

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

**DATE:** September 6, 2018

**TO:** Zoning Hearing Officer

**FROM:** Planning Staff

**SUBJECT:** Consideration of a Use Permit Renewal, pursuant to Section 6503 of the County Zoning Regulations, to allow the continued operation of a 22-bed senior citizen assisted living facility, located at 201 Alta Vista Drive in the unincorporated County Club Park area of San Mateo County.

County File Number: PLN 1999-00517 (Liwayway Peña)

**PROPOSAL**

The applicant is proposing to renew the Use Permit allowing the operation of a 22-bed residential care facility for senior citizens. It meets all requirements and standards for this use in the R-1/CCP Zoning District and conforms to the Low Density Residential General Plan Land Use Policies. There are no changes proposed.

**RECOMMENDATION**

That the Zoning Hearing officer renew the Use Permit, County File Number PLN 1999-00517, by making the required findings and adopting the conditions of approval contained in Attachment A.

**BACKGROUND**

Report Prepared By: Mike Schaller, Project Planner, 650/363-1849

Applicant/Owner: Liwayway Peña

Location: 201 Alta Vista Drive, South San Francisco

APN: 013-143-030

Size: 40,935 sq. ft.

Existing Zoning: R-1/CCP (Single-Family Residential/Country Club Park District)

General Plan Designation: Low Density Residential

Sphere-of-Influence: City of South San Francisco

Existing Land Use: Residential Care Facility

Water Supply: California Water Service Company

Sewage Disposal: City of South San Francisco

Flood Zone: Zone X, area of minimal flooding

Environmental Evaluation: Categorically exempt pursuant to Section 15301, Class 1 (related to continuation of an existing use where negligible or no expansion is proposed.)

Setting: The senior care facility is located in the unincorporated community of Country Club Park, adjacent to the City of South San Francisco to the south, in a primarily single-family residential community.

(Partial) Chronology:

<u>Date</u>	<u>Action</u>
November 18, 1999	- Use Permit renewed.
June 1, 2006	- Use Permit renewed.
April 3, 2008	- Zoning Hearing Officer public hearing for amendment/renewal, authorizing an increase from 15 to 22 beds.
September 5, 2013	- Use Permit renewed.
May 10, 2018	- Use Permit renewal application received.
September 6, 2018	- Zoning Hearing Officer hearing date.

The elderly care facility use was first approved on the subject parcel on April 26, 1969. The current facility was constructed in 1996, and was a 15-bed facility until 2008 when it became a 22-bed facility.

## **DISCUSSION**

### **A. KEY ISSUES**

#### **1. Conformance with the General Plan**

Staff has determined that the project still complies with all applicable General Plan policies.

The subject parcel is designated as Low Density Residential by the San Mateo County General Plan. "Low Density Residential" is defined as

densities ranging from 0.3-2.3 dwelling units/acre, which is consistent with the large lot, low density character of Country Club Park neighborhood.

Chapter 8 of the General Plan classifies Country Club Park as an “urban neighborhood,” defined as a relatively small, unincorporated area of land which is devoted primarily to residential land uses. Institutional uses are allowed in urban neighborhoods, and residential care facilities for seniors are consistent with General Plan Housing Element policy encouraging the provision of housing for special needs populations.

This Use Permit Renewal allows an existing institutional use on a 40,935 sq. ft. parcel within an existing single-story, 6,892 sq. ft. building that includes an office, 22 care beds in 15 bedrooms with private bathrooms, one staff bedroom and bathroom, a kitchen/dining room, a lounge/reception area, and a public living room. All aspects of the proposed renewal are in conformance with General Plan policies.

2. Conformance with Zoning Regulations

Under the provisions of San Mateo County Zoning Regulations Section 6163.4.E.4 (*Residential Full-Time Care Facilities for Adults/Elderly*), residential care facilities for 7 to 15 people are permitted in the R-1/CCP (*Single-Family Residential/Country Club Park District*) with an approved Use Permit (Section 6500). This is the provision that the facility operated under in the past; however, it is not applicable to a 22-bed facility. San Mateo County Zoning Regulations Section 6163.4.O allows for “Other Compatible Uses” to be determined by the Community Development Director. In 2008, the Community Development Director determined this 22-bed facility to be a compatible use, and the Zoning Hearing Officer agreed by approving the use permit amendment.

The parking requirement for convalescent homes is one space for every five beds. The required parking for this 22-bed facility is five spaces. Currently, there are six, striped parking spaces on-site, including two handicapped spaces. Therefore, the proposal complies with the parking requirements.

The Community Development Director considered the facility’s history of operating without complaints or concerns from surrounding properties, that the facility will be regulated by the State, and that the proposal meets all other aspects of the Zoning Regulations. The Community Development Director has determined that the proposal is compatible with the zoning and surrounding community.

3. Conformance with Use Permit Findings

Under the provisions of Section 6500 (*Use Permits*), other compatible uses are permitted in the R-1/CCP (*Single-Family Residential/Country Club Park*

District) after issuance of a Use Permit. The following finding is required to be made for renewal of the Use Permit.

- a. **Find that the establishment, maintenance and/or conducting of the use will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in said neighborhood.**

The senior assisted living facility at 201 Alta Vista Drive was approved in 1969 and has operated from the subject parcel since 2008 as a 22-bed facility. The existing structure is a single-story, 6,892 sq. ft. building consisting of an office, 15 bedrooms with half baths, a kitchen/dining room, a lounge/reception area, and a public living room. Up to seven of the bedrooms can be double occupied, thus making for a 22-bed capacity.

Staff has reviewed the project file and previous conditions of approval, and conducted a site inspection. As was indicated in the 2013 Use Permit Renewal, the facility has operated within the parameters and follows the conditions established by the authorizing Use Permit. There has been no response from the public regarding the operation of the existing facility since the 2013 renewal, nor are there any concerns noted that were raised by the community at that time.

The facility provides the required on-site parking of one space for every five beds, or five parking spaces.

The facility provides a type of housing that is necessary in San Mateo County. Providing senior care homes in the area allows people to remain in or near their community as they age and begin to require assistance with everyday tasks and additional health care. It is beneficial for the community at large because family members and friends can visit the seniors more frequently and with fewer vehicle miles traveled.

The fact that the facility has operated in the past without negative impact on the surrounding community and that the facility conforms to the zoning regulations, supports staff's determination that the facility conforms to the required Use Permit finding.

#### 4. Conformance with Previous Conditions of Approval

All of the 2013 use permit amendment's conditions of approval are assessed below with regard to compliance, and if the conditions should be either retained or revised.

##### Current Planning Section

1. The use permit renewal shall be valid through September 5, 2018. If the applicant wishes to renew this use permit at that time, an

application for the renewal must be submitted at least 6 months prior to the expiration date. An administrative review of this permit shall be required in March, 2016.

Compliance with Condition? Yes. The deadline for submitting a renewal application was May 14, 2018, according to an expiration-warning letter issued by the Planning Department. The applicant applied for renewal on May 10, 2018. Staff recommends that administrative review be removed as the applicant has complied and no violations have ever been recorded on the property.

Recommend to Retain Condition? Yes, as updated. This Use Permit shall be valid through September 6, 2023. If the applicant wishes to renew this Use Permit at that time, an application for the renewal must be submitted at least 6 months prior to the expiration date.

2. This use permit renewal shall be for a maximum of 22 residential care seniors, ages 60 and over; any increase in the number of beds will require an amendment to the use permit.

Compliance with Condition? Yes.

Recommend to Retain Condition? Yes.

3. The applicant shall notify the Planning Department of any changes in ownership or management and shall provide the Planning Department with a copy of the most recent license to operate the facility.

Compliance with Condition? Yes.

Recommend to Retain Condition? Yes.

4. Visiting hours for the facility shall be limited to 10:00 a.m. to 8:00 p.m. daily.

Compliance with Condition? Yes.

Recommend to Retain Condition? Yes.

#### Environmental Health Services

5. The project shall maintain the annual permit from the California Department of Health and Welfare Community Care Licensing Agency.

Compliance with Condition? Yes.

Recommend to Retain Condition? Yes.

B. ENVIRONMENTAL REVIEW

This project qualifies as infill development and is exempt under Section 15301, Class 1, of the California Environmental Quality Act for the continued operation of an existing facility.

C. REVIEWING AGENCIES

Building Inspection Section  
South San Francisco Fire Department  
Environmental Health Services

**ATTACHMENTS**

- A. Recommended Findings and Conditions of Approval
- B. Location Map
- C. Photos of Existing Facility

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County of San Mateo  
Planning and Building Department

**RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL**

Permit or Project File Number: PLN 1999-00517      Hearing Date: September 6, 2018

Prepared By: Helen Gannon  
Project Planner

For Adoption By: Zoning Hearing Officer

**RECOMMENDED FINDINGS**

Regarding Environmental Review, Find:

1. That this project is categorically exempt from the California Environmental Quality Act, pursuant to Section 15301, Class 1, (Continuation of an existing use/facility with negligible or no expansion proposed).

Regarding the Use Permit, Find:

2. That the renewal of this Use Permit allowing a senior care facility home of 22 beds will not adversely affect the health or safety of persons in the area and will not be detrimental to the public health or injurious to property or improvements to the neighborhood based on the following: (a) the facility has been serving seniors for over 20 years and has not been subject to any complaints by the surrounding neighborhood, and (b) the proposal complies with all General Plan policies and required zoning regulations.

**RECOMMENDED CONDITIONS OF APPROVAL**

Current Planning Section

1. This Use Permit shall be valid through September 6, 2023. If the applicant wishes to renew this Use Permit at that time, an application for the renewal must be submitted at least six months prior to the expiration date.
2. This permit renewal shall be for a maximum of 22 residential care seniors, ages 60 and over; any increase in the number of beds will require an amendment to the Use Permit.
3. The applicant shall notify the Planning Department of any changes in ownership or management and shall provide the Planning Department with a copy of the most recent license to operate the facility.

4. Visiting hours for the facility shall be limited to 10:00 a.m. to 8:00 p.m. daily.

Environmental Health Services

5. The project shall maintain the annual permit from the California Department of Health and Welfare Community Care Licensing Agency.

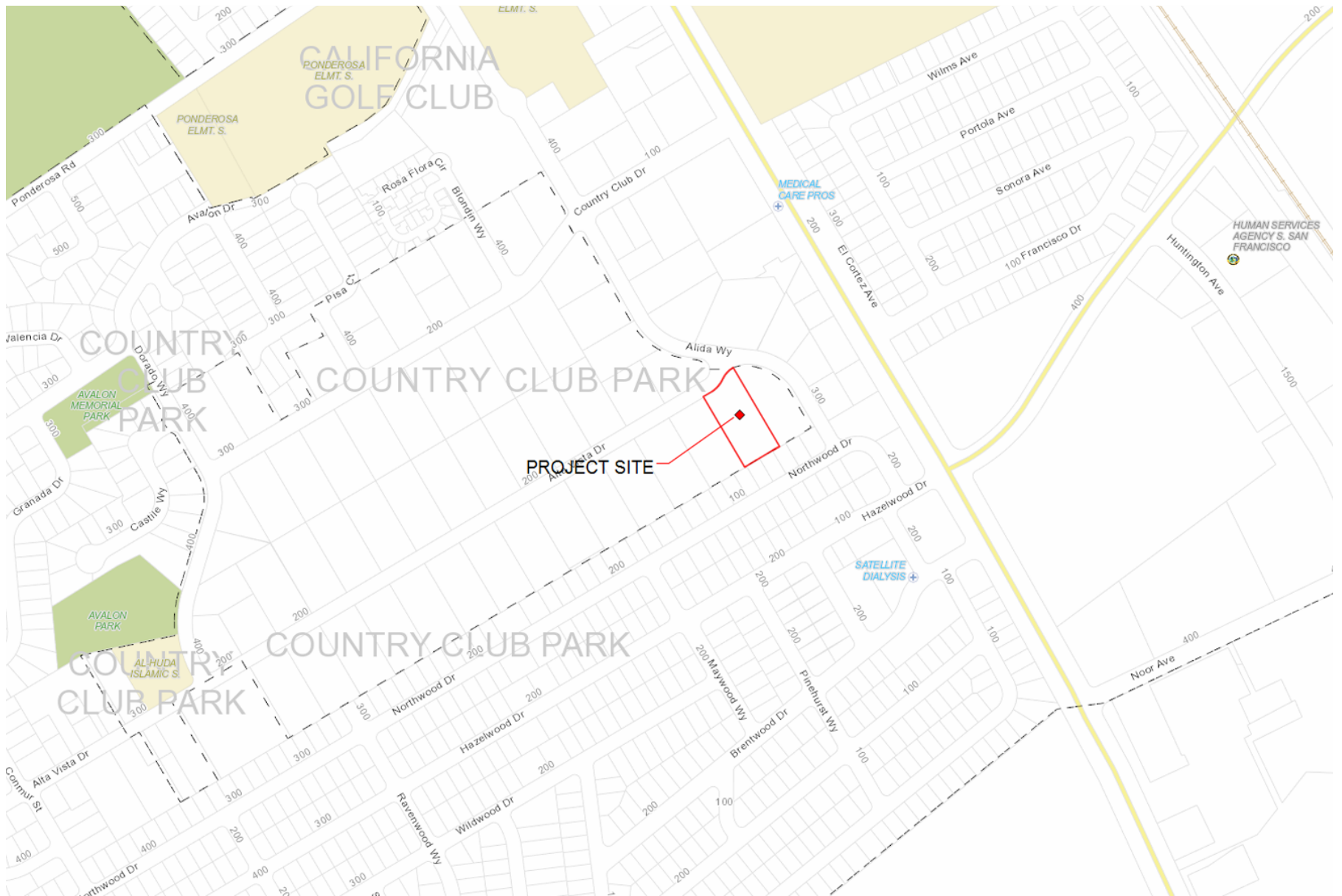
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**County of San Mateo - Planning and Building Department**

# **ATTACHMENT B**



## San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant:

Attachment:

File Numbers:



**County of San Mateo - Planning and Building Department**

# **ATTACHMENT C**



***San Mateo County Zoning Hearing Officer Meeting***

Owner/Applicant:

Attachment:

File Numbers:



***San Mateo County Zoning Hearing Officer Meeting***

Owner/Applicant:

Attachment:

File Numbers: