



STORAGE ROOM FLOOR PLAN

San Mateo County Zoning Hearing Officer Meeting

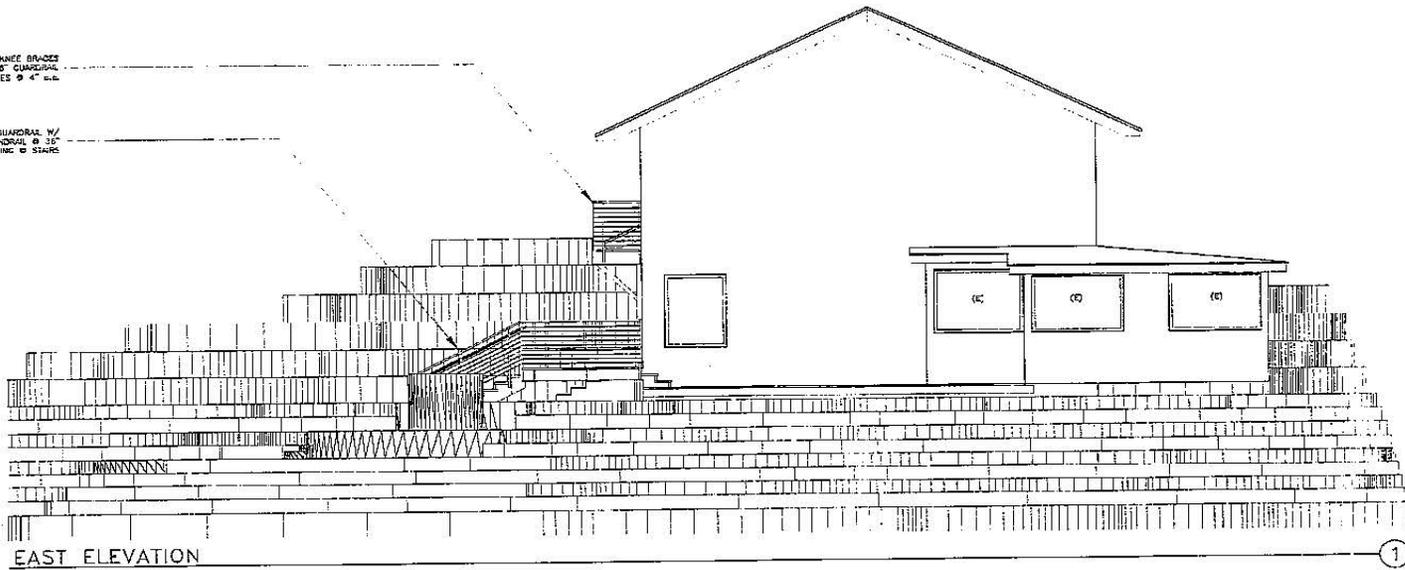
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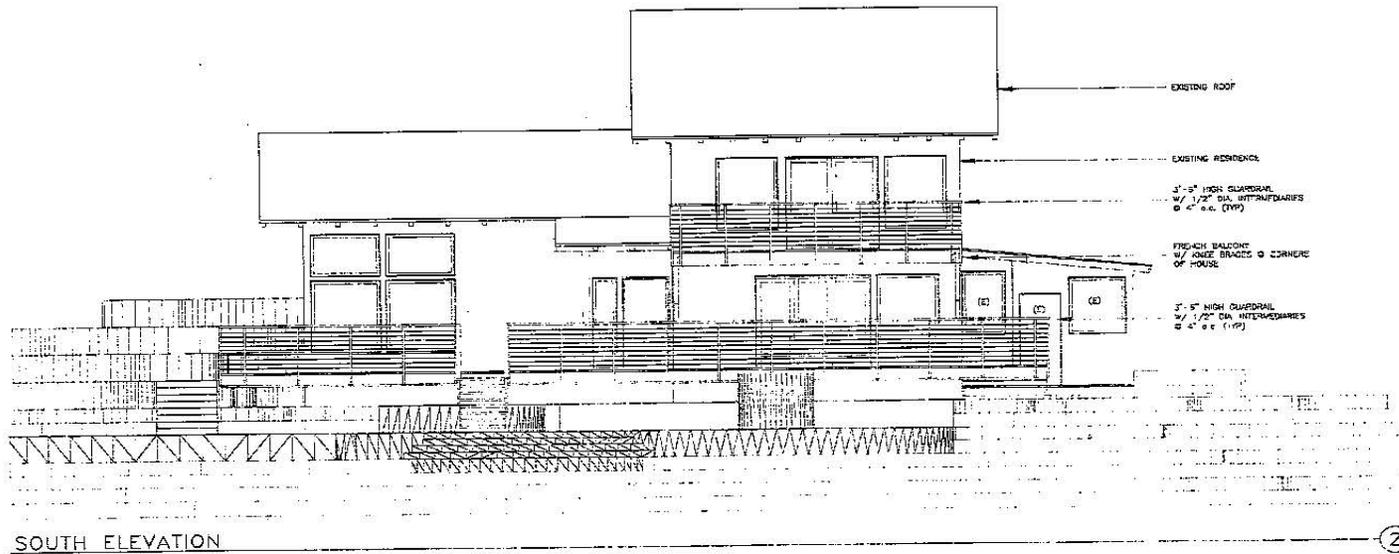
FRENCH BALCONY W/ KNEE BRACES
CORNERS OF HOUSE W/ 3'-8" GUARDRAIL
& 1/2" DIA. INTERMEDIARIES @ 4" o.c.

3'-8" GUARDRAIL W/
1/2" DIA. HANDRAIL @ 36"
ABOVE NOSING @ STAIRS



EAST ELEVATION

1



SOUTH ELEVATION

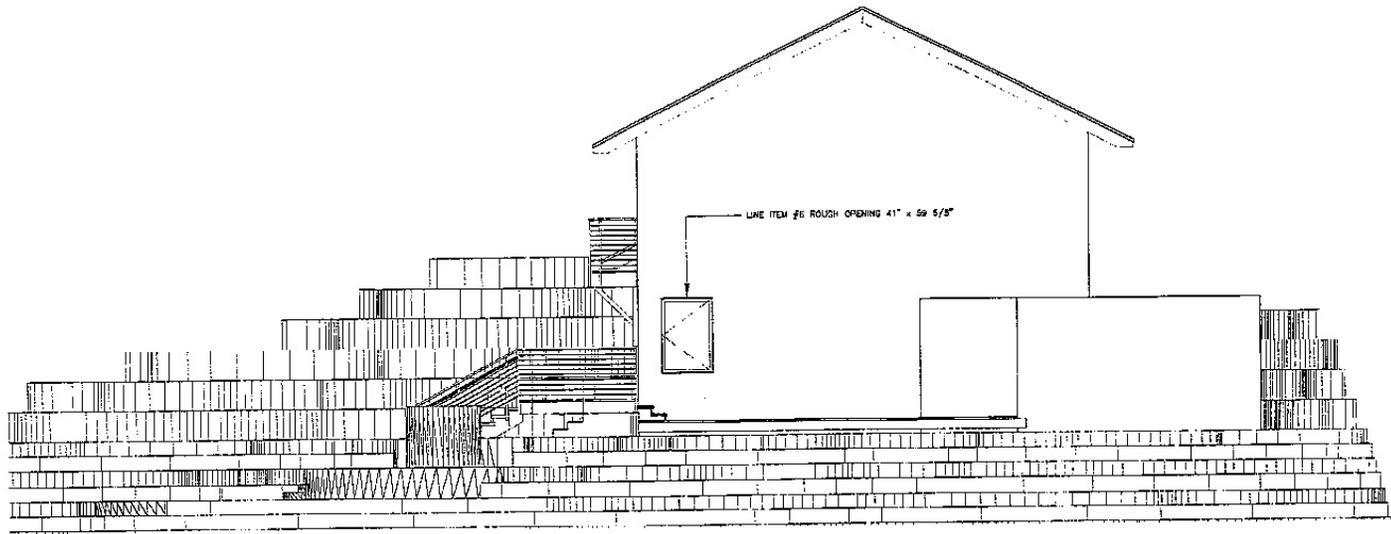
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San Mateo County Zoning Hearing Officer Meeting

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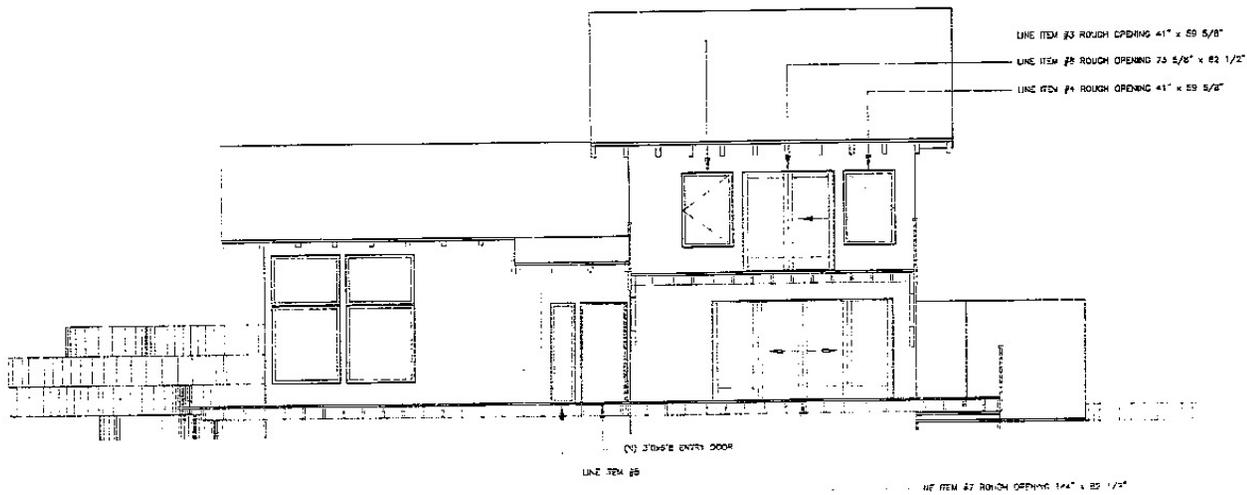
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EAST ELEVATION

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SOUTH ELEVATION

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San Mateo County Zoning Hearing Officer Meeting

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