



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
Planning and Building



Date: October 7, 2013
Board Meeting Date: October 22, 2013
Special Notice / Hearing: 300 Feet
Vote Required: Majority

To: Honorable Board of Supervisors

From: Jim Eggemeyer, Community Development Director

Subject: Public hearing to consider an appeal of the Planning Commission's decision to deny a design review permit, pursuant to Section 6565.20 of the San Mateo County Zoning Regulations, to construct a new 2,583 sq. ft., three-story single-family residence, plus a 584 sq. ft. two-car attached garage on a 6,000 sq. ft. legal parcel, located on Twelfth Street in the unincorporated Montara area of San Mateo County. This project is not appealable to the California Coastal Commission.

County File Number: PLN 2012-00127 (Price)

RECOMMENDATION:

Deny the appeal and uphold the decision of the Planning Commission to deny the project, based on the findings contained in Attachment A.

BACKGROUND:

Proposal: The applicant requests design review approval to construct a new 2,583 sq. ft., three-story single-family residence, plus a 584 sq. ft. two-car attached garage on a 6,000 sq. ft. legal parcel. The lowest floor consists of the garage and workshop areas. The first floor accommodates the entry porch and entry area, three bedrooms, two bathrooms, a hall and play area and a fitness room. The third floor consists of the dining room, kitchen, family room and nook area, lighthouse tower and exterior decks. Also, based on the proposed garage location, East Avenue would be partially improved to accommodate access to the garage and to on-site parking.

Report Prepared By: Dennis P. Aguirre, Project Planner, Telephone 650/363-1867

Applicant/Owner/Appellant: Allen Price

Location: Twelfth Street, Montara

APN: 037-013-340

Parcel Size: 6,000 sq. ft.

Parcel Legality: Legal parcel based on building permit (BLD 2005-01463) issued on February 21, 2008, for the construction of a new single-family residence. Permit cancelled in August 2010 due to no construction.

Existing Zoning: R-1/S-17/DR/CD (Single-Family Residential District/S-17 Combining District with 5,000 sq. ft. minimum parcel size/Design Review/Coastal Development)

General Plan Designation: Medium Density Residential (6.1-8.0 dwelling units per acre)

Sphere-of-Influence: City of Half Moon Bay

Existing Land Use: Single-Family Residential

Water Supply: Domestic Well – Coastal Development Permit Exemption approved on February 10, 2005 (PLN 2004-00624).

Sewage Disposal: Montara Water and Sanitary District

Flood Zone: Zone X, areas of minimal flooding, based on the FEMA Flood Zone Map, Map Number 06081CIND0A, Panel Number 06081CO117E, effective October 16, 2012.

Environmental Evaluation: This project is categorically exempt pursuant to Section 15303, Class 3, of the California Environmental Quality Act, related to new construction of small structures, including a single-family residence in a residential zone.

Setting: The parcel is located east of Cabrillo Highway in an area of predominantly two-story single-family structures of various architectural styles (Attachment B). The general vicinity has mildly sloping topography, including an 8% slope for the subject site. The parcel is bounded by Twelfth Street northward, East Street (unimproved) and lower density residential development eastward, and developed residential parcels southward and westward that are similar to the subject property. There are no significant trees or other vegetation on the subject property.

DISCUSSION:

A. PROJECT HISTORY

On May 10, 2012, the applicant submitted a design review application to construct a new single-family residence. The Coastsides Design Review Committee (CDRC) initially reviewed the project on July 12, 2012. The CDRC continued the hearing to December 13, 2012, requiring the applicant to correct errors and discrepancies on the submitted plans, to install netting to the story poles to further identify the building envelope, and to reevaluate the garage layout to ensure compliance with

Department of Public Works standards. Revised plans were submitted to staff on November 29, 2012.

On December 13, 2012, the CDRC reviewed the revised plans based on the requirements and recommendations of the previous meeting. The CDRC was again unable to take action on the project and requested further clarification and corrections on the submitted plans. Additional recommendations for redesign were again included in order to mitigate the structure's mass and bulk as viewed from the rear, in response to neighbors' expressed concern regarding the project.

On January 10, 2013, the CDRC reviewed the revised project plans and determined that they addressed the CDRC's request for corrections and clarifications, but no substantial changes were incorporated into the design, as recommended at the previous meeting. Although the CDRC continued to recommend further design changes that would require another continuance, the applicant requested that action be taken at that meeting, asserting that the project, as presented, was in full compliance with the design review standards. The CDRC therefore denied the project based on the findings stated in the decision letter dated January 16, 2013 (Attachment F).

On January 11, 2013, the applicant, challenging the CDRC's denial, filed an appeal to the Planning Commission, seeking reversal of this denial (Attachment D).

B. PLANNING COMMISSION ACTION AND SUBSEQUENT APPEAL

On April 24, 2013, the Planning Commission considered the applicant's appeal to reverse the CDRC's denial based on the contention that the project (see plans, Attachment C) complies with the Zoning Regulations and Design Review Standards. The Planning Commission concurred with staff's responses to the applicant's points of appeal and the findings of the CDRC to deny the project and unanimously voted to uphold the denial of the project at this meeting. The Planning Commission cited major issues regarding compliance with design review standards related to mass and bulk, view blockage, excessive grading/hardscape areas and incompatibility with the established neighborhood scale comprised of predominantly two-story homes.

On May 6, 2013, the applicant filed the instant appeal of the Planning Commission's decision to the Board of Supervisors (Attachment D).

C. APPLICANT'S POINTS OF APPEAL

The applicant contends that the project warrants approval based on its compliance with applicable Zoning Regulations and the design review standard relating to neighborhood scale (Attachment D).

Staff's Response: While the project complies with all applicable Zoning Regulations, as indicated in Section D.2 and as previously discussed, the Planning Commission found the project does not comply with the required design review standards. Specifically, the project is not in keeping with the scale of the neighborhood. Although the two-story front façade successfully emphasizes the “Lighthouse Keeper’s” design, the overall three-story appearance of the proposed residence is inconsistent with the neighborhood scale. The Planning Commission found that the three-story configuration at the rear of the structure appears massive and bulky. Also, neighborhood views are partially blocked by the rear cross-gable roof configuration. The garage location at the rear of the site contributes to the need for excessive grading, both on-site and partially on East Avenue, while excessive hardscape areas are also proposed on-site. The Planning Commission determined that the required findings of compliance with design review standards relating to neighborhood scale could not be made, including non-conformance to the General Plan Policies relating to responsible development in the area via proper management of the structure’s location and appearance.

D. COMPLETE ANALYSIS OF PROJECT COMPLIANCE WITH ALL APPLICABLE POLICIES AND REGULATIONS

The following is a complete analysis of the project’s compliance with all applicable regulations, policies and standards.

1. Conformance with the County General Plan

The Planning Commission’s findings for project denial included reference to specific General Plan Policies. Among them are that the project does not comply with Visual Quality Policies 4.14 (*Appearance of New Development*) and 4.35 (*Urban Area Design Concept*) that require structures to promote and enhance good design, and improve the appearance and visual character of development in the area by managing the location and appearance of the structure.

2. Conformance with Zoning Regulations

Development Standards

Although non-compliant with two policies of the General Plan as previously indicated, the project is in compliance with the R-1/S-17 Zoning Regulations as shown below:

Development Regulations	Required	Proposed
Building Site Area	6,000 sq. ft.	No Change
Building Site Width	60 ft.	No Change
Lot Coverage	35% max. (2,100 sq. ft.)	24.5% (1,467 sq. ft.)
Floor Area	53% max. (3,180 sq. ft.)	52.8% (3,167 sq. ft.)
Maximum Height of Structure	28 ft.	27.5 ft.
Minimum Front Yard Setback	20 ft.	21 ft.
Minimum Right Side Setback	5 ft.	12 ft.
Minimum Left Side Setback	5 ft.	12 ft.
Minimum Rear Yard Setback	20 ft.	34 ft.
Parking	2 Spaces Covered	2 Spaces Covered

3. Coastal Development Permit Exemption

The project site is located within the area designated as a Categorical Exclusion Area, and thus qualifies for an exemption from the requirement for a Coastal Development Permit.

4. Conformance with Design Review District Standards

The three-story appearance of the new residence is not in scale with the rest of the neighborhood which consists primarily of two-story homes. The cross gable roofs partially block views from neighborhood homes while the three-story rear area of the structure contributes to its mass and bulk. Also, the proposed grading on-site and on East Avenue to accommodate the placement of the garage at the rear of the parcel appears excessive. Large hardscape areas are also proposed that further contribute to the project's excessive limits (Attachment E).

E. ALTERNATIVE DESIGN

On August 13, 2013, the applicant requested an October hearing date before the Board of Supervisors in order to provide ample time for the applicant to develop a redesigned version of the project that would address the underlying issues identified by the Planning Commission. The plans were submitted to staff on August 30, 2013, and included the following changes (Attachment H):

1. New garage door pergolas
2. New roof above second floor windows
3. Basement door roof extension with adjacent window addition

4. Added landscaping
5. Lighter “belly band” color to create more contrast

However, upon review of the submitted plans, staff has determined that no substantial changes were incorporated into the redesign such as to warrant reconsideration of the current recommendation for denial. The mass and bulk, view impacts from neighboring homes, and the amount of hardscape areas have not been mitigated as a result of these changes. The grading amount has also increased from the original proposal of less than 250 cubic yards to 320 cubic yards, further contributing to the impact from excessive grading. The new amount of grading also necessitates the approval of a grading permit.

The pergola treatment above the garage door, the new roof above the second floor windows, the basement roof extension, the added landscaping and the lighter colored “belly band” do not substantially address the underlying issues for non-compliance with the Design Standards. The analysis contained in Section D therefore also applies to this redesigned version of the project.

On September 13, 2013, staff received letters from four neighbors indicating support for the project (Attachment I).

F. ALTERNATIVE BOARD OF SUPERVISORS DECISION

If your Board finds either the original or alternative proposal complies with the General Plan, Zoning Regulations, and Design Review Standards, recommended findings and conditions of approval have been included. See Attachment J.

G. ENVIRONMENTAL REVIEW

This project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), Section 15303, Class 3, related to new construction of small structures, including single-family residences in a residential zone.

H. REVIEW BY THE MIDCOAST COMMUNITY COUNCIL

The Midcoast Community Council did not forward a response to staff’s referral for this project.

I. REVIEW BY THE CALIFORNIA COASTAL COMMISSION

The California Coastal Commission did not forward a response to staff’s referral for this project.

J. OTHER REVIEWING AGENCIES

Building Inspection Section
Department of Public Works
Coastside Fire Protection District
Montara Water and Sanitary District

County Counsel has reviewed and approved the materials as to form.

The denial of the Design Review Permit to construct a new single-family residence ensures that the 2025 Shared Vision outcome of a Livable Community is substantiated by preventing the development of projects that do not promote and enhance good design, nor contribute to the improvement in the appearance and visual character of development in the area, as otherwise stipulated in General Plan Policies 4.14 and 4.35 and the Standards for Design for One-Family and Two-Family Residential Development in the Midcoast.

FISCAL IMPACT:

No fiscal impact.

ATTACHMENTS:

- A. Recommended Findings for Denial of the Project
- B. Vicinity Map
- C. Project Plans
- D. Appeal Submittals
- E. Planning Commission Decision Letter, dated April 30, 2013
- F. CDRC Decision Letters
- G. Site Photos
- H. Redesigned Plans
- I. Letters of Support
- J. Alternative Recommended Findings and Conditions of Approval
- K. Original and Redesign Comparisons

COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

RECOMMENDED FINDINGS FOR DENIAL OF THE PROJECT

Permit File Number: PLN 2012-00127

Board Meeting Date: October 22, 2013

Prepared By: Dennis P. Aguirre
Project Planner

For Adoption By: Board of Supervisors

RECOMMENDED FINDINGS:

Regarding the Design Review, Find:

1. Absent of any requirements triggered by technical or engineering issues, the proposed grading that expands beyond the footprint of the structure is in conflict with one of the standards in Section 6565.20(C)1b of the San Mateo County Zoning Regulations, which states that:

“To the extent feasible, site new buildings, additions, and associated infrastructure (wells, septic systems, water tanks, paved areas) on a parcel in locations that limit grading to the footprint of the structure and its immediate vicinity, unless otherwise required for technical or engineering reasons by a registered civil engineer, licensed architect or geotechnical consultant.”
2. Insufficient effort has been made to minimize the effect on views from neighboring homes, since the proposed home is three full stories with a massive gabled roof. This conflicts with the standard in Section 6565.20(C)2b of the San Mateo County Zoning Regulations, which states that:

“When designing a new home or an addition, an effort should be made to minimize the effect on views from neighboring houses.”
3. The new structure is out of scale with other homes in the neighborhood, resulting from the three-story configuration that requires further mitigation relative to its mass and bulk, in conflict with the standards in Section 6565.20(D)1b of the San Mateo County Zoning Regulations, which state that:

“(1) New and enlarged homes should respect the scale of the neighborhood through building dimensions, shape and form, façade articulation, or architectural details that appear proportional and complementary to other homes in the neighborhood, and (2) On relatively level lots, avoid designs that incorporate more than two useable floors, excluding basements, within

the maximum height limit, since this contributes to a massive and boxy appearance for the home and makes it more difficult to be in scale with surrounding one- and two-story homes. Multiple stories are allowed on sloping lots where it is necessary to ensure that the home steps up or down with the slope.”

4. The excessive size of outdoor hardscape areas, taken cumulatively, contributes to an undue increase in runoff and removes an unduly large amount of the site’s natural appearance, in conflict with the standards in Section 6565.20(F)2 of the San Mateo County Zoning Regulations, which state that:

“(1) Minimize the hardscape or impervious areas on-site in order to maximize permeable surfaces that have a more natural appearance, reduce the volume and improve the quality of runoff into creeks and storm drains, and (2) Driveways and walkways and parking areas on-site should be as small as possible within allowable standards, and should drain into adjacent on-site landscape areas, where possible.”