

Board Meeting Date: August 4, 2020
Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: Steve Monowitz, Community Development Director

Subject: EXECUTIVE SUMMARY: Consideration of an appeal of the Planning Commission's decision to deny a Coastal Development Permit, Design Review Permit, and Variance for the construction of a single-family residence with an internal second unit located on a 5,000 sq. ft. legal parcel. Relief from height, daylight plane, and parking requirements are requested through the Variance. Minor grading and removal of ten trees is also proposed. The project is located on Sunshine Valley Road in the unincorporated Moss Beach area of San Mateo County. If approved, the Coastal Development Permit is appealable to the California Coastal Commission.

County File Number: PLN 2018-00458 (Jaehning/Li)

RECOMMENDATION:

Uphold the appeal and approve the proposed Coastal Development Permit, Design Review Permit, and Variance applications contained in County File No. PLN 2018-00458 and adopt the Mitigated Negative Declaration included as Attachment I, based on the findings and conditions of approval contained in Attachment A.

BACKGROUND:

This project was submitted on December 11, 2018 and was recommended for approval by the Coastsides Design Review Committee at its July 11, 2019 meeting based on compliance with the Coastsides Design Review Standards. A Certificate of Compliance Type A, which confirmed parcel legality, was recorded on July 24, 2019 and an Initial Study and Mitigated Negative Declaration was circulated from January 15, 2020 to February 10, 2020 with no public comments received. The Planning Commission rendered a decision on March 25, 2020 and the applicant and appellant David Jaehning appealed the Planning Commission's decision on April 6, 2020.

At its public hearing on March 25, 2020, the Planning Commission voted to unanimously deny the application to construct a new three-story 1,460 sq. ft. single-family residence with a first floor 730 sq. ft. accessory dwelling unit (AUD) on a conforming 5,000 sq. ft. legal parcel. Due to site constraints that limit the developable area of the parcel in the form of a creek along the northern property line and riparian corridor along the eastern property line that requires 30-foot setbacks, the applicant requested variances from the: (1) required rear yard setback (18-foot setback where 20 feet is required); (2) maximum building height (31'-4" where 28 feet is the maximum); (3) rear yard daylight

plane (due to the rear yard setback), and (4) covered parking standards (two uncovered tandem parking spaces where two side-by-side covered parking spaces are required). Upon denial, the Planning Commission voiced concerns regarding the number of variances sought and the number of bedrooms in relation to off-street parking spaces provided.

David Jaehning, the appellant and applicant, is appealing the Planning Commission's decision to deny the subject application. The appellant has proposed a revised design in response to the concerns raised by the Planning Commission that reduces: (1) the number of bedrooms from six to four; (2) the footprint of the project from 730 sq. ft. to 690 sq. ft., (3) the FAR from 2190 sq. ft. to 2,070; (4) and the number of requested variances from four to three by complying with the rear yard setback requirements. The revised project still requires variances from height, rear daylight plane, and parking configuration standards. Without the requested variances, the appellant asserts that they would be denied the same rights and privileges to build a comparable sized residence enjoyed by other landowners in the same vicinity due to the subject parcel's site constraints.

Discussion of the revised project design is provided in the staff report. Recommended findings and conditions are included in Attachment A. Staff recommends approval of the revised project design given the physical constraints of the property.