

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

**DATE:** October 18, 2018

**TO:** Zoning Hearing Officer

**FROM:** Planning Staff

**SUBJECT:** Consideration of a Coastal Development Permit, Non-conforming Use Permit, and Design Review Permit, pursuant to Sections 6328.4, 6133.b, and 6565.3, respectively, of the San Mateo County Zoning Regulations; and a Certificate of Compliance (Type B), pursuant to Section 7134 of the County Subdivision Regulations (January 1992), to legalize an undeveloped substandard-sized 2,285 sq. ft. parcel on Vassar Avenue; and to allow the operation of a beach club facility for Coastside Beach Club members, located in the unincorporated Princeton area of San Mateo County. The Non-conforming Use Permit includes an off-street parking exception to waive the required three (3) off-street parking spaces. The project is appealable to the California Coastal Commission. This item was continued from the October 4, 2018 ZHO hearing.

County File Number: PLN 2017-00485 (Dragony)

**PROPOSAL**

The applicant is seeking a Coastal Development Permit, Non-conforming Use Permit, and Design Review Permit to allow the operation of a beach club facility for Coastside Beach Club members on a vacant substandard-sized 2,285 sq. ft. parcel located on Vassar Avenue, south of its intersection with Princeton Avenue, in Princeton. The project includes a Certificate of Compliance (Type B) to legalize the parcel. Additionally, the applicant is seeking an off-street parking exception under the Non-conforming Use Permit to waive the required three (3) off-street parking spaces.

The beach club facility will support the Coastside Beach Club's objective to promote and encourage paddle-sports in the Princeton harbor by creating a facility that provides supporting infrastructure for club members. The facility will include a 10' (w) x 20' (l) x 10' (h) wood-framed rack that holds up to 12 rentable spaces for kayaks/stand-up paddleboards/surfskis; a 12' x 48' portable modular office building that will include space for member gear storage, changing rooms, and a restroom (toilet and sink); and outdoor space for a hot tub, "board" wash-down area, picnic area, and bike parking spaces. Wood fencing (no more than 4' in height) will be installed along the open sides of the parcel (east and west sides). The facility will be open for members only use from sunrise to sunset throughout the year.

## **RECOMMENDATION**

That the Zoning Hearing Officer approve the Coastal Development Permit, Non-conforming Use Permit, Design Review Permit, and a Certificate of Compliance (Type B), County File Number PLN 2017-00485, by adopting the required findings and conditions of approval listed in Attachment A.

## **BACKGROUND**

Report Prepared By: Summer Burlison, Project Planner; 650/363-1815

Owner/Applicant: Michelle Dragony

Location: Lot 3, Block 3 (Princeton by the Sea), Vassar Avenue, Princeton

APN: 047-034-070

Size: 2,285 sq. ft.

Existing Zoning: W/DR/CD (Waterfront/Design Review/Coastal Development)

General Plan/Local Coastal Program Designation: General Industrial

Parcel Legality: The applicant is seeking a Certificate of Compliance (Type B) to legalize the subject parcel, which was part of an antiquated subdivision entitled "Map of Princeton by the Sea, Half Moon Bay, San Mateo County, California", recorded on September 8, 1908. See staff's discussion in Section A.4 of this report.

Sphere-of-Influence: City of Half Moon Bay

Existing Land Use: Undeveloped, currently being used for storage of beach club items.

Water Supply: Coastside County Water District

Sewage Disposal: Granada Community Services District

Flood Zone: Zone X (area of minimal flooding); Community Panel Number 06081C0138F, effective August 2, 2017.

Environmental Evaluation: Categorically exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15303, Class 3, for the location of limited numbers of new structures; and Section 15315, Class 15, for the division of property (which a certificate of compliance establishing a parcel's legal status can be considered) in an urbanized area.

Setting: The project site is a flat undeveloped lot along Vassar Avenue, south of its intersection with Princeton Avenue. The site is currently being used to store equipment and structures for the operation of the proposed Coastside Beach Club facility.

Chronology:

<u>Date</u>	<u>Action</u>
January 17, 2017	- Application submitted.
August 3, 2018	- Application deemed complete for purposes of moving the project forward to a public hearing.
October 4, 2018	- Zoning Hearing Officer public hearing; item continued at the request of the applicant.
October 18, 2018	- Zoning Hearing Officer public hearing.

**DISCUSSION**

A. KEY ISSUES

1. Hearing Continuance

A public hearing for the project was held by the Zoning Hearing Officer on October 4, 2018. At the hearing, the project applicant raised concerns over the conditions of approval set forth by the Building Inspection Section and requested that the hearing be continued to October 18, 2018 to allow the applicant time to determine whether compliance with these conditions of approval could be achieved. The applicant has provided a revised site plan, included as Attachment D, showing adjustments to the site layout that demonstrates substantial project compliance with the Building Inspection Section's conditions of approval.

2. Conformance with the General Plan

Staff has determined that the project complies with all applicable General Plan Policies, including:

a. Visual Quality

Policy 4.15 (*Appearance of New Development*), Policy 4.36 (*Urban Area Design Concept*), and Policy 4.38 (*Urban Design Review District*) seek to regulate development to promote and enhance good design, site relationships and other aesthetic considerations; maintain and, where possible, improve upon the appearance and visual character of development in urban areas, including ensuring that new development is orderly and harmonious to the locality; and apply design review regulations where available.

The project applicant proposes to operate a beach club facility on the substandard-sized parcel to support and promote paddle sports

in the Princeton harbor. The project site will include several “portable” structures, including a wood-framed paddle-equipment rack (for kayaks/stand-up paddleboards/surfskis); a portable office modular; and a hot tub for use by the club members. Additionally, the site will include a “board” wash-down area, picnic tables, and bike parking spaces. Wood fencing (no more than 4’ in height) will be installed along the open sides of the parcel (east and west sides).

The project parcel is located on Vassar Avenue, between the Princeton beach and Princeton Avenue. Adjacent development includes one and two-story warehouse-type buildings with a driveway access easement at the rear of the parcel and the Half Moon Bay Yacht Club directly across Vassar Avenue. The project parcel’s location (approximately 150 ft. away from the low-lying shoreline bluff) is appropriate for the proposed use given the use’s dependency on shoreline and water access. The street-end of Vassar Avenue is a low-lying bluff to the Princeton beach that provides a relatively accessible, informal point of access to the Princeton beach. The proposed use and development will be compatible with the surrounding warehouse and yacht club developments in the immediate area.

b. Urban Land Use

Policy 8.24 (*Land Use Compatibility*), Policy 8.35 (*Zoning Regulations*), Policy 8.36 (*Uses*), and Policy 8.40 (*Parking Requirements*) seeks to ensure that development is compatible with adjacent land uses and in compliance with zoning development standards; regulate minimum on-site parking requirements in order to accommodate the parking needs of the development, provide convenient and safe access, prevent congestion on public streets, establish orderly development patterns, and discourage an over-reliance on auto travel to the exclusion of other travel modes.

The proposed beach club facility will be located on a parcel in the industrial area of Princeton across from the Half Moon Bay Yacht Club. The applicant is seeking an off-street parking exception to waive the required three (3) on-site parking spaces given the size of the parcel, in order to optimize use of the lot to support water recreation in the harbor. It is anticipated that members of the club would bicycle to the facility to pick-up their (on-site stored) paddleboards and associated gear, and would not need a vehicle to transport their boards and gear. See staff’s discussion below for zoning regulation and on-site parking compliance.

c. Water Supply

Policy 10.10 (*Water Supplies in Urban Areas*) and Policy 10.25 (*Efficient Water Use*) seek to encourage development in urban areas use public water supply and encourage the efficient use of water supplies through conservation methods.

The applicant proposes to connect to public water supplied by the Coastside County Water District (CCWD) to provide water for the restroom and wash-down area. The CCWD has confirmed that there are no installed or uninstalled water service connections assigned to the project parcel. Therefore, the applicant will need to acquire sufficient water capacity for the project in the form of a water service connection appropriate to serve the approved development. As a marine-related use, the proposed beach club facility qualifies for priority water connection through the CCWD. Conditions of approval from CCWD have been included in Attachment A of the staff report.

d. Wastewater

Policy 11.5 (*Wastewater Management in Urban Areas*) seeks to encourage public sewer systems as the appropriate wastewater management method in urban areas.

The applicant proposes to connect to public sewer supplied by the Granada Community Services District (GCSD) for the restroom. According to the GCSD, a sewer mainline to serve the project parcel exists on Vassar Avenue. Conditions of approval from GCSD have been included in Attachment A of the Staff Report for sewer connection requirements.

e. Man-Made Hazards

Policy 16.41 (*Regulate Land Uses to Assure Airport Safety*) and Policy 16.42 (*Limit Land Uses at Ends of Runways*) seek to regulate land uses surrounding airports to assure airport safety, which may include restrictions on permitted land uses and development review height criteria; and limit land uses in approach zones to low intensity uses.

According to the City/County Association of Governments of San Mateo County (C/CAG) Airport Land Use Compatibility Plan (ALUCP) for the Half Moon Bay Airport, the project site is located in Runway Safety Zone 2, Inner Approach/Departure Zone (AIDZ), which does not prohibit club facilities, as proposed, but does require additional airspace review for objects over 35 feet tall. All proposed supporting structures are one-story and will not exceed 30 feet in

height, which is the maximum allowed height limit in the “W” Zoning District for substandard-sized parcels.

3. Conformance with the Local Coastal Program

Staff has determined that the project complies with all applicable Local Coastal Program (LCP) policies, including:

a. Locating and Planning New Development

Policy 1.1 (*Coastal Development Permit*), Policy 1.2 (*Definition of Development*), Policy 1.5b (*Land Uses and Development Densities in Urban Areas*) and Policy 1.29 (*Legalizing Parcels*) requires a Coastal Development Permit (CDP) for development, which includes changes in the intensity of use of land, and for the issuance of Certificate of Compliance’s (Type B); and permits in urban areas the use and amount of development allowed on a parcel that is compliant with the density credit requirements of Table 1.2.

The current application includes a CDP to allow the operation of a beach club facility on an undeveloped parcel, and in conjunction with the request for a Certificate of Compliance (Type B). Furthermore, Table 1.2 (*Land Uses and Development Densities*) of the LCP locates industrial land uses in urban areas, such as in the Princeton Waterfront Zoning District, which allows marine clubs as a permitted use.

*Parcel Legalization*

Policy 1.30 (*Coastal Development Permit Standards of Review for Legalizing Parcels*) provides standards for review when legalizing parcels. On undeveloped parcels created after Proposition 20 (effective date January 1, 1973), it must be determined that the land division (which a certificate of compliance establishing a parcel’s legal status can be considered) is in conformance with the standards of the Coastal Development District regulations.

As proposed and conditioned, legalization of the project parcel for development will not result in any impacts to coastal resources. See staff’s discussion of project compliance with the LCP within this Section A.3 of the staff report.

*Half Moon Bay Airport Influence Area Requirements*

Policy 1.36 (*Half Moon Bay Airport Influence Area Requirements*) requires development within the Half Moon Bay Airport Influence Area to comply with Federal Aviation Administration standards and criteria regarding safety, flashing lights, reflective material, land uses which

may attract large concentrations of birds, HVAC exhaust fans, and land uses which may generate electrical or electronic interference with aircraft communications and/or instrumentation.

The project will comply with the applicable runway safety zone standards of the Half Moon Bay ALUCP, see staff's discussion in Section A.2 (Man-Made Hazards). Furthermore, the proposed use is limited to one-story structures to support a beach club facility. No activities or development is proposed on the property that would expect to generate a safety hazard for air traffic related to the Half Moon Bay Airport.

b. Visual Resources

Policy 8.12 (*General Regulations*) requires the application of Section 6565.17 (*Design Review Districts*) of the Zoning Regulations and the design criteria set forth in the Community Design Manual for all development in urban areas of the Coastal Zone, as discussed below:

*Section 6565.17.A.* requires proposed structures be situated so as to ensure adequate space for light and air to itself and adjacent properties.

The "W" Zoning District does not require any setbacks for development. Therefore, the adjacent developed lots to the north and south are built with one to two-story warehouse-style buildings on the common property lines to the subject parcel. Given the substandard-size of the project parcel, the beach club structures (i.e., portable modular, board storage racks) are proposed immediately next to the buildings on the adjacent properties. However, the street-front facing side of the parcel will remain open to accommodate a board wash-down area and picnic area.

*Section 6565.17.L.* requires the design of structures to be appropriate to the use of the property and in harmony with the shape, size and scale of adjacent buildings in the community.

The proposed structures are relatively minor when compared to the surrounding one and two-story development; however, they are appropriate in design and size to the proposed use and relatively scaled to the substandard-sized parcel. Proposed structures will cover 36% of the parcel, where 50% lot coverage is allowed under the "W" Zoning District Regulations, for substandard-sized parcels.

Additionally, Policy 8.13 (*Special Design Guidelines for Coastal Communities*) seeks industrial development in Princeton to employ subdued colors, textured building materials, and landscaping to add

visual interest and soften the harsh lines of standard building forms normally used in industrial areas.

The project proposes a 4-foot tall wood fence along the Vassar Avenue street frontage to add visual interest and soften the appearance of development on the property. Additionally, the front portion of the parcel (along Vassar Avenue) will remain open as a board wash-down area and picnic table area with bicycle parking, while the structures (i.e., portable modular, hot tub, and board storage rack) will be set back on the property towards the adjacent (rear) private access easement serving nearby properties. Exterior finishes on the portable modular and hot tub are of wood material in shades of blue and gray; the board storage rack is of wood material with a beige Ultra Violet (UV) netting. The materials and colors of structures for the proposed beach club facility are compatible to the surrounding blue and gray wood, metal, and block buildings in the area.

c. Shoreline Access

Policy 10.1 (*Permit Conditions for Shoreline Access*) and Policy 10.13 (*Commercial and Industrial Areas*) require the establishment and improvement of vertical shoreline access as a condition for obtaining a permit for commercial and industrial development along the shoreline.

The subject site is located between the ocean and Princeton Avenue, the first through road from the sea, and is therefore subject to this policy. The street-end of Vassar Avenue is a relatively low bluff that currently provides informal vertical shoreline access to the Princeton shoreline. The County is working toward completing Plan Princeton, an effort to provide comprehensive updates to the policies, plans, and standards regulating the Princeton area. One of the objectives for Plan Princeton is to develop a comprehensive strategy for designing and implementing a (Princeton) shoreline-wide management plan that integrates lateral and vertical access improvements to and along the Princeton shoreline. Therefore, staff is recommending compliance with this policy on a project-specific level be deferred until such time as the County has a shoreline-wide strategy in-place, at which time the property owner for this parcel would be required to participate in any County-initiated program, see condition of approval no. 4.

4. Conformance with the Zoning Regulations

a. Permitted Use

The project site is located within the Waterfront (W) Zoning District of Princeton, which prioritizes marine-related trades and services and permits marine-related clubs, as is proposed.

b. Development Standards

The proposed project complies with the applicable development standards of the Waterfront (W) Zoning District, as discussed below:

*Building Site Exception*

*Minimum Building Site and Lot Width.* The “W” Zoning District requires a minimum building site of 5,000 sq. ft. and lot width of 50 feet. Section 6288.6 (Building Site Exception) allows building sites less than 5,000 sq. ft., or with a width less than 50 feet, to be developed provided the parcel for which development is proposed was lawfully created in accordance with the applicable laws in effect when the land was divided.

The project parcel is a rectangular 25-foot wide parcel, with a lot size of 2,285 sq. ft. Upon staff’s review of a chain of title provided with the application for a Certificate of Compliance (CoC), staff determined that the parcel requires a “Type B” CoC pursuant to Section 7134.2 of the County Subdivision Regulations (January, 1992) to verify the parcel was lawfully created in accordance with the applicable laws in effect when the land was divided. As such, a CoC (Type B) is being recommended for approval under the subject application; see staff’s discussion in Section A.5 of this staff report.

*Maximum Building Height.* The maximum building height for a substandard-sized parcel is 30 feet. The project proposes structures that are no more than 20 feet above grade.

*Maximum Lot Coverage.* The maximum lot coverage allowed for a substandard-sized parcel is 50 percent. The project proposes a total lot coverage of 36 percent.

c. Parking

Pursuant to Chapter 3 (Parking) of the County Zoning Regulations, the proposed beach club includes a modular office building that will be used as office space, gear storage, and changing room space for members. Office spaces require one (1) parking space for each 200 sq. ft. of floor area. The modular building is 576 sq. ft. in size, thus, requiring three (3) on-site parking spaces. The applicant has requested an off-street parking exception, pursuant to Section 6120 of the Zoning Regulations, as part of the Non-conforming Use Permit, to waive the required on-site parking spaces for the proposed use given the parcel’s substandard size and in order to optimize use of the lot to support water recreation in the harbor. The applicant intends for the on-site storage accommodations for board and gear to eliminate the need for members to drive vehicles to the site. Instead, the applicant

will encourage alternative modes of transportation to the facility and is proposing four (4) bicycle spaces on-site for member use. Staff believes that the waiver of on-site parking is reasonable in-light of the parcel's substandard size and proposed plans for operation of the club. However, a total of six bicycle parking spaces will be made available on-site for member use, which is double the number of parking spaces being waived.

d. Non-conforming Use Permit

According to Section 6133.b(1)(a) of the Zoning regulations, a Non-conforming Use Permit is required for development of an unimproved non-conforming parcel where the minimum parcel size is 5,000 sq. ft. and minimum width requirement is 50 ft. and the actual non-conforming parcel is less than 3,500 sq. ft. in size and less than 35 ft. in width. Furthermore, Section 6133.b(1)(b) requires a Non-conforming Use Permit when such proposed development does not conform with the zoning regulations in effect. In such situations, the following findings are required in order to approve a Non-conforming Use Permit:

**(1) That the proposed development is proportioned to the size of the parcel on which it is being built.**

As previously mentioned, the proposed structures are appropriate in design and size for their intended use and relatively scaled to the substandard-sized 2,285 sq. ft. parcel. Proposed structures will cover 36% of the parcel, where 50% lot coverage is allowed under the "W" Zoning District Regulations, for substandard-sized parcels.

**(2) That all opportunities to acquire additional contiguous land in order to achieve conformity with the zoning regulations currently in effect have been investigated and proven to be infeasible.**

The Princeton-by-the-Sea subdivision was established in 1908 with the adjacent properties developed in the late 1990's/early 2000's. None of the adjacent developed lots significantly exceed the minimum lot size for the applicable zoning district, or have additional net land to offer the project parcel. Additionally, the adjacent parcels are under separate private ownership and not available for purchase.

**(3) That the proposed development is as nearly in conformance with the zoning regulations currently in effect as is reasonably possible.**

Despite the existing substandard-sized parcel, the project will comply with all of the development standards of the “W” Zoning District. However, in an effort to maximize space to support water recreation in the harbor, the applicant is seeking an off-street parking exception to waive the required three (3) on-site parking spaces for the proposed beach club facility. See staff’s discussion in Section A.4.c above.

- (4) 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 the said neighborhood.**

There is no evidence to suggest that the beach club facility, as proposed and conditioned, will have any detrimental effect upon coastal resources or result in adverse impacts to properties or improvements in the area. The project supports water recreation within the harbor and is compatible with other existing development in the area, including the Half Moon Bay Yacht Club located across the street from the project site. The “W” Zoning District prioritizes marine related trades and services, and therefore, permits marine clubs within the zoning district. The facility will be limited to club member use from sunrise to sunset throughout the year.

The project includes the request for an off-street parking exception to waive the three (3) required parking spaces due to the substandard size of the parcel and operational objective to optimize use of the lot for supporting water recreation in the harbor. The applicant intends for the on-site storage accommodation for boards and gear will eliminate the need for members to drive vehicles to the site. Therefore, instead of vehicle parking spaces, the applicant is proposing an area on-site for bicycle parking to encourage alternative modes of transportation to the facility. Staff believes that the waiver of on-site parking is reasonable in-light of the parcel’s substandard size and proposed plans for operation of the club, and has included a condition of approval requiring six (6) bicycles spaces be provided on-site, double the required number of parking spaces being waived.

- (5) That the use permit approval does not constitute a granting of special privileges.**

Approval of a Non-conforming Use Permit for development of a substandard-sized parcel does not constitute a granting of

special privilege as the Zoning Regulations Non-Conformities Chapter offers the same exception process for similar parcels under the same conditions.

e. Design Review

The project parcel is located in a Design Review overlay and therefore subject to design review. Non-residential development is required to comply with the design guidelines and criteria of the Community Design Manual and the LCP's Visual Resources Component. See Section A.3.b. (Visual Resources Component) for discussion on the project's compliance with the applicable design review standards of the Community Design Manual and Visual Resources Component of the LCP.

5. Conformance with the Subdivision Regulations (January 1992)

*The subject CoC application was deemed complete for purposes of moving the project forward to a public hearing on August 3, 2018, which predates the California Coastal Commission's August 10, 2018 certification of the County's 2018 Subdivision Regulations update. Therefore, the CoC is being reviewed for compliance with the County's preceding January 1992 Subdivision Regulations.*

A Conditional Certificate of Compliance (CoC) (Type B) is required to legalize parcels in compliance with provisions of the County and State subdivision laws in effect at the time of creation. This process is required before new development can proceed. Pursuant to Section 7134.2.b. of the County's Subdivision Regulations (January 1992), a parcel depicted as a lot on a subdivision map recorded by the County prior to July 20, 1945 shall be issued a conditional CoC (Type B) upon demonstration that the current parcel boundaries match those depicted on the approved 1908 map and the parcel was first conveyed separately from adjoining lands after July 20, 1945.

In this case, the parcel is Lot 3 in Block 3 as shown on that certain map entitled "Map of Princeton by the Sea, Half Moon Bay, San Mateo County, California", filed in the County Recorder of San Mateo County on September 8, 1908, and its first conveyance separately from adjoining land was after the County's adoption of its first Subdivision Ordinance on July 20, 1945. Staff's review of a chain of title confirms that the project parcel was first conveyed separately from adjacent land on June 11, 1997.

Pursuant to Section 7134.2 of the Subdivision Regulations, a Conditional Certificate of Compliance may be issued on a parcel which does not conform to the general plan or zoning regulations in effect at the time of division (1997) provided the land divider did not willfully or knowledgeably violate the Subdivision Map Act or County Subdivision Regulations.

Additionally, the Community Development Director has the discretion to impose any conditions which would have been applicable to the division of the property at the time.

There is no evidence to suggest that the previous land divider/owner, in 1997, willfully or knowingly violated the Subdivision Map Act or County Subdivision Regulations by illegally conveying the parcel. The illegal conveyance in 1997 of the project parcel predates the recent *Abernathy and Witt* court decisions of 2008 and 2009, respectively, which changed the County's previously presumed legal status for lots of record of subdivisions recorded prior to 1937, which would include the subject lot.

The Zoning Regulations in effect at the time of division (1997) required a minimum lot size of 5,000 sq. ft. and minimum width of 50 feet. The parcel's current substandard dimensions and size, established under the original 1908 subdivision, do not comply with the zoning regulations in effect at the time of division; however, the Subdivision Regulations would have offered an exception to the parcel design requirements (e.g., size, dimensions) if the parcel is to be used for commercial or industrial purpose, as zoned and proposed. Thus, the division in 1997 would have been found in compliance with the zoning and subdivision regulations, upon a condition that a Non-conforming Use Permit be granted prior to the approval of any development permits for the substandard-sized parcel, as being sought under the current project.

B. MIDCOAST COMMUNITY COUNCIL

The Midcoast Community Council (MCC) provided written confirmation on April 12, 2018 that they had no comment on the proposed project.

C. ENVIRONMENTAL REVIEW

The project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15303, Class 3, for the location of limited numbers of new structures in an urbanized area with public utilities where the total building square footage will not exceed 2,500 sq. ft. and no hazardous substances are involved. Additionally, the proposed parcel legalization is categorically exempt from CEQA, pursuant to Section 15315, Class 15, for the division of property (which a certificate of compliance establishing a parcel's legal status can be considered) in an urbanized area zoned for industrial use into four or fewer parcels, where the division is in conformance with the General Plan and zoning, no variances are required, and all services and access to the parcel are available.

D. REVIEWING AGENCIES

<b>Reviewing Agency</b>	<b>Conditional Approval</b>	<b>No Comments</b>	<b>No Response</b>
Building Inspection Section	X		
Civil Section (Drainage)	X		
Environmental Health Services		X	
Coastside Fire Protection District	X		
Coastside County Water District	X		
Granada Community Services District	X		
Midcoast Community Council		X	
California Coastal Commission		X	

**ATTACHMENTS**

- A. Recommended Findings and Conditions of Approval
- B. Vicinity Map
- C. Operational Statement
- D. Site Plan
- E. Survey
- F. Photos

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County of San Mateo  
Planning and Building Department

**RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL**

Permit or Project File Number: PLN 2017-00485      Hearing Date: October 18, 2018

Prepared By: Summer Burlison  
Project Planner

For Adoption By: Zoning Hearing Officer

**RECOMMENDED FINDINGS**

For Environmental Review:

1. That the project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15303, Class 3, for the location of limited numbers of new structures in an urbanized area with public utilities where the total building square footage will not exceed 2,500 sq. ft. and no hazardous substances are involved. Additionally, the proposed parcel legalization is categorically exempt from CEQA, pursuant to Section 15315, Class 15, for the division of property (which a certificate of compliance establishing a parcel's legal status can be considered) in an urbanized area zoned for industrial use into four or fewer parcels, where the division is in conformance with the General Plan and zoning, no variances are required, and all services and access to the parcel are available.

For the Coastal Development Permit:

2. That the project, as described in the application and accompanying materials required by Section 6328.7 of the Zoning Regulations and as conditioned in accordance with Section 6328.14, conforms to the plans, policies, requirements, and standards of the San Mateo County Local Coastal Program (LCP), specifically in regard to the Locating and Planning New Development, Visual Resources, and Shoreline Access Components of the LCP as the project is located in the Waterfront Zoning District which prioritizes marine-related trades and services, including marine clubs, as proposed; the applicant is seeking a Coastal Development Permit for the proposed development, and in association with the issuance of a Certificate of Compliance (Type B); the project does not involve any activities or development that would pose a safety hazard for air traffic related to the Half Moon Bay Airport, or impose impacts to coastal resources; the proposed development is sized and scaled appropriately to the substandard-sized parcel and intended use; and exterior materials and colors are compatible to surrounding development.

3. That the project is located between the nearest public road (Princeton Avenue) and the sea; thus, is subject to public access and public recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Section 30200 of the Public Resources Code). The nearest street-end, Vassar Avenue, is a relatively low bluff that currently provides informal vertical shoreline access to the Princeton shoreline. In the interest of developing a comprehensive-wide shoreline management strategy that integrates access improvement to and along the Princeton Shoreline, including at Vassar Avenue, the County is deferring vertical access improvements as part of the subject permit until such time that a shoreline-wide strategy is in-place, at which time the property owner for this project site will be required to participate in any associated County-initiated program.
4. That the project conforms to the specific findings required by the policies of the San Mateo County LCP with regard to Locating and Planning New Development, Visual Resources, and Shoreline Access, as discussed in detail in the staff report dated October 4, 2018 as the project proposes a permitted use in the Waterfront Zoning District; does not pose any safety hazard or impacts to coastal resources; and the development is sized, scaled, and designed (i.e., materials and colors) to be appropriate for the substandard-sized parcel, and be compatible with surrounding development in the area.

For the Non-conforming Use Permit:

5. That the proposed development is proportioned to the size of the parcel on which it is being built as the structures are appropriate in design and size for their intended use and relatively scaled to the substandard-sized parcel. Additionally, the project complies with the maximum allowed 50% lot coverage for a substandard-sized parcel in the "W" Zoning District, as the project proposes 36% lot coverage.
6. That all opportunities to acquire additional contiguous land in order to achieve conformity with the zoning regulations currently in effect have been investigated and proven to be infeasible as none of the adjacent developed lots significantly exceed the minimum lot size for the applicable zoning district, or have additional net land to offer the project parcel. Additionally, the adjacent parcels are under separate private ownership and not available for purchase.
7. That the proposed development is as nearly in conformance with the zoning regulations currently in effect as is reasonably possible as the project will comply with all of the development standards of the "W" Zoning District, except for minimum parcel size and width, which were established under a 1908 subdivision. In an effort to maximize space to support water recreation in the harbor, a primary objective for the beach club, an off-street parking exception is being sought to waive the required three (3) on-site parking spaces on the substandard-sized parcel. The waiver of on-site parking is reasonable in-light of the parcel's substandard size and proposed plans for operation of the beach club.

8. 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 the said neighborhood as there is no evidence to suggest that the beach club facility, as proposed and conditioned, will have any detrimental effect upon coastal resources or result in adverse impacts to properties or improvements in the area. The project supports water recreation within the harbor and is compatible with other existing development in the area, Furthermore, the waiver of on-site parking is reasonable in-light of the parcel's substandard size and proposed plans for operation of the beach club. Given the club facility will provide accommodations for members to store their board and gear on-site, it is reasonable to expect members would use alternative modes of transportation to the facility.
9. That the use permit approval does not constitute a granting of special privileges as the Zoning Regulations Non-Conformities Chapter offers the same exception process for similar parcels under the same conditions.

For the Design Review Permit:

10. That the project complies with the design guidelines and criteria of the Community Design Manual and the LCP's Visual Resources Component as the proposed development is compatible with surrounding development in the Princeton area and is appropriately scaled for the subject substandard-sized parcel.

For the Certificate of Compliance (CoC) (Type B):

11. That the processing of a CoC (Type B) is in full conformance with the County Subdivision Regulations (January 1992), Section 7134.2 (Legalization of Parcels; Certificates of Compliance).
12. That the processing of the CoC (Type B) is in full conformance with Government Code Section 66499, et seq.

**RECOMMENDED CONDITIONS OF APPROVAL**

Current Planning Section

1. This approval applies only to the proposal, documents, and plans described in this report and approved by the Zoning Hearing Officer on October 18, 2018. The Community Development Director may approve minor revisions or modifications to the project if they are consistent with the intent of, and in substantial conformance with, this approval.
2. The Coastal Development Permit, Non-conforming Use Permit, and Design Review Permit 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 building inspection (to the satisfaction of the Building Inspector) shall have occurred within

180 days of its issuance. Any extension to these permits shall require submittal of a request for permit extension and payment of applicable extension fees, no less than sixty (60) days prior to expiration. An extension of these approvals will be considered upon written request and payment of the applicable fees sixty (60) days prior to the expiration of the approvals.

3. Any change in use or intensity not already approved shall require an amendment to the Coastal Development Permit. An amendment requires an application for amendment, payment of applicable fees, and consideration at a public hearing.
4. The property owner shall agree in writing to participate in an area-wide shoreline management and access plan for the Princeton shoreline. This agreement shall be submitted for Planning Department/County Counsel review prior to the issuance of a building permit and shall commit the current and/or future property owners to contributing their fair share of the cost of designing, permitting, constructing and maintaining the solution. This agreement shall be recorded as a deed restriction for the parcel.
5. These permit approvals do not authorize overnight use or stay on the property by any persons.
6. The approved facility is limited for use by club members only. No walk up/drop-in equipment rental is permitted under this approval.
7. Fencing along street fronting property lines shall be limited to four (4) feet in maximum height. Chain link fencing shall be prohibited. All fencing shall be maintained in good condition for the life of the use. Any damage to fencing shall be promptly repaired.
8. Any proposed on-site signage shall be submitted to the Planning and Building Department for review and approval prior to installation, and may require the need for a building permit.
9. The applicant shall pursue the feasibility of a water recycling system for the board wash-down area; any such system shall require a building permit prior to installation.
10. Any outdoor garbage dumpsters shall be screened by 6-foot high fencing and/or landscaping materials for screening purposes.
11. The applicant shall be responsible for ensuring that all garbage, debris, litter and/or solid waste generated from the proposed use is properly disposed of and picked up on a daily basis.
12. Any exterior lighting shall be designed and located so as to confine direct rays to the subject property and prevent glare in the surrounding area. Any proposed exterior lighting shall be reviewed and approved by the Planning Department

(design manufacturer's "cut sheets") prior to the issuance of a building permit and/or installation of such fixtures.

13. Any new utilities shall be located underground from the nearest existing pole. No new poles are permitted to be installed.
14. The approved use shall maintain compliance with the noise, odor, lighting, and vibration standards of the Waterfront Zoning District.
15. All activities related to the approved use shall be conducted in accordance with the County Noise Ordinance (San Mateo County Noise Ordinance, Title 4, Chapter 4.88). Noise levels produced by activities originating on the subject premises shall not exceed the levels established in the County Noise Ordinance and the performance standards of the Waterfront Zoning District.
16. The facility shall maintain on-site a bicycle parking area that provides space for a minimum of six (6) standard-sized bicycles, which is double the number of required parking spaces being waived with an Off-Street Parking Exception (under approval of the Non-conforming Use Permit).
17. The applicant shall encourage members to carpool and/or use alternative modes of transportation to the project site. Information shall be made readily available on any club website and/or to members of the club with options for alternative modes of transportation to the facility, including public transit service. This information shall include, but not be limited to, a map of bus stops and public parking lots available in the area.
18. The Certificate of Compliance (Type B) shall be recorded prior to the issuance of any other permits for development on the property. Upon request, the applicant shall provide the project planner with a check to cover any fees charged by the Recorder's Office for recording of the Certificate of Compliance.

#### Building Inspection Section

19. The modular unit shall be equipped with a fire suppression system.
20. Walls (of the modular unit) closer than 5 feet to an adjacent property line shall be of 1-hour fire-rated construction.
21. A building separation of 5 feet shall be provided between the modular unit and any other structure or building on-site.
22. The modular unit shall be permanently affixed to the ground; such permanent system shall be reviewed and approved by the Planning and Building Department via a building permit.
23. The modular unit shall be fully accessible to meet American Disabilities Act (ADA) requirements, including a ramp providing access to the modular unit.

24. The site shall be fully accessible to meet ADA requirements.
25. Storage under the modular unit will necessitate the installation of a 1-hour fire separation between the modular unit and storage area.
26. The hot tub must be completely fenced, in compliance with Building Code standards for swimming pools (which includes the regulation of hot tubs), as well as meet all accessibility requirements.

Civil Section (Drainage)

27. In compliance with the County’s Drainage Policy, the applicant shall submit a drainage plan and calculations, as necessary, that demonstrate how post-development stormwater flow volume and velocity are less than or equal to pre-development conditions, and how runoff to adjacent properties will be prevented. The drainage plan shall include existing and proposed surface runoff volume and velocity at all points of discharge from the site. Proposed drainage devices shall be illustrated and detailed on the plans. Refer to the County’s Minimum Drainage Report Requirements Checklist for guidance.
28. Any exposed carpet on the premise must be designed and rated for outdoor use.

Coastside Fire Protection District

29. *Emergency Building Access.* The proposed project will require the installation of “Knox Boxes”. These emergency key boxes are required when access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life saving or fire-fighting purposes. The Chief will determine the location for the key box and provide an authorized order form. Any security gate systems controlling vehicular access shall be equipped with a “Knox”; key operated emergency entry device. The applicant shall contact the Fire Prevention Bureau for specifications and approvals prior to installation.
30. *Address Numbers.* Building identification shall be conspicuously posted and visible from the Vassar Avenue roadway. (TEMPORARY ADDRESS NUMBERS SHALL BE POSTED PRIOR TO COMBUSTIBLES BEING PLACED ON SITE). The letters/numerals for permanent address numbers shall be of 6-inch height with a minimum 3/4-inch stroke and of a color, which is contrasting with the background. Such letter/numerals shall be illuminated and facing the direction of access.

Distance from Road	Address No. Size
0-50 feet	6-inch
50-100 feet	8-inch
100-150 feet	10-inch
150+ feet	12-inch
(with a corresponding increase in stroke width)	

31. *Exit Door Hardware.* Exit door(s) shall be operable from the inside without the use of a key, special knowledge or effort. Exception: Main exit doors may be equipped with a keyed-locking device if there is a readily visible sign on or adjacent to the door stating "THIS DOOR TO REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED". The letters in the sign shall not be less than 1-inch in height.

32. *Exit Illumination.*

*Illumination:* Signs shall be internally or externally illuminated by two electric lamps or shall be of an approved self-luminous type.

*Power Supply:* Current supply to one of the lamps for exit signs shall be provided by the premises wiring system. Power to the other lamp shall be from storage of batteries or an on-site generator set. Include exit illumination with electrical plans and submit to the San Mateo County Planning and Building Department for review and approval.

33. *Occupancy Load Sign.* Any room having an occupant load of 50 or more where fixed seats are not installed, and which is used for classroom, assembly or similar purpose, shall have the capacity of the room posted in a conspicuous place.

34. *Vegetation Management.* Compliance with the Coastside Fire District Ordinance 2016-01, the 2013 California Fire Code and Public Resources Code 4291 is required, as applicable:

- a. A fuel break of defensible space is required around the perimeter of all structures to a distance of not less than 30 feet and may be required to a distance of 100 feet or to the property line. In State Responsible Area (SRA) the fuel break is 100 feet or to the property line.
- b. Trees located within the defensible space shall be pruned to remove dead and dying portions, and limbed up 6 to 10 feet above the ground. New trees planted in the defensible space shall be located no closer than 10 feet to adjacent trees when fully grown or at maturity.
- c. Remove that portion of any existing tree, which extends within 10 feet of the outlet of a chimney or stovepipe or is within 5 feet of any structure.

35. *Fire Extinguishers.* There must be at least one 2A10BC fire extinguisher for each 3,000 square feet of building space, travel distance not to exceed 75 feet with at least one extinguisher per floor per Title 19, California Code of Regulations.

36. A final inspection by the Coastside Fire Protection District is required prior to building inspection final on any associated building permit for the approved use.

### Coastside County Water District

37. The applicant shall acquire sufficient water capacity for the proposed project.
38. Eligibility for priority water service from the Coastside County Water District requires the owner submit written confirmation from the San Mateo County Planning and Building Department that the project parcel is eligible for priority status.
39. The applicant shall submit a complete set of building plans and fire plans to the Coastside County Water District that are in compliance with all applicable Coastside County Water District regulations for water service review and approval prior to the issuance of any associated building permit for the project. The location of all existing and proposed utilities and easements shall be shown on the site or civil plans, including locations of all water services, fire services, and fire hydrants.
40. An approved backflow protection is required on all non-residential domestic, irrigation, and fire services.
41. The Coastside County Water District does not allow passive purge systems when fire sprinkler systems are required.
42. Fire protection services may only be authorized for fire protection; there shall be no cross connections. Calculations for fire protection should include the installation of a backflow device for sizing purposes.

### Granada Community Services District

43. The applicant must obtain a sewer connection permit to connect the project to the Granada Community Services District wastewater facilities.
44. A Sewer Variance Permit is required by the Granada Community Services District to provide sewer service to a non-conforming parcel.
45. All projects requiring a Sewer Variance Permit, or projects which require two or more Equivalent Residential Units of sewer capacity, or the preparation of a negative declaration or environmental impact report pursuant to the California Environmental Quality Act, must be considered by the District Board of Directors for approval before a sewer permit is obtained.

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