

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

DATE: February 7, 2019

TO: Zoning Hearing Officer

FROM: Planning Staff

SUBJECT: Consideration of a Home Improvement Exception, pursuant to Section 6532 of San Mateo County's Zoning Regulations, to allow the development of a 505 s.f. accessory dwelling unit attached to an existing 595 s.f. garage in that will exceed lot coverage and floor area limits.

County File Number: PLN 2018-00427 (Gottshall/Mattingly)

PROPOSAL

The applicant (Mattingly), has proposed an accessory dwelling unit (ADU) as an addition to the existing 595 s.f. garage in the back of the Gottshall's property. A Home Improvement Exception is required because the addition would exceed the maximum lot coverage of 30% by 17% as well as the maximum floor area by 291 sq. ft. There is no tree removal. Setbacks as applied to accessory dwelling units when part of a detached structure are in compliance within the regulations. The ADU also complies with the County regulations for parking.

RECOMMENDATION

Approve the Home Improvement Exception Permit, County File No. PLN2018-00427, by adopting the findings and conditions of approval cited in Attachment A.

BACKGROUND

Report Prepared By: Maya Briones, Project Planner

Owner: Melissa and Todd Gottshall

Applicant: Judith Mattingly

Location: 1713 Edgewood Rd. Emerald Hills CA 94062

APN: 057-062-220

Parcel Size: 10,103 sq. ft

Existing Zoning: Residential Hillside/ Design Review (RH/DR)

General Plan Designation: Low Density Residential

Existing Land Use: Single-Family Residence

Water Supply: Redwood City Municipal Water Department

Sewage Disposal: Emerald Lake Hills Sewer District

Flood Zone: The project site is located in Flood Zone X as defined by FEMA (Community Panel Number 069081C0282E, dated October 16, 2012), which is an area with minimal potential for flooding.

Environmental Evaluation: The project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15301, Class 1, for a minor alteration of an existing private structure (in this case a single-family home) where the project involves negligible expansion of use.

Setting: The project site is at the bend of Edgewood Rd. The house was built in 1969 and has remained a single-family residence. The current home has six rooms total, with three bedrooms and three bathrooms. It has single-family homes on all other sides of the property.

2006 Home Improvement Exception.

The previous homeowner applied for a Home Improvement Exception for the addition of 145 sq. ft. to the front of the existing home of which a portion of it encroached into the front setback by 75 sq. ft., thus reducing the front setback to 12'-6" where 20'-0" is required. The plans were approved, and there was no appeal.

DISCUSSION

A. KEY ISSUES

1. State Law on ADUs

California Second Unit Memorandum-S.B. 1069 (Chapter 720, Statutes of 2016). In 2016, the California legislature found and declared that, among other things, allowing accessory dwelling units (ADUs) in single-family and multifamily zones provides additional rental housing and is an essential component in addressing housing needs in California. Local governments must ministerially approve an application to create within a single-family residential zone one ADU per single-family lot if the unit is:

- a. contained within an existing residence or accessory structure.
- b. has independent exterior access from the existing residence.
- c. has side and rear setbacks that are sufficient for fire safety.

State Legislation prohibits discretionary review of second units that otherwise comply with all zoning requirements. This application required the public noticing element because it proposes to go over the allowed lot coverage and floor area limits, requiring Home Improvement Exceptions (HIE).

2. Compliance with the General Plan

The proposed project complies with all applicable General Plan Policies, specifically:

Urban Land Use Policies

- a. Policy 8.2 d (*Land Use Objectives for Urban Communities*) of the General Plan (GP) states to provide a mix and an amount of residential land uses which will provide a substantial amount of housing opportunities in unincorporated areas. The proposal to construct an ADU meets this objective.

3. Compliance with the Residential Hillside (RH) Zoning Regulations

Second Dwelling units (ADUs) are permitted uses and do not require a planning permit if compliant with the Zoning Regulations, per section 6802 of the San Mateo County Zoning regulations. As mentioned, the subject application requires an HIE, since the project will exceed the maximum lot coverage and floor area limits for the RH District.

Overall Parcel Development Standards			
	Zoning Requirements	Existing	Proposed
Minimum Parcel Size	12,000 sq. ft.	10, 103 sq. ft.	Same
Maximum Floor Area Ratio ¹ (All Development)	30% (3030 sq. ft.)	27 % (2756 sq. ft.)	32 % (3261 sq. ft.)
Maximum Lot Coverage ² (All Development)	25% (2526 sq. ft.)	39% (3,972 sq. ft.)	42% (4241 sq. ft.)
Maximum Ratio of Second Unit to Primary Residence	35%	N/A	5%
1. Floor Area Ratio calculation includes each floor of the primary residence, garage and second dwelling unit. 2. Lot Coverage calculation includes the primary residence footprint, garage, second dwelling unit overhang and all decks and stairs 18 inches or more above grade. Existing lot coverage is legal non-conforming.			

Second Dwelling Unit Development Standards			
	Zoning Requirements	Existing House	Proposed 2 nd Unit
Minimum Front Yard Setback	N/A	N/A	N/A
Minimum Right Side Yard Setback	5 feet	10.12 feet	15.83 feet

Second Dwelling Unit Development Standards			
	Zoning Requirements	Existing House	Proposed 2 nd Unit
Minimum Left Side Yard Setback	5 feet	5 feet	5 feet
Minimum Rear Yard Setback	5 feet	N/A	15.83 feet
Minimum Primary Residence Setback	5 feet	N/A	15.91 feet
Maximum Height	16 feet	N/A	14.16 feet
Maximum Ratio of Second Unit to Primary Residence	750 sq. ft.		505 sq. ft.
	35%	N/A	5%
Unobstructed Passageway to Access Second Unit	15 feet	N/A	15 feet

4. Compliance with Home Improvement Exception Regulations and Required Findings (Chapter 25. Variances and Home Improvement Exceptions):
- a. Requirements to Qualify for an HIE; the proposal is:
 - (1) Is an addition to an existing home in the RH district.
 - (2) Will not result in the creation of a new story.
 - (3) Is not located in an area with a slope exceeding 20 % and meets all other HIE criteria including that the floor area exception will not exceed 250 s.f. (231 s.f. is requested).

 - b. Compliance with HIE Findings
 - (1) The existing structure has a design or there are conditions applicable to the property such that the proposed project would result in only minor exterior changes. The addition to the garage will match the existing home and garage with regard to architectural style and details.
 - (2) The Home Improvement Exception sustains the integrity or enhances an existing design concept or the neighborhood character. The ADU does not change the integrity of the neighborhood character, and adds value to the design of the property.
 - (3) The granting of the application will not be detrimental or injurious to property or improvements in the vicinity and will not be detrimental to the public health, safety, general welfare, or convenience. The additional square footage and lot coverage authorized through this HIE will not significantly increase the intensity of residential use on the property and will have a

negligible impact on the public health or safety of the community.

- (4) The Home Improvement Exception authorizes only uses or activities which are permitted by the zoning district. ADU's are allowed in single-family residential neighborhoods as mandated by the State of California.
- (5) The Home Improvement Exception is consistent with the objectives of the General Plan and the Zoning Regulations. The County of San Mateo is required by state law to allow ADU's that comply with County zoning regulations without a discretionary process. The exception for this project meets all the criteria required for a Home Improvement Exception.

ENVIRONMENTAL REVIEW

The project is categorically exempt under the provisions of Class 1, Section 15301 (Existing Facilities), of the California Environmental Quality Act Guidelines. This section allows for the operation of and minor alteration to existing private structures, involving negligible expansion of use beyond that existing at the time of the lead agency's determinations.

AGENCY REVIEW

	Review	Conditions	Applicable/Met
Co. Building Inspection	Yes	Yes	The proposed project requires a building permit
Co. Public Works Dept.	Yes	No	N/A
Geotechnical	Yes	No	To be addressed at the Building Permit stage
Cal Fire Authority	Yes	No	To be addressed at the Building Permit stage

ATTACHMENTS

- A. Findings and Conditions of Approval
- B. Project Plans (Site Plan, Floor Plan, Elevations)

MDB:ann – MDBDD0037_WNU.DOCX

ATTACHMENT A

County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Project File Number: PLN 2018-00427

Hearing Date: February 7, 2019

Prepared By: Maya D. Briones
Project Planner

For Adoption By: Zoning Hearing Officer

RECOMMENDED FINDINGS

For the Environmental Review, Find:

1. That the project is categorically exempt under provisions of Class 1, Section 15301 (Existing Facilities), of the California Environmental Quality Act Guidelines, which exempts minor alterations to existing private structures, where expansion of use is negligible.

For the Home Improvement Exception, Find:

2. The existing structure has a design or there are conditions applicable to the property such that the proposed project would result in only minor exterior changes. The home will look the same, as the ADU will be in the back of the property.
3. The Home Improvement Exception sustains the integrity or enhances an existing design concept or the neighborhood character. The existing structure has a design or there are conditions applicable to the property such that the proposed project would result in only minor exterior changes. The addition to the garage will match the existing home and garage with regard to architectural style and details.
4. The granting of the application will not be detrimental or injurious to property or improvements in the vicinity and will not be detrimental to the public health, safety, general welfare, or convenience. The additional square footage and lot coverage authorized through this HIE will not significantly increase the intensity of residential use on the property and will have a negligible impact on the public health or safety of the community.
5. The Home Improvement Exception authorizes only uses or activities which are permitted by the zoning district. ADU's are allowed in single-family residential neighborhoods as mandated by the State of California.

6. The Home Improvement Exception is consistent with the objectives of the General Plan and the Zoning Regulations. The County of San Mateo is required by state law to allow ADU's that comply with County zoning regulations without a discretionary process. The exception for this project meets all the criteria required for a Home Improvement Exception.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

1. This approval applies only to the proposal as described in those plans, supporting materials and reports and as approved by the Zoning Hearing Officer on February 7, 2019. Minor revisions or modifications to the project may be made subject to the review and approval of the Community Development Director, if they are consistent with the intent of and in substantial conformance with this approval.
2. The Home Improvement Exception approvals shall be valid for five (5) years from the date of final approval in which time a 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. An extension of these approvals will be considered upon written request and payment of the applicable fees sixty (60) days prior to the permits' expiration.
3. The applicant shall include the permit approval letter on the top pages of the building plans.
4. The property owner shall adhere to the San Mateo Countywide Storm water Pollution Prevention Program "General Construction and Site Supervision Guidelines," including, but not limited to, the following:
 - a. Delineation with field markers of clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses within the vicinity of areas to be disturbed by construction and/or grading.
 - b. Protection of adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
 - c. Performing clearing and earth-moving activities only during dry weather.
 - d. Stabilization of all denuded areas and maintenance of erosion control measures continuously between October 1 and April 30.
 - e. Storage, handling, and disposal of construction materials and wastes properly, so as to prevent their contact with storm water.

- f. Control and prevention of the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-storm water discharges, to storm drains and watercourses.
 - g. Use of sediment controls or filtration to remove sediment when dewatering the site and obtain all necessary permits.
 - h. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
 - i. Limiting and timing applications of pesticides and fertilizers to prevent polluted runoff.
 - j. Limiting construction access routes and stabilization of designated access points.
 - k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
 - l. Training and providing instruction to all employees and subcontractors regarding the Watershed Protection Maintenance Standards and construction Best Management Practices.
 - m. Additional Best Management Practices in addition to those shown on the plans may be required by the Building Inspector to maintain effective storm water management during construction activities. Any water leaving the site shall be clear and running slowly at all times.
 - n. Failure to install or maintain these measures will result in stoppage of construction until the corrections have been made and fees paid for staff enforcement time.
5. During project construction, the applicant shall, pursuant to Chapter 4.100 of the San Mateo County Ordinance Code, minimize the transport and discharge of storm water 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.
6. The applicant shall include an erosion and sediment control plan to comply with the County's Erosion Control Guidelines on the plans submitted for the building permit. This plan shall identify the type and location of erosion control measures to be installed upon the commencement of construction in order to maintain the stability of the site and prevent erosion and sedimentation off-site.
 7. All new power and telephone utility lines from the street or nearest existing utility pole to the main dwelling and/or any other structure on the property shall be placed underground.
 8. No site disturbance shall occur, including any vegetation removal or grading, until a building permit has been issued.
 9. 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 Edgewood Rd. All construction vehicles shall be parked on-site outside the public right-of-way or in locations which do not impede safe access on Edgewood Rd. There shall be no storage of construction vehicles in the public right-of-way.
 10. The exterior colors and materials samples are approved. Color verification shall occur in the field after the applicant has applied the approved materials and colors but before a final inspection has been scheduled.

11. 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).
12. At the building permit application stage, the project shall demonstrate compliance with the Water Efficient Landscape Ordinance (WELo) and provide the required forms. WELo applies to new landscape projects equal to or greater than 500 sq. ft. A prescriptive checklist is available as a compliance option for projects under 2,500 sq. ft. WELo also applies to rehabilitated landscape projects equal to or greater than 2,500 sq. ft. The following restrictions apply to projects using the prescriptive checklist:
 - a. Compost: The project must incorporate compost at a rate of at least four (4) cubic yards per 1,000 sq. ft. to a depth of 6 inches into the landscape area (unless contra-indicated by a soil test).
 - b. Plant Water Use (Residential): Install climate adapted plants that require occasional, little, or no summer water (average WUCOLS plant factor 0.3) for 75% of the plant area excluding edibles and areas using recycled water.
 - c. Mulch: A minimum 3-inch layer of mulch should be applied on all exposed soil surfaces of planting areas, except in areas of turf or creeping or rooting groundcovers.
 - d. Turf: Total turf area shall not exceed 25% of the landscape area. Turf is not allowed in non-residential projects. Turf (if utilized) is limited to slopes not exceeding 25% and is not used in parkways less than ten (10) feet in width. Turf, if utilized in parkways, is irrigated by sub-surface irrigation or other technology that prevents overspray or runoff.
 - e. Irrigation System: The property shall certify that Irrigation controllers use evapotranspiration or soil moisture data and utilize a rain sensor; Irrigation controller programming data will not be lost due to an interruption in the primary power source; and Areas less than ten (10) feet in any direction utilize sub-surface irrigation or other technology that prevents overspray or runoff.
13. At the building permit application stage, the applicant shall submit a tree protection plan which protects off-site trees within the proximity of grading and/or construction activities, including the following:
 - a. Identify, establish, and maintain tree protection zones throughout the entire duration of the project.

- b. Isolate tree protection zones using 5-foot tall, orange plastic fencing supported by poles pounded into the ground, located at the driplines as described in the arborist's report.
- c. Maintain tree protection zones free of equipment and materials storage; contractors shall not clean any tools, forms, or equipment within these areas.
- d. If any large roots or large masses of roots need to be cut, the roots shall be inspected by a certified arborist or registered forester prior to cutting as required in the arborist's report. Any root cutting shall be undertaken by an arborist or forester and documented. Roots to be cut shall be severed cleanly with a saw or topers. A tree protection verification letter from the certified arborist shall be submitted to the Planning Department within five (5) business days from site inspection following root cutting.
- e. Normal irrigation shall be maintained, but oaks shall not need summer irrigation, unless the arborist's report directs specific watering measures to protect trees.
- f. Street tree trunks and other trees not protected by dripline fencing shall be wrapped with straw wattles, orange fence, and 2x4 boards in concentric layers to a height of eight (8) feet.
- g. Prior to issuance of a Building Permit or Demolition Permit, the Planning and Building Department shall complete a pre-construction site inspection, as necessary, to verify that all required tree protection and erosion control measures are in place.

ATTACHMENT B

County of San Mateo
Planning and Building Department

Site Plans



County of San Mateo - Planning and Building Department

ATTACHMENT A



Project Site

R-1/S-13

EDGEWOOD RD

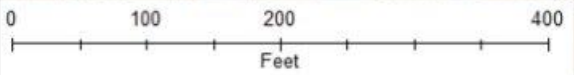
WOODHUE

RH/DR

RICCI CT



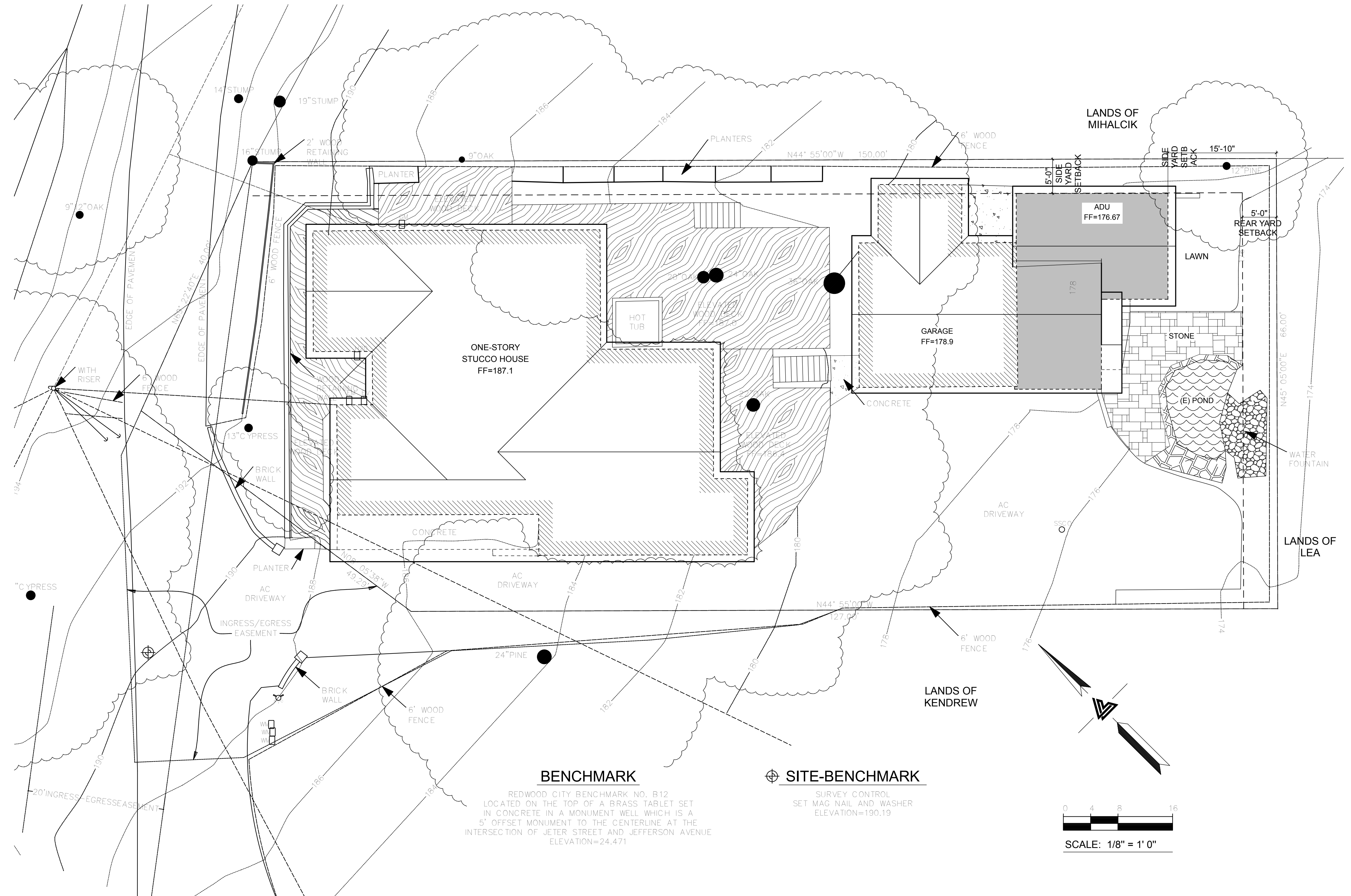
VICINITY MAP





County of San Mateo - Planning and Building Department

ATTACHMENT B



Mattingly Thaler Architecture
 646 Church Street
 San Francisco, CA 94114
 tel 415-431-2848 www.matharch.com

ACCESSORY DWELLING UNIT
 1713 EDGEWOOD ROAD
 REDWOOD CITY, CA 94062

DATE	DESCRIPTION
12/07/15	HIE Building Permit

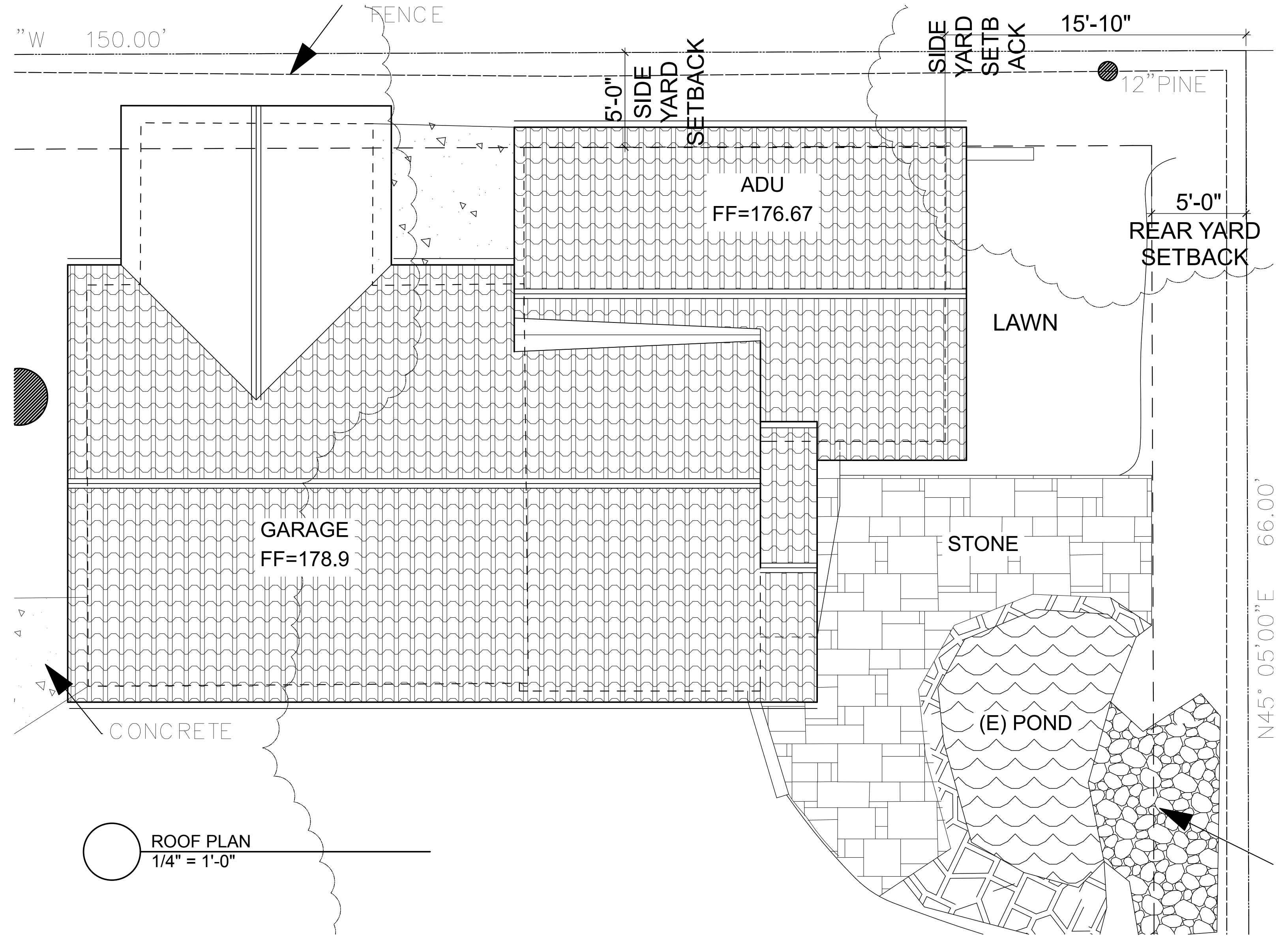
SITE PLAN
 Scale As Noted

A002

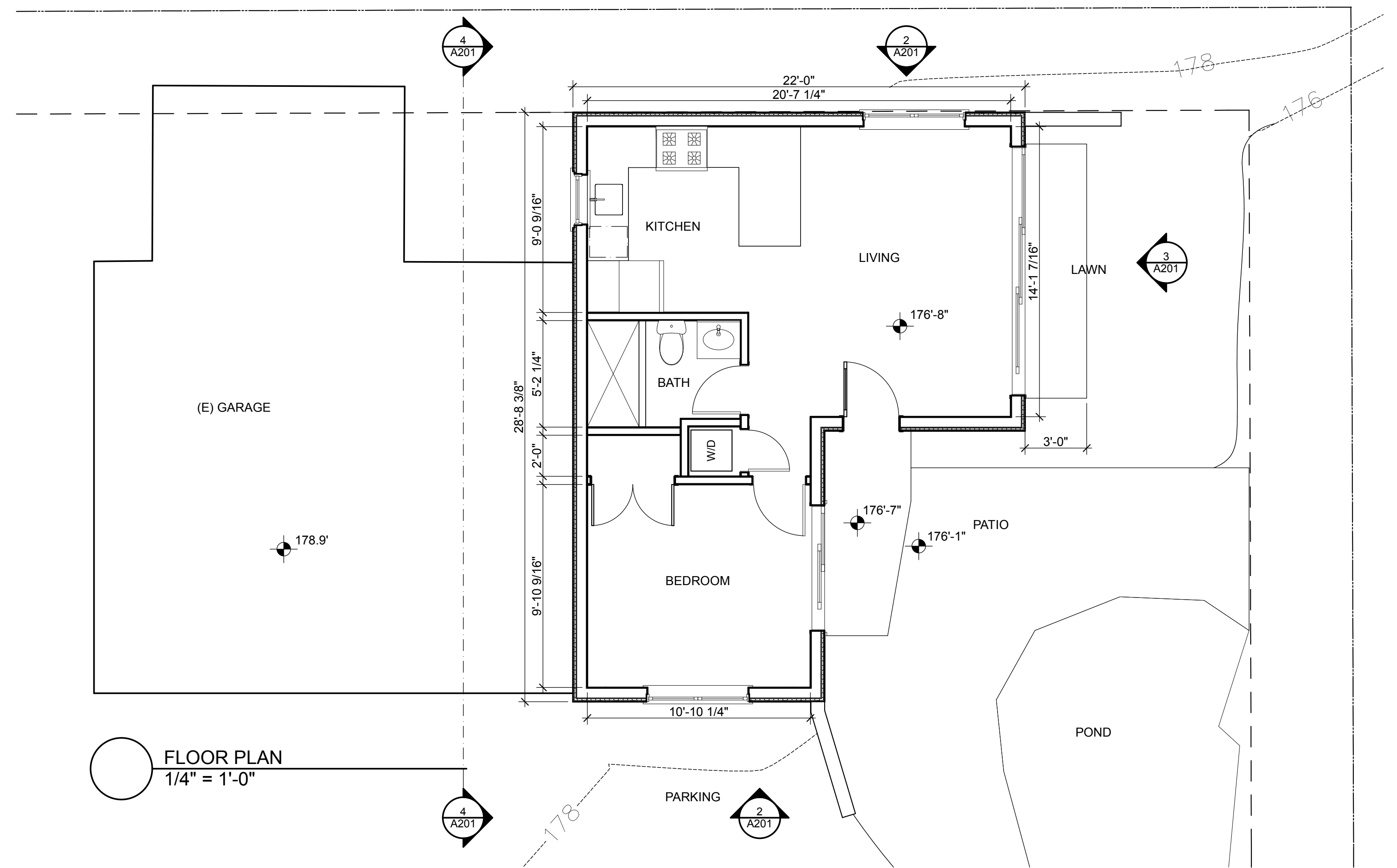


County of San Mateo - Planning and Building Department

ATTACHMENT C



ROOF PLAN
1/4" = 1'-0"



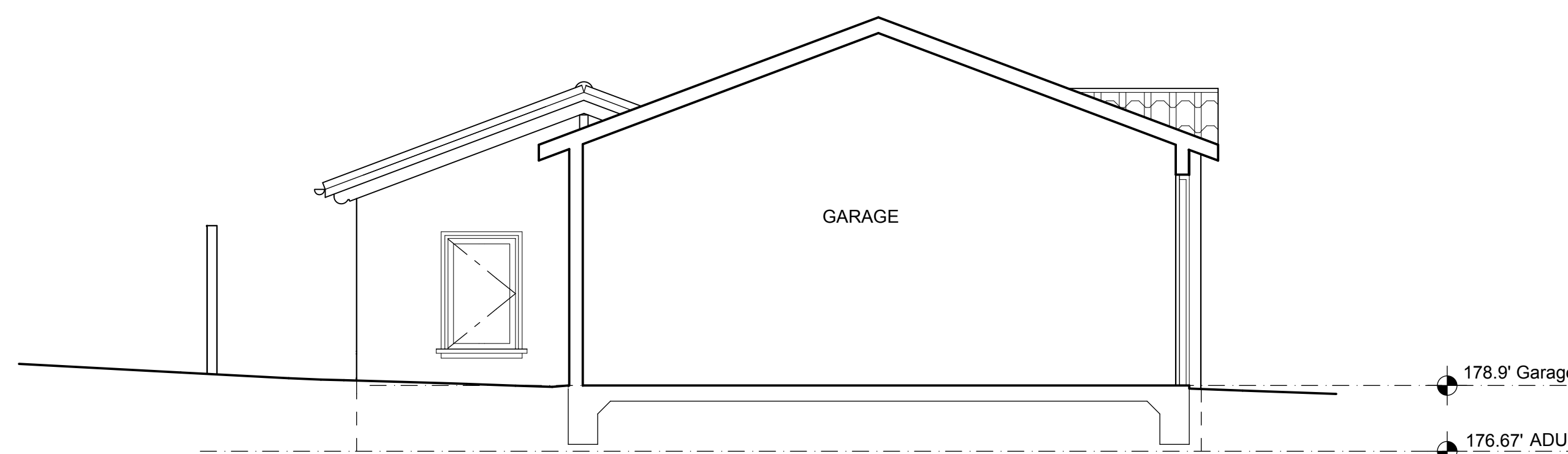
FLOOR PLAN
1/4" = 1'-0"

Mattingly Thaler Architecture 646 Church Street San Francisco, CA 94114 tel 415-431-2848 www.matharch.com	
ACCESSORY DWELLING UNIT 1713 EDGEWOOD ROAD REDWOOD CITY, CA 94062	
DATE	DESCRIPTION
12/07/15	HIE Building Permit
FLOOR PLANS	
Scale As Noted	
A101	

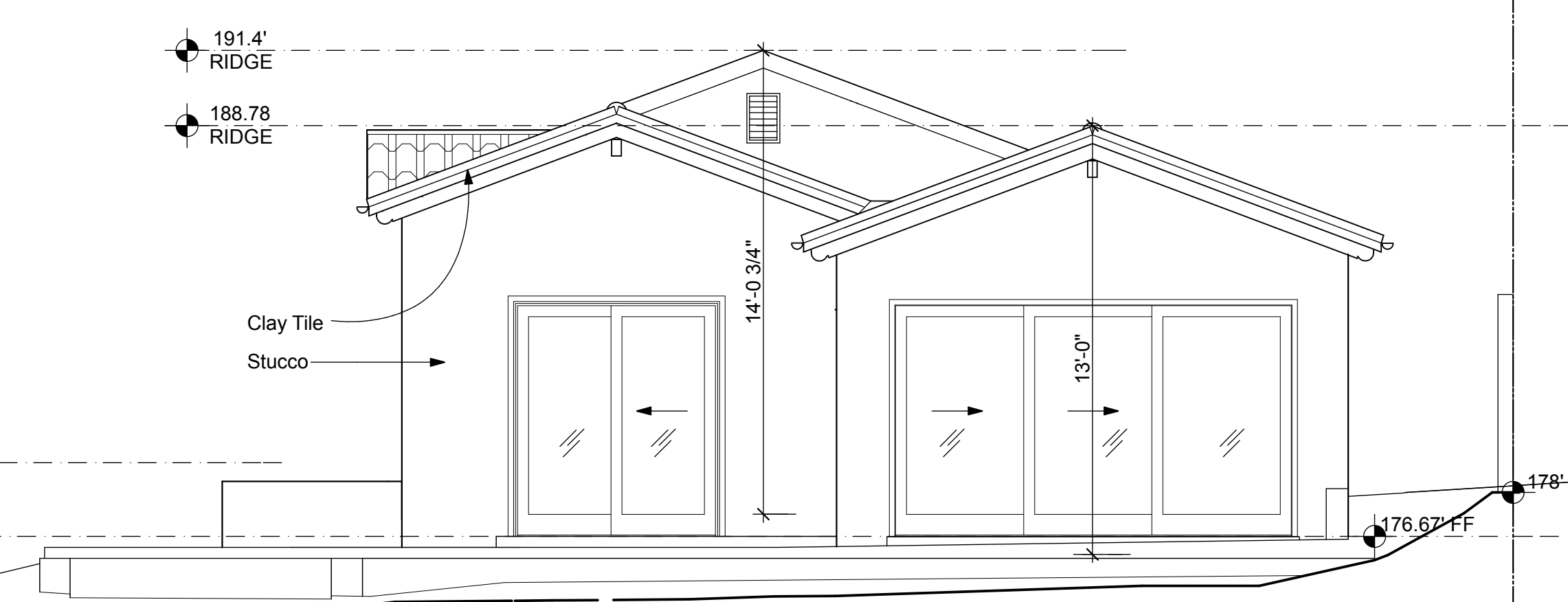


County of San Mateo - Planning and Building Department

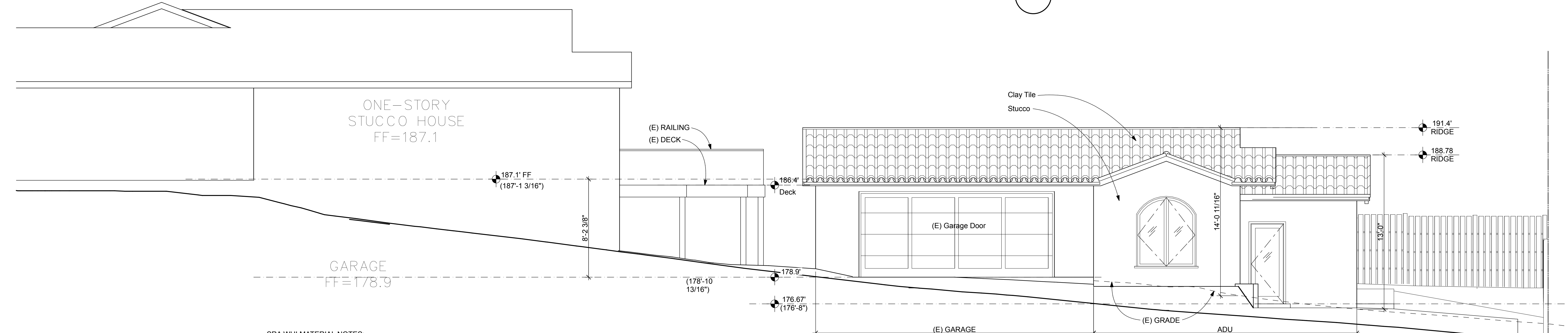
ATTACHMENT D



4 NORTH ELEVATION

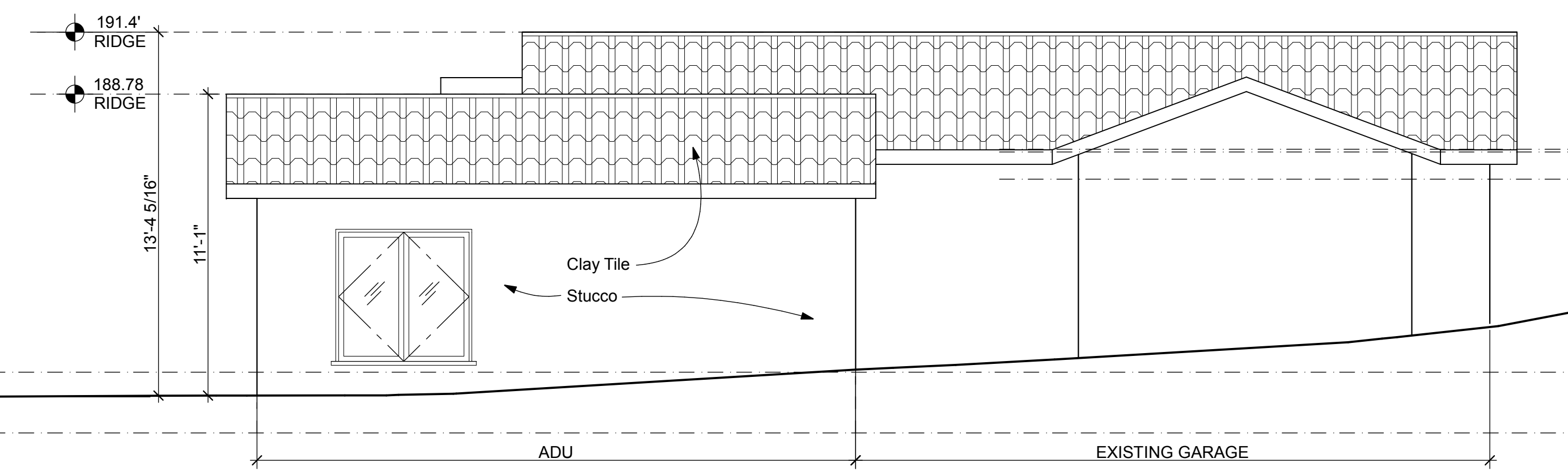


3 SOUTH ELEVATION



2 WEST ELEVATION

- SRA WUI MATERIAL NOTES:**
1. STUCCO EXTERIOR WALL FINISH O/PLYWOOD SHEATHING (IGNITION RESISTANT CONSTRUCTION)
 2. CLAY TILE ROOF - Class A Fire Rated
 3. EXTERIOR DOORS SHALL BE CONSTRUCTED OF SOLID CORE WOOD HAVING STILES AND RAILS NOT LESS THAN 1 3/8" WITH INTERIOR FIELD PANEL THICKNESS NO LESS THAN 1 1/4"
 4. ALL GLASS IN DOORS TO BE TEMPERED OR LAMINATED SAFETY GLASS
 5. Exterior windows, glazed doors, and glazed openings within exterior doors shall be insulating-glass units with a minimum of one tempered pane
 6. SLAB ON GRADE - NO CRAWL SPACE
 7. SPRAY FOAM INSULATION AT ROOF - NO VENTED ATTIC SPACE



1 EAST ELEVATION

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ACCESSORY DWELLING UNIT
 1713 EDGEWOOD ROAD
 REDWOOD CITY, CA 94062

DATE	DESCRIPTION
12/07/15	HIE Building Permit

EXTERIOR ELEVATIONS
 Scale 1/4" = 1'-0"

A201