

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

**DATE:** December 20, 2018

**TO:** Zoning Hearing Officer

**FROM:** Planning Staff

**SUBJECT:** Consideration of a Use Permit pursuant to Sections 6431 and 6500 of the County Zoning Regulations, to allow for a remodel and addition to an existing non-conforming second dwelling unit located at 262 Santiago Avenue in the Unincorporated Sequoia Tract area of San Mateo County.

County File Number: PLN 2018-00298 (Picone)

**PROPOSAL**

The applicant is requesting a Use Permit to allow for the remodel of and a 206 sq. ft. addition to an existing legal detached second dwelling unit (SDU) where the SDU exceeds 750 sq. ft. and 35% of the floor area of the existing single-family residence.

**RECOMMENDATION**

Approve the Use Permit, County File Number PLN 2018-00298, by making the required findings and adopting the conditions of approval in Attachment A of this report.

**BACKGROUND**

Report Prepared By: Angela Chavez, Project Planner

Applicant: Michael Picone

Owner: Sonia Picone

Location: 262 Santiago Avenue, Sequoia Tract

APN: 069-271-070

Size: 20,053 sq. ft.

Existing Zoning: R-1/S-74 (Single-Family Residential/5,000 sq. ft. minimum parcel size)

General Plan Designation: Medium Density Residential Urban

Sphere-of-Influence: Redwood City

Existing Land Use: The parcel is currently developed with a single-family residence, a second dwelling unit, detached garage/workshop, and other accessory buildings.

Water Supply: California Water Service Company-Bear Gulch District. The property has a current connection and will continue to be served by the provider.

Sewage Disposal: Fair Oaks Sewer District. The property has a current connection and will continue to be served by the provider.

Flood Zone: Zone X (Areas determined to be outside the 0.2% annual chance floodplain.) FEMA Community Panels 06081C0312E; effective October 16, 2012.

Environmental Evaluation: Categorically exempt per Section 15301, Class 1 of the California Environmental Quality Act for additions to existing structures where an addition does not result in an increase of more than 50 percent of the existing floor area or 2,500 sq. ft., whichever is less.

Setting: The subject property is located 0.18 of a mile from the intersection of Santiago Avenue and Woodside Road. The project parcel is developed with single-family residential development. The surrounding area is developed with single-family residential development on all sides.

Chronology:

<u>Date</u>	<u>Action</u>
August 2, 2018	- Application Submitted
November 1, 2018	- Application Deemed Complete
December 20, 2018	- Zoning Hearing Officer Meeting

## **DISCUSSION**

### **A. KEY ISSUES**

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

Staff has reviewed the project for conformance with the policies contained in the General Plan and has determined that the project is in conformance with the Visual Quality and Urban Land Use chapters. The policies applicable to this project include the following:

Policy 4.15 (*Appearance of New Development*) calls for the regulation of development to promote and enhance good design, site relationships and other aesthetic considerations. The project proposes a remodel of and minor addition to an existing legal second dwelling unit. The proposed project continues the existing aesthetic and single-story design of the second dwelling unit. The unit is located toward the left rear of the property which sits adjacent to the driveway of the property to the left and the rear yards of the properties to the rear thereby minimizing impacts to adjacent property owners. The project complies with the development standards applicable to the underlying S-74 Zoning District and second dwelling units with the exception of the second dwelling unit's proportional relationship to the main house. However, the provisions of the second dwelling unit regulations allow for relief from the size limitations with the issuance of a Use Permit. Given the second dwelling unit's design and the large size of the parcel the proposed project continues good design and site relationships.

Policy 4.36 (*Urban Area Design Concept*) seeks to maintain and improve upon the appearance and visual character of development in urban areas. In addition, this policy also seeks to ensure that new development in urban areas is designed and constructed to contribute to the orderly and harmonious development of the locality. As discussed, the proposed modifications to the second dwelling unit largely comply with the development standards of the zoning district and second dwelling unit regulations. The location and design of the proposed modifications to the second dwelling unit minimize impacts to surrounding neighbors and continue the orderly development of the neighborhood.

2. Conformance with the Zoning Regulations

a. S-74 Zoning Regulations

As shown in the table below the proposed project complies with the S-74 Zoning Regulations.

	<b>A</b>	<b>B</b>	<b>C</b>
	<b>S-74 Standards</b>	<b>Existing</b>	<b>Proposed</b>
Minimum Lot Size	5,000 sq. ft.	20,053 sq. ft.	No Change
Maximum Building Floor Area	6,514 sq. ft.	3,445 sq. ft.	3,651 sq. ft.
Maximum Building Site Coverage	50% or 10,027 sq. ft.	19% or 3,845 sq. ft.	20 % or 4,051 sq. ft.
Minimum Front Setback	20 feet	< 20 feet	No Change
Minimum Side Setback	5 feet	6.26 feet (left side)	5 feet

	A	B	C
	S-74 Standards	Existing	Proposed
Minimum Rear Setback (for Second Dwelling Units greater than 16' in height)	10 feet	25.333 feet	13 feet
Maximum Building Height	26 feet	16.2917 feet	No Change
Parking Spaces	2 covered 1 uncovered	2 covered 1 uncovered	No Change

b. Second Dwelling Unit Regulations

The proposed modifications to the existing second dwelling unit comply with the development standards as they pertain to location, setbacks, height, lot coverage, and parking. While the proposed modifications meet the Floor Area requirements as defined by the S-74 Zoning District, they do not meet the proportional floor area requirements as defined in Section 6429.4.a of the Second Dwelling Unit Regulations. This section limits detached second dwelling units to 750 sq. ft. or 35% of the floor area of the existing primary residence, whichever is larger. Given this, the existing single family residence is approximately 1,990 sq. ft. which would allow a second dwelling unit with a maximum floor area of 750 square feet. The existing second dwelling unit is legal non-conforming as it already exceeds the 750 sq. ft. maximum floor area by 242 square feet. However, Section 6431 provides relief from the standards of this chapter of the Zoning Regulations with the issuance of a conditional use permit pursuant to Section 6503 of the Zoning Regulations.

3. Conformance with Use Permit

As previously stated, Section 6431 of the second dwelling unit regulations allows for relief of the applicable standards of the chapter with the issuance of a conditional use permit.

The following finding, as required by Section 6503, 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 and remodel includes the addition of a bathroom and laundry area, enlargement of a bedroom, and reconfiguration of the kitchen and dining areas. The original second dwelling unit was constructed with two bedrooms and one bathroom. The proposed project will result in a two bedroom and two bathroom unit. Given the minor nature of the project, impacts to the neighborhood will be minimal. Further, the proposed addition and remodel will be contained entirely on the subject property. The project does not propose to introduce a new or non-compliant use onto the subject property that would result in 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. The project is largely limited to areas which have been previously disturbed with existing development. The proposed project will not result in any significant earthwork or tree removal. Staff has included standard conditions of approval to prevent the discharge of any construction materials and minimization of any erosion and runoff impacts resulting from the project. Therefore the project, as conditioned, will not create any significant visual or erosion related impacts and is compatible with development in the neighborhood.

B. ENVIRONMENTAL REVIEW

The project is categorically exempt from environmental review under Section 15301, Class 1, of the California Environmental Quality Act (CEQA) which allows for additions to existing structures.

C. REVIEWING AGENCIES

Building Inspection Section  
Geotechnical and Civil Section  
Menlo Park Fire Protection District

**ATTACHMENTS**

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

County of San Mateo  
Planning and Building Department

**RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL**

Permit or Project File Number: PLN 2018-00298      Hearing Date: December 20, 2018

Prepared By: Angela Chavez  
Project Planner

For Adoption By: Zoning Hearing Officer

**RECOMMENDED FINDINGS**

Regarding the Environmental Review, Find:

1. That this project is exempt from CEQA, under Section 15301 (Class 1) of the CEQA Guidelines, regarding minor 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 second dwelling unit will be contained entirely on the subject property and is designed to remain consistent with the existing development on the parcel and within the neighborhood. The project does not introduce a new or non-conforming use on to the property. The proposed project 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 within the Coastal Zone.

**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 December 20, 2018. Minor revisions or modifications 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 Use Permit shall be for the proposed project only. Any change or change in intensity of use shall require an amendment to the use permit. Amendments to this use permit require an application for amendment, payment of applicable fees, and consideration at a public hearing.
3. The Use Permit final approval shall be valid for one (1) year from the date of approval, in which time a building permit shall be issued. If a building permit has not been issued within this time period, the Use Permit approval will expire. The Community Development Director will consider an extension of this approval upon written request and payment of the applicable fees sixty (60) days prior to the permits' expiration.
4. Prior to the issuance of the building permit the applicant shall submit a tree protection plan for review and approval by the Current Planning Section. A pre-site inspection verifying that that protection measures are installed will be required prior to building permit issuance.
5. Prior to the issuance of the building permit the applicant shall submit an erosion and sediment control plan which includes construction staging (i.e., location of material storage, portable toilet, concrete wash-out, path of travel, etc.) for review and approval by the Current Planning Section.
6. Prior to beginning any construction activities, the applicant shall implement the approved erosion and sediment control plan, which shall be maintained throughout the duration of the project. 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 including, but not limited to, those listed above.
  - m. 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 and for post-construction site stabilization. Any water leaving the site shall be clear and running slowly at all times
7. This permit does not allow for the removal of any trees. Any tree removal will require a separate permitting process.
8. 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).
9. To reduce the impact of construction activities within the public right-of-way and/or on neighboring properties, the applicant shall ensure that no construction-



related vehicles impede through traffic along Santiago Avenue or other public right-of-ways

#### Building Inspection Section

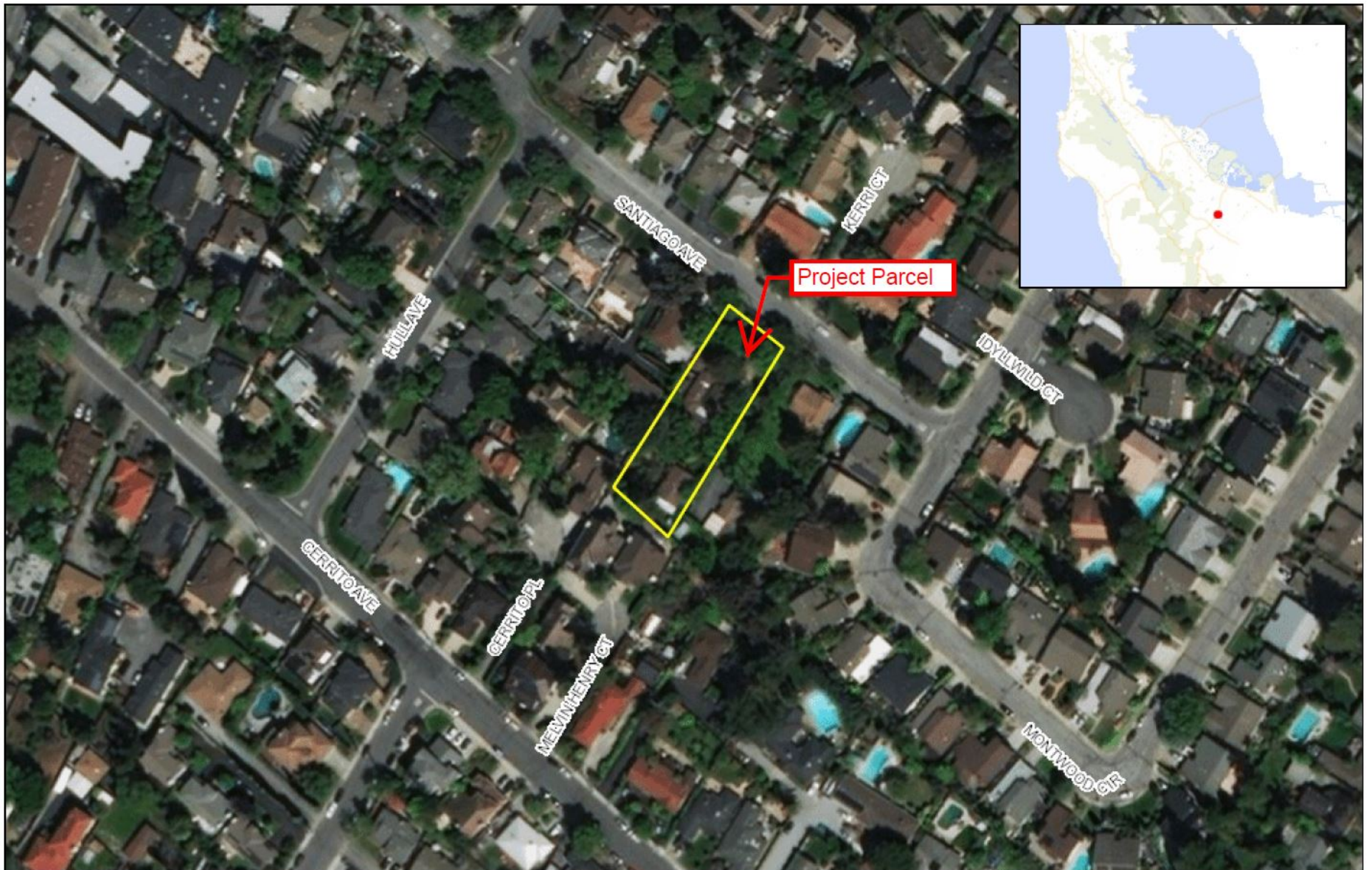
10. A building permit is required for this project.
11. Fire sprinklers are not required for this proposed project.
12. Projections beyond an exterior wall where the projection is closer than 5 feet to a property line shall have materials of 1-hour construction on the underside of the projection.

#### Geotechnical and Civil Section

13. The foundation plan shall be submitted at building permit stage showing at least 24 inches of footing embedment from the lowest adjacent ground surface.
14. The designer shall follow the instructions on Landscape Design for Stormwater Management Fact Sheet as it pertains to roof runoff. A plan which shows location of downspout connections to existing drainage features and which designs new dispersals to lead additional runoff to landscape areas shall be provided at the building permit stage. The fact sheet can be found online at the following link:

[http://www.co.sanmateo.ca.us/Attachments/planning/PDFs/NPDES/BASMAA\\_Landscape\\_Dispersion\\_Fact\\_Sheet\\_082312\\_APPROVED\\_online\\_viewing.pdf](http://www.co.sanmateo.ca.us/Attachments/planning/PDFs/NPDES/BASMAA_Landscape_Dispersion_Fact_Sheet_082312_APPROVED_online_viewing.pdf)

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**San Mateo County Zoning Hearing Officer Meeting**

Owner/Applicant: \_\_\_\_\_

Attachment: \_\_\_\_\_

File Numbers: \_\_\_\_\_



PROJECT DESIGNER:  
 RYAN FERGUSON  
 LICENSED ARCHITECT  
 15100 AMERSON DRIVE  
 REDWOOD CITY, CA 94061  
 650.768.8777  
 R2.FERGUSON@GMAIL.COM



NEW SITE PLAN  
 NEW EXTERIOR ELEVATIONS

A KITCHEN REMODEL + MASTER BEDROOM ADDITION LOCATED AT

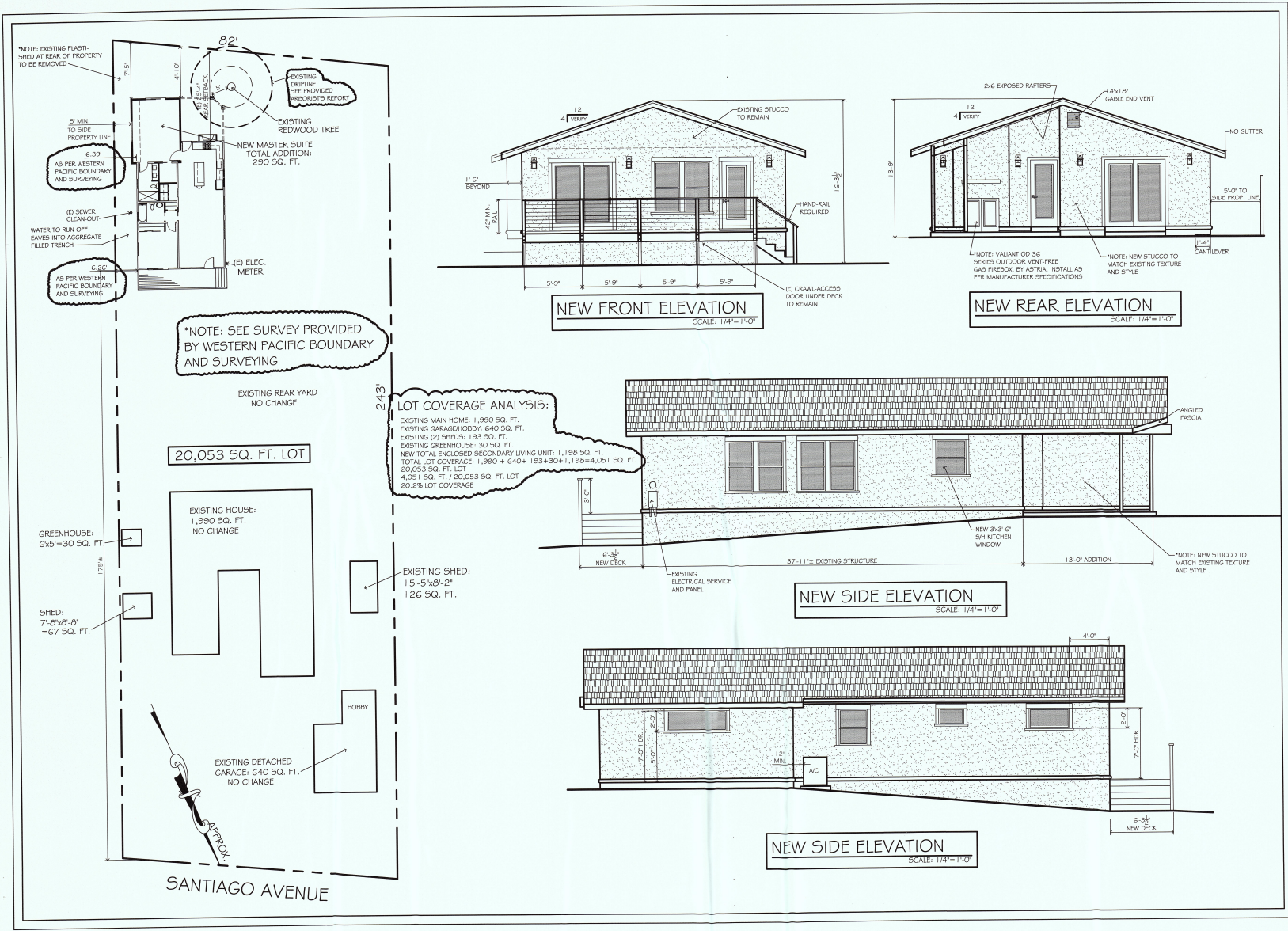
262 SANTIAGO AVE

REDWOOD CITY, CA 94061  
 APR 09/22/10

REVISION		
#	DATE	BY

DRAWN R/F  
 CHECKED  
 DATE 09/26/10  
 SCALE NOTED  
 JOB NO.

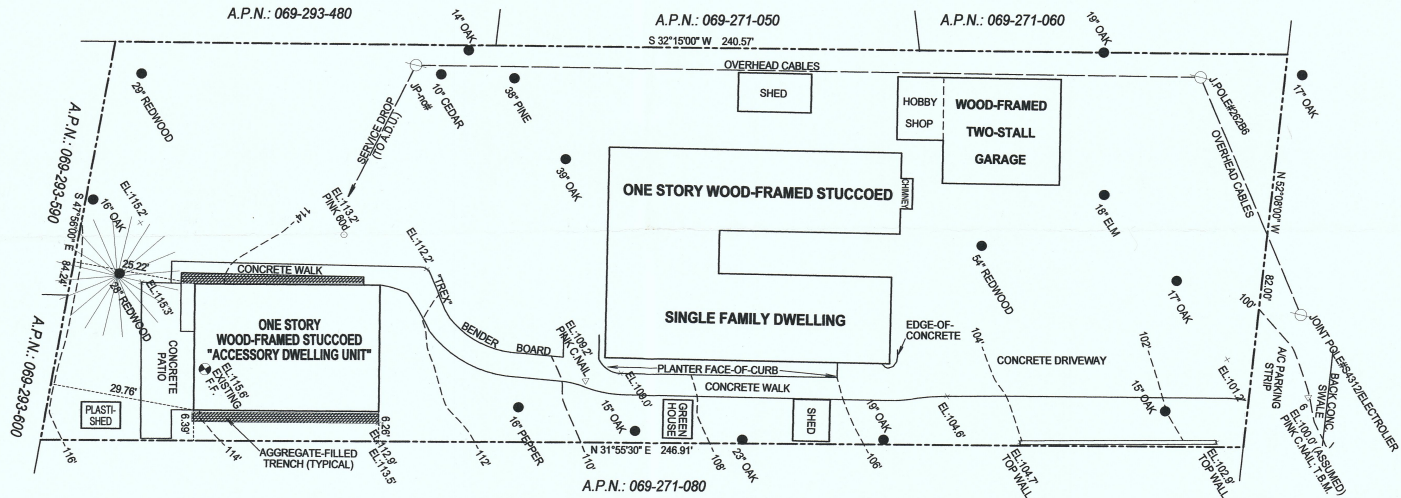
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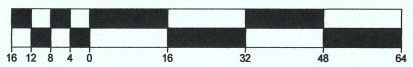
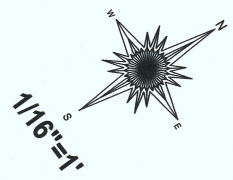
**San Mateo County Zoning Hearing Officer Meeting**

Owner/Applicant: \_\_\_\_\_ Attachment: \_\_\_\_\_  
 File Numbers: \_\_\_\_\_

PLANIMETRIC SURVEY EXHIBIT SOLELY DEPICTING THE EXISTING STRUCTURES AND TREES UPON THE LANDS OF THE RAYMOND J. PICONE TRUST BEING DESCRIBED IN DEED DOCUMENT# 2017-078597 FILED ON SEPTEMBER 7, 2017 IN THE OFFICE OF THE SAN MATEO COUNTY RECORDER, MORE PARTICULARLY BEING A PORTION OF LOT 1, BLOCK 3 OF "WOOD ACRE KNOLLS" THE MAP OF WHICH BEING FILED FOR RECORD ON SEPTEMBER 15, 1924 IN BOOK 11 OF RECORDED SUBDIVISION MAPS, AT PAGES 69 & 70 IN THE OFFICE OF THE RECORDER OF SAN MATEO COUNTY, STATE OF CALIFORNIA A.P.N.: 069-271-070 CONTAINING: 0.460+/- ACRES (20,053+/- SQUARE FEET) COMMONLY KNOWN AS: 262 SANTIAGO AVENUE REDWOOD CITY CALIFORNIA 94061



SANTIAGO AVENUE (60.00 FEET WIDE RIGHT-OF-WAY)  
86200-8102N1A



RECEIVED  
OCT 04 2018  
San Mateo County  
Planning Division

THIS PLANIMETRIC SURVEY EXHIBIT WAS PREPARED BY ME ON JULY 26, 2018 AND DEPICTS THE RESULTS OF A FIELD SURVEY PERFORMED BY ME IN COMPLIANCE WITH THE REQUIREMENTS OF THE CALIFORNIA LAND SURVEYORS' ACT ON JULY 24, 2018 AT THE REQUEST OF MS. SONIA PICONE, TRUSTEE.

**\*\*ADDENDUM\*\***  
(PER ANGELA CHAVEZ, SMCc PLANNER, LETTER DATED AUGUST 31, 2018):  
COMPOSITE ROOFING ON A.D.U. SHEETS STORM WATER OFF OF EAVES TO AGGREGATE-FILLED TRENCHES. LIMITED TOPOGRAPHIC SURVEY PERFORMED BY ME ON SEPTEMBER 12, 2018, SOLELY DEPICTING IN ADDITION: 28\"/>

BENCHMARK: PINK CONCRETE NAIL SET IN ASPHALTIC CONCRETE PARKING STRIP (IN SANTIAGO AVENUE RIGHT-OF-WAY).  
ELEVATION= 100.0 FEET (ASSUMED DATUM)

*[Signature]*  
ROGER J. CLEGG, LS 7055  
(License expires/Renewal: 12/31/2018)

*[Signature]*  
12/31/2018

WESTERN PACIFIC BOUNDARY & SURVEYING  
P.O. BOX 2442 REDWOOD CITY, CA, 94064  
tel: 650-787-1878 e-mail: survclg@yahoo.com

## San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant: \_\_\_\_\_

Attachment: \_\_\_\_\_

File Numbers: \_\_\_\_\_