

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

DATE: February 19, 2015

TO: Zoning Hearing Officer

FROM: Planning Staff

SUBJECT: Consideration of a Use Permit pursuant to Section 6500 of the San Mateo County Zoning Regulations, to allow the California Water Service Company to construct a 20,000-gallon steel water storage tank, 18.5 feet tall, to replace two 15,000-gallon redwood water tanks, demolished in 2008, and improvement of a driveway from Loma Court to the tank, in the unincorporated Palomar Park area of San Mateo County.

County File Number: PLN 2014-00076 (California Water Service Co.)

PROPOSAL

The applicant, California Water Service Company, is requesting approval of a Use Permit to allow construction of a 20,000-gallon steel water storage tank, 18.5 feet tall, and painted non-reflective green to match the local foliage, to replace two 15,000-gallon redwood water tanks (demolished in 2008) and improvement of a driveway from Loma Court to the tank. The tank would be served by machinery located in an existing pump house. There would be 90 cubic yards of fill for the driveway improvement. No trees are proposed to be removed, but there will be trimming associated with the project. The California Water Service Company is installing this tank to distribute water to the neighborhood.

RECOMMENDATION

That the Zoning Hearing Officer approve the Use Permit, County File Number PLN 2014-00076, based on and subject to the required findings and conditions of approval listed in Attachment A.

BACKGROUND

Report Prepared By: Steven Rosen, Project Planner, Telephone 650/363-1814

Applicant/Easement Owner: California Water Service Company

Owner: Cory and Toni Vian

Location: 24 Loma Road, Palomar Park

APN: 051-472-080

Parcel Size: 40,917 square feet

Existing Zoning: R-1/S-101/DR (Single-Family Residential District/Palomar Park Combining District with 20,000 sq. ft. minimum parcel size)

General Plan Designation: Low-Density Residential (Urban)

Sphere-of-Influence: San Carlos

Existing Land Use: The remnants of utility facilities demolished in 2008.

Water Supply: California Water Service Company

Sewage Disposal: Redwood City

Flood Zone: Flood Zone X (Areas of Minimal Flooding), FEMA Panel No. 06081C0282E, Effective Date: October 16, 2012.

Environmental Evaluation: The proposal is categorically exempt from environmental review pursuant to Section 15302 of the California Environmental Quality Act, which exempts the replacement of existing utility systems and/or facilities involving negligible or no expansion of capacity.

Setting: The site is located on an easement on a residential lot in a residential neighborhood in the unincorporated Palomar Park area. The easement is adjacent to Loma Court. It is accessed from Loma Court. There is a pump building on the site. The immediate area is well-vegetated with several trees. Until 2008, there were two 15,000-gallon water tanks on the site.

DISCUSSION

A. KEY ISSUES

1. Conformance with the County General Plan

Upon review of the applicable provisions of the General Plan, staff has determined that the project complies with all applicable General Plan Policies, including the following:

Visual Quality Policy 4.20 (*Utility Structures*) directs the County to minimize the adverse visual quality of utility structures. This project will build a tank amidst mature trees. This will reduce the visual prominence of the tank.

Condition of Approval No. 5 requires that the tank be given a non-reflective green finish that matches the local foliage.

The project site is located in Palomar Park, which is designated as an Urban Neighborhood (*Land Use Policy 8.9*). Although this neighborhood area is predominantly a residential community, other uses, such as a school and other water tanks, are located in the area to serve the needs of the community.

Urban Land Use Policy 8.34 (*Uses*) allows uses in zoning districts that are consistent with the overall land use designation. The approval of a Use Permit will allow the construction of the replacement water tank, consistent with the Zoning Regulations' requirements for utility structures in residential zones.

Water Supply Policy 10.13 (*Water Systems in Unincorporated Areas*) directs the County to support efforts to improve water distribution and storage systems in unincorporated neighborhoods and communities. Approving this project would support Cal Water's storage and distribution system.

2. Conformance to Zoning Regulations

R-1 District and Use Permits

Section 6500 (*Use Permits*) of the Zoning Regulations allows the County government to issue use permits for public utility uses in any district when found to be necessary for the public health, safety, convenience or welfare. California Water Service Company, a privately-owned public utility, has applied for this use permit to replace two demolished 15,000-gallon storage tanks with a single 20,000-gallon storage tank to provide a reliable source of potable water for household use and fire suppression. The project is necessary for public health, safety, convenience, and welfare.

Development Standards

Utility structures allowed with the issuance of Use Permits are not subject to development standards for residential structures. However, it is useful to compare the structure to the standards for the area in order to assess its effect on the neighborhood's visual character. The site is in the R-1/S-101/DR District on the left front corner of a lot developed with a detached dwelling. Because the tank must be located in this easement and is not inhabited, the most appropriate standards to which this structure can be compared are the standards for structures that are accessory to single-family detached dwellings.

Standards for Sections 6410 and 6411 (Detached Accessory Buildings)		
	Required	Proposed
Front Yard Setback (Section 6410)	110.25 ft. (rear half)	1-ft.
Rear Yard Setback (Section 6410)	3 ft.	227 ft.
Left Side Yard Setback (Section 6411(f))	5 ft.	19 ft.
Right Side Yard Setback (Section 6410)	3 ft.	137 ft.
Rear Yard Coverage (Section 6410)	30%	0%
Maximum Height (Section 6410)	19 ft.	18.5 ft.
Number of Stories (Section 6410)	1	Not Applicable
Floor Area (Section 6410)	1,000 sq. ft.	189 sq. ft.

Pursuant to Zoning Regulations Section 6500(b), use permits may be issued for public utilities. The Zoning Regulations and General Plan consider both privately-owned utility companies, such as the California Water Service Company, and publicly-owned utilities as public utilities. Utility infrastructure must be located such that it can serve its intended purpose. This facility is located on an elevated area to provide adequate water pressure to the area. This replacement tank is located where earlier tanks were demolished because the pipes and pump are already there. To reduce the visual impact of the replacement tank, staff is recommending that it be painted a non-reflective green to match surrounding vegetation (see Condition of Approval No. 5).

3. Conformance with Use Permit Findings

As previously mentioned in Section 2, public utility structures are allowed in the R-1 Zone subject to the approval of a Use Permit, pursuant to Zoning Regulations Section 6500. In the Zoning Regulations, “public” refers to the service, not the ownership of the organization.

Section 6500 of the Zoning Regulations allows the County government to issue use permits for public utility uses in any district when found to be necessary for the public health, safety, convenience or welfare. The California Water Service Company is installing this tank to distribute water to the neighborhood. In addition to providing additional water storage for domestic use, this tank will build resiliency into the water system, ensuring that water pressure will be adequate to serve fire hydrants in case of emergency.

Section 6503 of the Zoning Regulations requires that the following finding be made in order to approve a use permit: “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 facility would not emit any more noise or vibration with its replacement tank than it did with the original redwood tanks. The new tank would not have more of a visual impact than the two redwood tanks it replaces. While the proposed tank would be larger than either of the two tanks it replaces, its volume would be 10,000 gallons less than the combined volume of the prior tanks. The proposed tank would also be painted non-reflective green in a shade to match the local foliage.

B. ENVIRONMENTAL REVIEW

The proposal is categorically exempt from environmental review pursuant to Section 15302 of the California Environmental Quality Act, which exempts the replacement of existing utility systems and/or facilities involving negligible or no expansion of capacity.

C. REVIEWING AGENCIES

Building Inspection Section
Cal-Fire
Department of Public Works
Geotechnical Staff

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
- B. Vicinity Map
- C. Project Plans

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County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2014-00076 Hearing Date: February 19, 2015

Prepared By: Steven Rosen
Project Planner

For Adoption By: Zoning Hearing Officer

RECOMMENDED FINDINGS

Regarding the Environmental Review, Find:

1. That the proposal is categorically exempt from environmental review pursuant to Section 15302 of the California Environmental Quality Act, which exempts the replacement of existing utility systems and/or facilities involving negligible or no expansion of capacity.

Regarding the Use Permit, Find:

2. That the establishment, maintenance and/or conducting of the use will be necessary for the public health, safety, convenience or welfare in that the tank will allow the California Water Service Company to maintain adequate water supply and pressure for domestic users and fire suppression in the area.
3. 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 in that the facility will not emit any more noise or vibration with its replacement tank than it did with the original redwood tanks. The new tank will not have more of a visual impact than the two redwood tanks in that it will be a single tank where there were two before and in that it will have a non-reflective coating.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

1. The project shall be constructed in compliance with the plans approved by the Zoning Hearing Officer on February 19, 2015. Minor adjustments to the project may be approved by the Community Development Director if they are consistent with the intent of and are in substantial conformance with this approval.

2. Any major modifications to use or intensity shall require an amendment to the use permit. Amendment to this use permit requires an application for amendment, payment of applicable fees, and consideration at a public hearing.
3. The applicant shall submit a Construction Erosion and Sediment Control Plan prior to construction. 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. It shall include an erosion control point of contact and phone number responsible for correcting failures of erosion control measures.
4. Noise levels produced by the proposed construction activity shall not exceed the 80-dBA level at any one moment. Construction activities shall be limited to the hours from 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday. Construction operations shall be prohibited on Sunday and any national holiday.
5. The tank shall be finished with a non-reflective coating in a green that matches the local foliage. Submit a sample to the Planning Department for approval prior to construction.

Department of Public Works

6. 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. The driveway may be located in the right-of-way; however, all other facilities shall be removed from the right of way.

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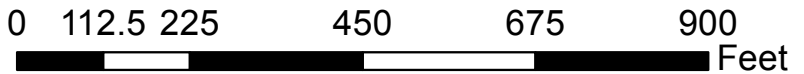
SAN CARLOS

R-1/S-91/DR

R-1/S-101/DR

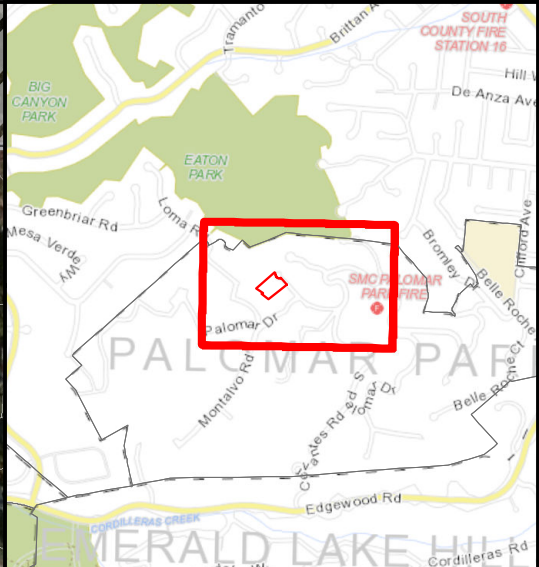
PLN2014-00076

-  Zoning Boundary
-  Subject Parcel

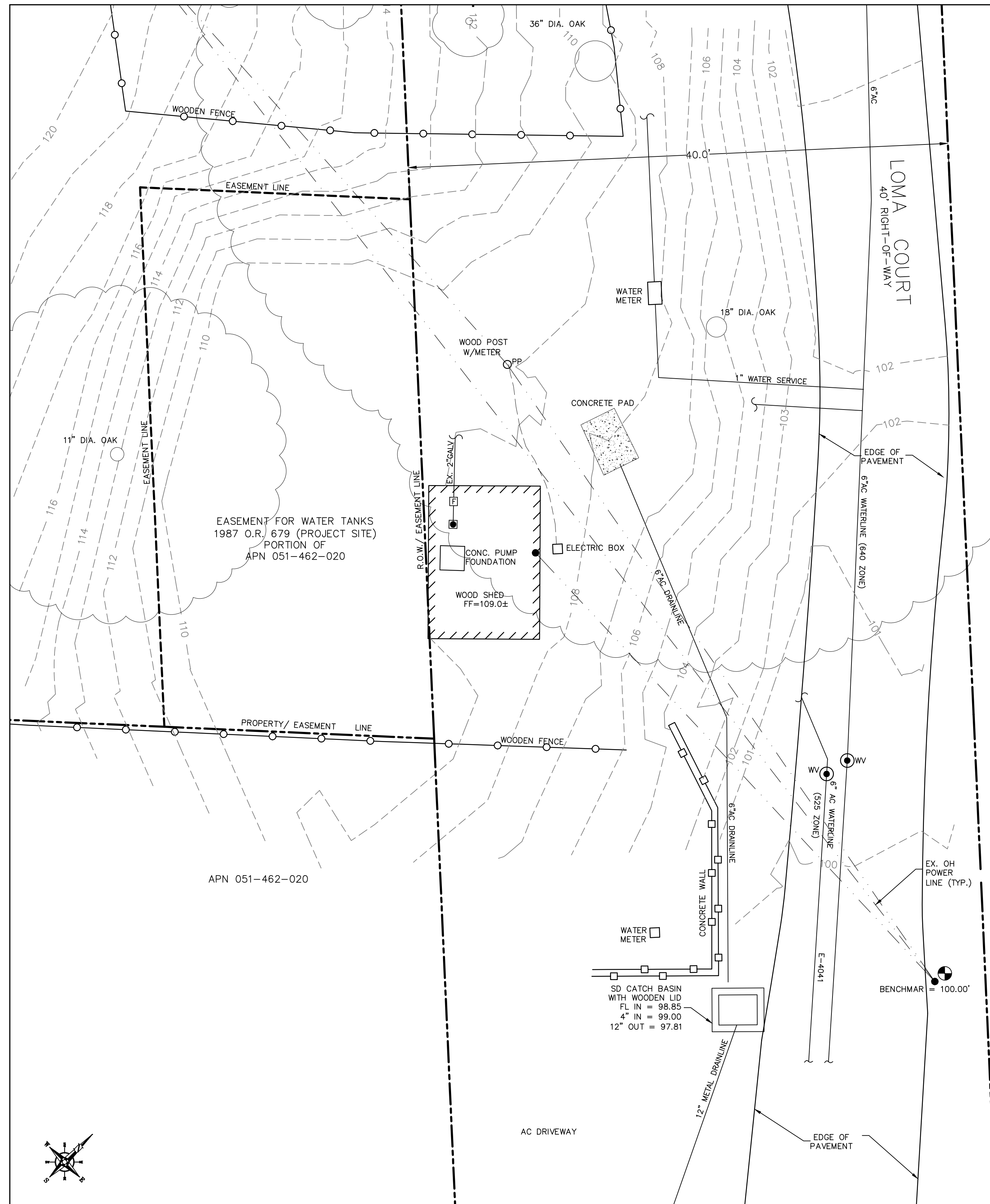


Vicinity Map

Source: Esri, DigitalGlobe, GeoEye, I-cubed, USGS, AEX, Getmapping, AeroGrid, IGN, IGP, swisstopo, and the GIS User Community



CALIFORNIA WATER SERVICE COMPANY MID-PENINSULA STATION 122 PROPOSED BOLTED STEEL TANK NO. 3



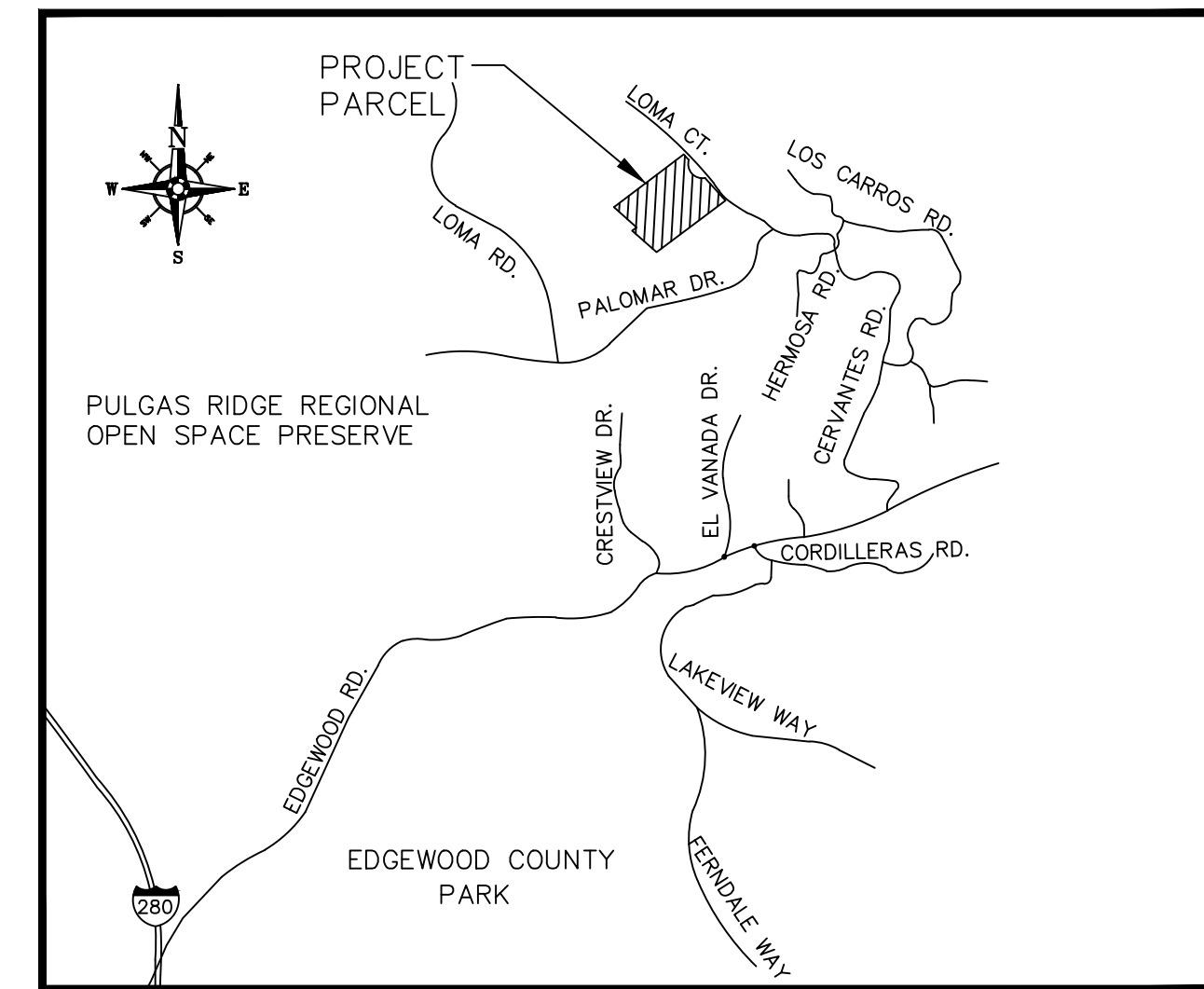
TOPOGRAPHIC SURVEY
SCALE: 1" = 5'

NOTES:

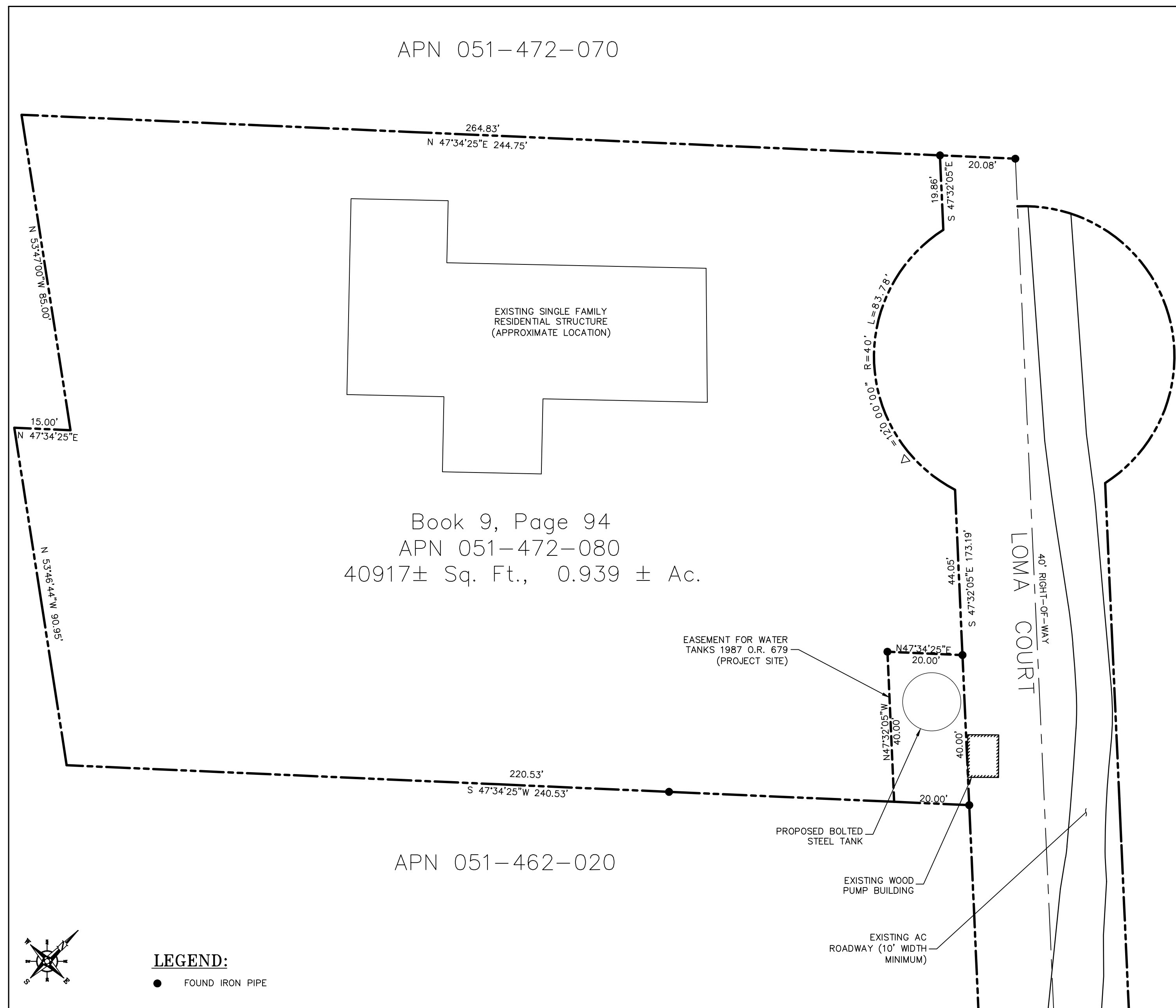
- C.W.S. STATION IS LOCATED AT 24 LOMA ROAD, REDWOOD CITY, COUNTY OF SAN MATEO, CA 94062. APN 051-472-080.
- PROPOSED FACILITY IS A WATER UTILITY SUPPLY INSTALLATION, NOT A PLACE OF EMPLOYMENT, PUBLIC ACCOMMODATION, OR COMMERCIAL FACILITY. THEREFORE, THIS PROJECT IS NOT SUBJECT TO THE A.D.A. PROVISIONS OF TITLE 24 IN THE CALIFORNIA BUILDING CODE.

SURVEY NOTES:

- THE BASIS OF BEARINGS FOR THIS SURVEY IS THE BEARING OF NORTH 47°34'25" EAST ALONG THE NORTHERN MOST WATER TANK EASEMENT LINE AS SHOWN ON A MAP ENTITLED, "RECORD OF SURVEY OF THE LANDS OF ANNE L SHARP", SAID MAP IS FILED FOR RECORD IN THE OFFICE OF THE SAN MATEO COUNTY RECORDER IN VOLUME 9, PAGE 94 DATED OCTOBER 24, 1985.
- THE BENCHMARK FOR THIS SURVEY IS THE TOP OF A RAILROAD SPIKE SET IN A POLE ON THE EAST SIDE OF LOMA COURT AND APPROXIMATELY 17' SOUTH OF THE SOUTHERN MOST PROPERTY LINE OF THIS SITE.



VICINITY MAP
N.T.S.



BOUNDARY INFORMATION
SCALE: 1" = 20'

ENGINEERING



DEPARTMENT

REVISIONS:

NO.	DATE	BY	DESC.

DATE: _____

DIST. BY: _____

PLAT SHEET NO.: _____

SCALE: _____

AS SHOWN

DRAWN BY: _____

MM

DESIGNED BY: _____

J PUCCINELLI

CHECKED BY: _____ DATE: _____

APPROVED BY: _____ DATE: _____



TITLE:

STATION 122 TANK 3
BOUNDARY AND
TOPOGRAPHIC SURVEY

DISTRICT: _____

MPS

DISTRICT: _____

SAN CARLOS

DATE: _____

6/13/2014

PROJECT ID: _____

15999

DRAWING NO.: _____

MPS-4883

SHT 1 OF 2



REVISIONS:

NO.	DESCRIPTION	DATE

DISTRIBUTION MAP

PLAN SHEET

SYSTEM SCHEMATIC

STATION SCHEMATIC

FORM MAP

UTILITY RECORD

PLAT SHEET NO.: **SC-28-24**

SCALE: **AS SHOWN**

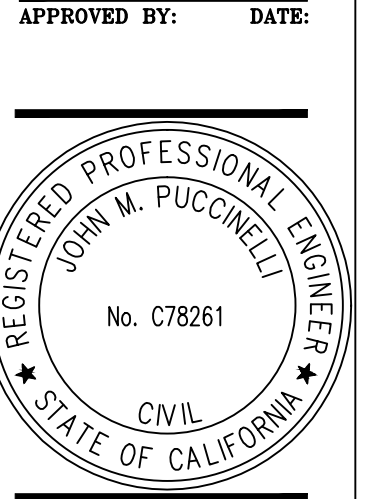
DRAWN BY: **MM**

DESIGNED BY: **J PUCINELLI**

CHECKED BY: DATE:

APPROVED BY: DATE:

TITLE: **STATION 122 TANK 3**



TITLE: **STATION 122 TANK 3**

TITLE: **STATION 122 TANK 3**

TITLE: **PLOT PLAN AND ELEVATION**

DISTRICT: **MPS**

DISTRICT: **MPS**

DATE: **6/13/2014**

PROJECT ID: **15999**

DRAWING NO.: **MPS-4883**

DRAWING NO.: **MPS-4883**

SHT 2 OF 2

