

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

DATE: November 7, 2019

TO: Zoning Hearing Officer

FROM: Planning Staff

SUBJECT: Consideration of a Non-Conforming Use Permit and Coastal Development Permit, pursuant to Sections 6500 and 6328 of the County Zoning Regulations, to legalize the conversion of an existing detached garage to an exercise and laundry room, and to attach a new two-car garage to the exercise/laundry room for residential use in a commercial zone. The property is located at 659 La Honda Road, San Gregorio, an unincorporated area of San Mateo County. This project is appealable to the Coastal Commission.

County File Number: PLN 2018-00460 (Albert)

PROPOSAL

The applicant is requesting a Non-Conforming Use Permit and Coastal Development Permit to: (1) legalize the conversion of an existing one-story 476 sq. ft. garage to an exercise and laundry room, and (2) attach a new one-story 648 sq. ft. two-car garage to the exercise/laundry room. The exercise/laundry room and new garage will serve the existing non-conforming use (single-family residence) within the C-1/S-7/DR/CD zoning district. Construction of the new garage will require the removal of three (3) fruit trees ranging from 3" to 7" in diameter. The project also includes upgrading the existing septic system to meet current Environmental Health Services standards and the demolition of a well located at the front of the property that is currently not used (residence uses a separate on-site domestic well).

RECOMMENDATION

That the Zoning Hearing Officer approve the Non-Conforming Use Permit and Coastal Development Permit, County File No. PLN 2018-00460, by making the required findings and adopting the conditions of approval in Attachment A.

BACKGROUND

Report Prepared By: Bryan Albini, Project Planner, Telephone: 650/363-1807

Applicant/Owner: Steven Albert

Location: 659 La Honda Road, San Gregorio

APN: 081-013-100

Parcel Size: 19,159 sq. ft.

Existing Zoning: C-1/S-7/DR/CD (Neighborhood Business District)

General Plan Designation: Neighborhood Commercial Rural

Sphere-of-Influence: N/A

Existing Land Use: Single-Family Residence

Water Supply: Well

Sewage Disposal: Septic System

Flood Zone: Zone X (area of minimal flood hazard): Community Panel No. 06081C0359F, effective August 2, 2017.

Environmental Evaluation: Categorically exempt pursuant to Section 15301, Class 1 of the California Environmental Quality Act (CEQA), related to the minor alteration of existing structures involving negligible or no expansion of use.

Setting: The parcel is located just west of the San Gregorio Store at the intersection of Stage Road and La Honda Road, within the San Gregorio Rural Service Center and Highway 1 State Scenic Corridor. The project site is a relatively flat developed rural commercial parcel, improved with one residence. It is bounded by agricultural fields to the north and west, neighboring the San Gregorio General Store to the east, and residential properties across the road to the south.

Permit History: In 1985, a Coastal Development Permit, Use Permit, and Off-Street Parking Exception (CDP85-21; USE85-21; OSP85-2) was granted for a commercial and residential building on a, then, larger parcel. In 1991, a Minor Subdivision, and Use Permit (SMN90-3; USE90-4) were approved creating the smaller parcel currently developed with the single-family residence and allowing the single-family residence to remain in the commercially zoned district.

DISCUSSION

A. KEY ISSUES

1. Compliance with the General Plan

Staff has reviewed and determined that the project complies with all of the applicable General Plan Policies, including the following:

Visual Resources Policies

Policy 4.15 (*Appearance of New Development*) and Policy 4.22 (*Scenic Corridors*) regulate development to promote and enhance good design, site relationships and other aesthetic considerations, and to protect and enhance the visual quality of scenic corridors by managing the location and appearance of structural development.

The property is located within the Cabrillo Highway (Highway 1) State Scenic Corridor. At its closest point, the property is located 0.29 mile from the Highway 1 roadway and is not visible from the road due to the intervening topography, vegetation, and distance. Additionally, the residence and proposed two-car garage will be single-story buildings in a location on the parcel clustered with the existing development and require minimal vegetation removal. Colors and materials of the converted garage and new garage addition will match the single-family residence in conformance with Policy 4.15.

Architectural Design Standards for Rural Scenic Corridors

Policies 4.48 through 4.54 discuss the architectural design standards for rural scenic corridors and include designing structures to conform to the natural topography, to be compatible in size and scale with the building site and surrounding area, to use colors and materials that complement the surrounding natural environment, to limit the height, and design accessory structures to be architecturally compatible with the main structure.

Minimal exterior work is proposed for the garage to exercise/laundry room conversion, which is limited to the addition of a French door and tankless water heater to serve the laundry room. The attached one-story two-car garage will continue the wall lines of the exercise/laundry room and be constructed at a 14-foot tall height, similar to the exercise/laundry room. The proposed room conversion and new garage will be painted and constructed of colors and materials matching the existing residence and will be similar in style to the residence. The size of the proposed garage is slightly larger than a standard two-car garage (typically 400 sq. ft.) but, overall, is compatible given the parcel size of 19,159 sq. ft.

Site Planning for Rural Scenic Corridors

Policies 4.56 through 4.61 and Policies 4.64 discuss and regulate building setbacks, clustering development, tree and vegetation removal, protecting views, outdoor lighting, road and driveways, and utilities in scenic corridors.

The C-1/S-7/DR/CD Zoning District identifies minimum setbacks of 20 feet (front and rear) and 5 feet (sides). The submitted survey indicates that the existing garage (conversion) was constructed with 5-foot rear and side yard setbacks, partially in conformance with the S-7 Development Standards. The side yard, with 5-foot setback, is conforming but the rear yard of 5-feet is non-conforming (20 feet is required). The new garage will continue the conforming 5-foot side yard setback and conform with the required 20-foot rear yard setback (25 feet is proposed). A surveyor's verification letter confirming the setbacks will be required at the building permit stage.

Construction of the new garage is clustered with the existing development and requires minimal grading and vegetation removal. As a single-story structure, the building will be minimally visible from La Honda roadway and not visible from Highway 1 Cabrillo State Scenic Corridor. No outdoor lighting is proposed nor is a new driveway footprint proposed (the garage will utilize the existing access from La Honda Road), and utilities will be undergrounded.

As conditioned, the project is compliant with both the Architectural Design Standard and Site Planning for Rural Scenic Corridors.

Water Supply Policies

Policy 10.15 (*Water Suppliers in Rural Areas*) identifies appropriate methods of water supply in the rural areas to consist of water systems and wells.

The parcel currently has one (1) domestic well identified on the plans and an additional well not shown. The well identified on the plans has been reviewed by Environmental Health Services which has determined that the well and water supply is adequate to serve the project. The second well is not used and will be demolished according to Environmental Health Services requirements as part of the building permit.

Wastewater Policies

Policy 11.10 (*Wastewater Management in Rural Areas*) identifies sewerage systems and individual sewerage systems as appropriate methods of wastewater management for rural service centers. The existing development is served by an existing septic system. Environmental Health Services has reviewed the proposal and will require the existing septic

system to be upgraded to meet current wastewater system requirements (to include septic tank, diversion valve, primary and reserve dispersal trenches).

As conditioned, the project will be served by appropriate and adequate water and wastewater services.

2. Compliance with Local Coastal Program

Location and Planning New Development

Policy 1.11 (*Designation of Rural Service Centers*) identifies San Gregorio as a rural service center in the Coastal Zone. Policy 1.12 (*Land Uses and Development Densities in Rural Service Centers*) discusses infilling and use of existing rural service centers to provide commercial facilities which support agricultural and recreation, and to meet housing needs generated by local employment. Though this property is zoned for commercial use, residential uses are allowed subject to a use permit and the continuation and expansion of this use will continue to provide for housing within the rural service center.

Visual Resources Component

Policy 8.13 (*Special Design Guidelines for Coastal Communities*) encourages new buildings in the San Gregorio area to incorporate traditional design features found in San Gregorio House and other houses in the community (simple lines, steep roof slopes, doors/windows of equal proportions). The proposed new garage is similar in style to the San Gregorio House with proportioned windows and doors, horizontal sizing, and gable roof. Colors and materials will match the existing residence in conformance with Policy 8.19 (*Colors and Materials*) and utilities will be placed underground in conformance with Policy 8.22 (*Utilities in State Scenic Corridors*).

3. Compliance with Zoning Regulations

The parcel is located in the C-1/S-7/DR/CD Zoning District. Development standards for the parcel are outlined below. Residential uses are allowed within the C-1 Zoning District subject to use permit approval.

Development Standards

The table below demonstrates the comparison between the development standards required under the C-1/S-7/DR/CD Zoning District and the existing conditions of the project area.

Development Standard	C-1/S-7/DR/CD Development Standards	Project Proposed Conditions
Minimum Site Area	5,000 sq. ft.	19,159 sq. ft.
Minimum Site Width	50 ft.	157 ft.
Minimum Front Setback	20 ft.	40 ft.
Minimum Rear Setback	20 ft.	25 ft.
Minimum Side Setback	5 ft.	5 ft. (right) >100 ft. (left)
Maximum Building Height	36 ft.	14 ft.
Maximum Lot Coverage	50% (9,579.5 sq. ft.)	6.6% (2,863 sq. ft.)

Design Review District Conformance

The parcel is located in a Design Review District. Chapter 28.1 of the Zoning Regulations, Section 6565.17 *Standards for Design in Other Areas*, identifies design standards to include: proposed structures are designed and situated so as to retain and blend with the natural vegetation; structures are located outside flood zones; trees and vegetation are removed only when necessary; views are protected by height and location; compatible architectural styles through the use of colors and materials; underground utilities; and appropriate size and scale of development.

As discussed in Section A.1. and A.2. of this report, the proposed garage conversion and new garage addition conforms to these standards. The project will utilize colors and materials found within the community and match the existing residence, the architectural style is similar to the San Gregorio House and will match the style of the single-family residence on-site, minimal tree removal is proposed (all non-significant fruit trees), and views from roadways are protected through the construction of single-story building addition setback 25 feet from La Honda Road. The project is also conditioned to underground utilities to the new development which is of a size and scale appropriate to the parcel and existing residential development.

Architectural Review Conformance

The project is located within the Cabrillo Highway State Scenic Corridor. Projects located within State Scenic Corridors are subject to Architectural Review permitting if visible from the roadway, otherwise, these projects may be exempted. Due to the distance (0.29 miles), vegetation, and topography, the project is not visible from the State Scenic Corridor and is exempt from architectural review, though is still consistent with its intent.

3. Compliance with Non-Conforming Use Permit Regulations

Section 6137 (*Exceptions*) of the Zoning Regulations allows the granting of a use permit to allow the enlargement of a non-conforming use or structure provided the following findings are made:

That the establishment, maintenance and/or conducting of the 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 neighborhood.

The existing residential use was granted a use permit when the parcel was subdivided in the 1990s and the current proposal is consistent with typical residential development located on residentially zoned parcels. The project proposed would not impact coastal or visual resources. Further, the project has been reviewed and granted conditional approval by the Building Department, Fire Authority, Geotechnical/Drainage Section, and Environmental Health Services. Implementation of the recommended conditions of approval will ensure public health and safety and provide for adequate and upgraded septic system to serve the new development.

B. ENVIRONMENTAL REVIEW

The project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15301, Class 1 of the California Environmental Quality Act (CEQA), related to the minor alteration of existing structures.

C. REVIEWING AGENCIES

Building Inspection Section
Cal-Fire
Geotechnical/Drainage Section
Environmental Health Services

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
- B. Vicinity Map
- C. Site Plan
- D. Floor Plan
- 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 2018-00460 Hearing Date: November 7, 2019

Prepared By: Bryan Albini, Project Planner For Adoption By: Zoning Hearing Officer

RECOMMENDED FINDINGS

Regarding the Environmental Review, Find:

1. That the project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15301, Class 1 of the California Environmental Quality Act (CEQA), related to the minor alteration of existing structures involving negligible or no expansion of use.

Regarding the Coastal Development Permit, Find:

2. That the project, as described in the application and accompanying materials required by Section 6328.7 and as condition in accordance with Section 6328.14, conforms with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program. As conditioned, the project conforms to the Locating and Planning New Development and Visual Resources Components of the Local Coastal Program.
3. That the project conforms to specific findings required by policies of the San Mateo County Local Coastal Program. As conditioned, the project will not be visible from the Highway 1 State Scenic Corridor, will utilize colors and materials to match the existing residence, and be consistent with the architectural style found within the San Gregorio rural service center.

Regarding the Use Permit, Find:

4. 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. As conditioned, the project will conform to Environmental Health Services standards for adequate water and septic and has received conditional approval from the Building Department and Fire Authority.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

1. This approval applies only to the proposal, documents, and plans described in this report and submitted to and approved by the Zoning Hearing Officer on November 7, 2019. Minor modifications to the project may be approved by the Community Development Director if they are consistent with the intent of, and in substantial conformance with, this approval.
2. This permit is valid for one (1) year from the date of final approval, in which time a valid 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. Any extension of this permit shall require submittal of an application for permit extension and payment of applicable fees sixty (60) days prior to expiration.
3. During project construction, the applicant shall, pursuant to Chapter 4.100 of the San Mateo County Ordinance Code, minimize the transport and discharge of stormwater runoff from the construction site into storm drain systems and water bodies by:
 - a. Using filtration materials on storm drain covers to remove sediment from dewatering effluent.
 - b. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 1 and April 30.
 - c. 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.
 - d. Storing, handling, and disposing of construction materials and wastes so as to avoid their entry to the storm drain system or water body.
 - e. Avoiding cleaning, fueling or maintaining vehicles on-site, except in an area designated to contain and treat runoff.
 - f. Limiting and timing application of pesticides and fertilizers to avoid polluting runoff.
4. This permit does not allow for the removal of any trees beyond those identified in the project description. Removal of any tree with a diameter equal to or greater than 12 inches as measured 4.5 feet above the ground shall require a separate tree removal permit.

5. 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).
6. Colors and materials verification shall occur at the building permit stage prior to final inspection. Exterior colors and materials of the garage conversion and new garage construction shall match those of the residence. Photo verification shall be submitted to the Planning Department for review prior to building permit final inspection.
7. A survey verification letter, completed by a licensed land surveyor, shall be required at the building permit stage for construction of the new two-car garage.
8. Utilities to the new garage and exercise/laundry room shall be undergrounded.

Building Inspection Section

9. A building permit is required for this project.

Geotechnical/Drainage Section

10. The applicant shall submit a final grading and drainage plan prepared and stamped by a registered Civil Engineer at the building permit stage.
11. The applicant shall submit a completed C3 C6 form.

Cal-Fire

12. Maintain around and adjacent to such buildings or structures a fuelbreak/firebreak made by removing and clearing away flammable vegetation for a distance of not less than 30 feet and up to 100 feet around the perimeter of all structures, or to the property line, if the property line is less than 30 feet from any structure.
13. All buildings that have a street address shall have the number of that address on the building, mailbox, or other type of sign at the driveway entrance in such a manner that the number is easily and clearly visible from either direction of travel from the street. New residential buildings shall have internally illuminated address numbers contrasting with the background so as to be seen from the public way fronting the building. Residential address numbers shall be at least 6 feet above the finished surface of the driveway. An address sign shall be placed at each break of the road where deemed applicable by the San Mateo County Fire Department. Numerals shall be contrasting in color to their background and shall be no less than 4 inches in height and have a minimum 1/2-inch stroke. Remote signage shall be a 6-inch by 18-inch green reflective metal sign.

Environmental Health Services

14. The applicant shall delineate the second well on the grading and drainage plan. If the well is not being used for its intended purpose, the well must be destroyed under permit with Environmental Health.

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COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT B



0.07 0 0.04 0.07 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere
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1:2,257 

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COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT C



COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT D



COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT E



(N) PAINTED 2x6 BARGE RAFTER
w/ 1/3 TRIM TO MATCH (E) (TYP)

NEW COMPOSITION SHINGLE
ROOFING CLASS 'C' OVER
30# ROOFING FELT, TO MATCH
EXISTING

(N) PAINTED G.S.M. GUTTER
TO MATCH EXISTING



PROPOSED FRONT ELEVATION

1/4" = 1'-0"

APPROVED FOR PERMIT
SEP 3 6 2019
DIVISION OF PERMITTING
COUNTY OF SAN DIEGO