

**CITY OF SAN MATEO
RESOLUTION NO. ____ (2023)**

**RESOLUTION DENYING THE APPEAL OF A ZONING ADMINISTRATOR DECISION AND UPHOLDING THE
APPROVAL OF PLANNING APPLICATION PA-2022-051 FOR A SINGLE-FAMILY DWELLING DESIGN
REVIEW AT 329 GREENFIELD AVENUE (APN 042-214-030).
(PA-2022-051, 329 GREENFIELD AVENUE SFDDR)**

WHEREAS, Jessica Sin of JSD Architecture + Design (herein referred to as the “Applicant”) submitted Planning Application PA-2022-051 for a Single-Family Dwelling Design Review (SFDDR) to construct a new 566 square-foot, second-story addition, and a 344 square-foot, one-story addition to an existing one-story single-family residence, located at 329 Greenfield Avenue, APN 042-214-030 (collectively referred to as “Project”) in the City of San Mateo (“City”); and,

WHEREAS, the Zoning Administrator found that the Project is categorically exempt from California Environmental Quality Act (CEQA) under Section 15301(e); and

WHEREAS, the Zoning Administrator found that the Project is consistent with the applicable policies of the General Plan and other applicable codes and policies; and

WHEREAS, the Zoning Administrator approved the Project on March 2, 2023, following a duly noticed public review period; and

WHEREAS, Dennis Lee (herein referred to as the “Appellant”) filed an Appeal of the decision by the Zoning Administrator to approve the Project (Planning Application PA-2022-051) on March 11, 2023; and

WHEREAS, the San Mateo City Charter and Municipal Code Section 27.08.090 authorizes the Planning Commission to take action on the Appeal of a Zoning Administrator decision; and

WHEREAS, the Planning Commission held a public hearing to grant the continuance of the Appeal on May 9, 2023, duly noticed, at which all public comments were considered.

WHEREAS, the Planning Commission held a public hearing to consider the Appeal on May 23, 2023, duly noticed, at which all public comments were considered.

NOW, THEREFORE, BE IT RESOLVED THAT THE PLANNING COMMISSION OF THE CITY OF SAN MATEO, DOES HEREBY DENY THE APPEAL AND UPHOLD THE DECISION BY THE ZONING ADMINISTRATOR TO APPROVE PLANNING APPLICATION PA-2022-051 AT 329 GREENFIELD AVENUE, APN 042-214-030; BASED UPON THE FOLLOWING FINDINGS FOR APPROVAL AND THE CONDITIONS OF APPROVAL INCLUDED IN EXHIBIT A TO THIS RESOLUTION:

1. The Project will not have a significant effect on the environment and is therefore categorically

exempt from the provisions of CEQA under Section 15301(e).

2. The Single-Family Dwelling Design Review, pursuant to SMMC Section 27.08.032, and associated Conditions of Approval are approved based on the following findings:

- a) The structures, site plan, and landscaping are consistent with the adopted R1 Single Family Dwelling Design Guidelines in that:
 - i. The proposed addition is well-integrated with the existing architectural character of the neighborhood. The existing surrounding neighborhood consists of mainly ranch style architecture. The proposed addition will also maintain the existing architectural style of the house, which is best characterized as ranch style architecture.
 - ii. The proposed addition is located away from the edges of the property, keeping volumes away from the property line. The proposed second-story addition has a front setback of 25 feet and 9 ½ inches, which reduces the apparent mass along the front façade of the residence. The character and scale of the addition are also compatible with other neighboring house, which include both one and two-story residences.
 - iii. The proposed addition provides second story setbacks on all sides to respect the privacy of adjacent neighbors. Second story windows facing the rear property line have a rear yard setback of 25 feet and are located more than 50 feet from the rear windows of the adjacent residence to the rear. The proposed second story rear windows will be obscured for privacy. In addition, privacy landscape hedges approximately 15 feet in height at maturity with a growth rate ranging from one to three feet per year are proposed along the rear fence for privacy screening.
 - iv. The proposed exterior material palette will include stucco, which is continued from the existing residence design; high quality, dark matte standing seam metal roofing; aluminum clad windows; and smooth limestone for the arch porch trims which altogether create a harmonious design.
- b) The development will not be detrimental to the harmonious and orderly growth of the City in that the proposed residence is designed in accordance with the San Mateo Zoning Code and adheres to the maximum floor area ratio, minimum setback, and maximum building height. The proposed residence is in a one-family dwelling zoning district (R1-C) which allows for a maximum floor area of 0.50 for parcels up to 6,000 square-feet plus 0.20 for any parcel area over 6,000 square-feet. The maximum height is 24 feet to the plate line and 32 feet to the roof peak. The daylight plane requirement is 12 feet from grade along the side property lines projecting into the lot at a 45-degree angle. The proposed residence is in conformance with the maximum allowable floor area ratio, minimum setbacks, maximum height, and daylight plane requirement.

- c) The development will not impair the desirability of investment or occupation in the vicinity, and otherwise is in the best interests of the public health, safety, or welfare in that the proposed project is designed in a manner that is sensitive and compatible with the surrounding neighborhood.
- d) The development meets all applicable standards as adopted by the Planning Commission and City Council, conforms with the General Plan, and will correct any violations of the zoning ordinance, building code, or other municipal codes that exist on the site in that the proposed dwelling does not exceed the height limitation, parking, or daylight plane requirements for the site and will be constructed in conformance with the Uniform Building Code.
- e) The development will not adversely affect matters regarding police protection, crime prevention, and security in that it will be constructed in accordance with the City's Security ordinance.

BE IT FURTHER RESOLVED, BY THE PLANNING COMMISSION OF THE CITY OF SAN MATEO, CALIFORNIA AS FOLLOWS:

1. The Project conforms to applicable policies of the Land Use Element policies of the City's General Plan.
 - a) In accordance with Policy LU 1.9, which encourages the preservation of single-family areas and limiting new development to low-density residential uses, the proposed Project maintains the single-family use as delineated on the Land Use Map by proposing an addition to an existing single-family residence.
 - b) In accordance with Policy LU 1.9a, which encourages the livability of San Mateo neighborhoods by reviewing Single-Family Dwelling Design Review planning applications for compatibility with the City's Single-Family Design Guidelines, the Project has been evaluated for compatibility with the surrounding neighborhood and incorporates guidance from the City's Single-Family Design Guidelines by stepping back the second-story to reduce the overall scale and massing that is similar to surrounding residences. The Project includes a large covered front porch to create a human scaled appearance and helps further compatibility with the neighborhood and residences.
2. The Project conforms to Policy UD 2.12 of the Urban Design Element of the City's General Plan, which encourages single-family dwellings to substantially conform to the City's Single-Family Design Guidelines and preserve the neighborhood scale, materials, architectural style, privacy, and views. The Project has been evaluated to conform with the City's Design Guidelines and preserves and enhances the neighborhood through maintaining similar building scale as existing residences and common materials such as stucco finish and high-

quality materials such as dark matte standing seam metal roof, aluminum clad windows, and smooth limestone finishes.

CITY OF SAN MATEO PLANNING APPLICATION

CONDITIONS OF APPROVAL

PA-2022-051, 329 GREENFIELD AVE., SFDDR

329 GREENFIELD AVE, SAN MATEO, CA 94403-5011

PARCEL # 042214030

AS APPROVED BY THE PLANNING COMMISSION ON _____.

The following conditions of approval apply to the project referenced above. The conditions of approval are grouped under specific headings that relate to the timing of required compliance. Additional language within a condition may further define the timing of required compliance. Types of Building permits include Demolition, Shoring/Excavation, Foundation, and Superstructure.

The following conditions shall be satisfied prior to issuance of a DEMOLITION PERMIT, BUILDING PERMIT FOR SHORING OR FOUNDATION, or SITE DEVELOPMENT PERMIT, whichever is issued first, or prior to the deadline specified in that condition.

Planning Division (PA)

- 1 APPROVED PLANNING APPLICATION CONFORMANCE – All building permit plans, details, and subsequent construction shall substantially conform with the approved planning application. This includes but is not limited to plans, materials, project description, and other items submitted as part of the approved planning application. Any proposed modifications to the approved planning application shall be reviewed and approved by the Community Development Director, or his/her designee, prior to construction of the proposed modifications. The Community Development Director, or his/her designee, shall determine whether the proposed modifications substantially conform with the approved planning application, or whether a planning application modification is required to be submitted to permit the proposed modifications, as required by Municipal Code Section 27.08.080 Modifications. (PLANNING)
- 2 CONDITIONS OF APPROVAL – This complete list of Conditions of Approval shall be reproduced onto the second sheet of all building permit plan sets. (PLANNING)
- 3 PAYMENT OF OUTSTANDING PLANNING APPLICATION FEES – The applicant shall pay all outstanding planning application fees. (PLANNING)

Building Division (PA)

- 4 APPLICABLE BUILDING STANDARDS AND LOCAL CODES – All building permit plans shall demonstrate compliance with the applicable California Building Standards Codes and local amendments as adopted by the Building Division at the time of filing the building permit application. (BUILDING)
- 5 SITE SURVEY – The applicant shall provide a full site survey stamped and signed by a Land Surveyor licensed by the State of California. The survey shall include, but not be limited to:

location and dimensions of property lines, location of streets and easements, existing buildings, topographic contour lines, trees/landscape, and other structures. (BUILDING)

- 6 SOILS REPORT AND INVESTIGATION LETTER – The applicant shall submit a stamped, signed, and dated soils investigation report containing design recommendations and integrate recommendations into the plans as-appropriate, to the satisfaction of the Building Official or his/her designee. The applicant shall also submit a letter stamped and signed by the Geotechnical engineer of-record stating the plans and specifications substantially conform to the recommendations in the soil report, subject to the satisfaction of the Building Official or his/her designee. (BUILDING)

Public Works Department (PA)

- 7 STORM WATER POLLUTION PREVENTION PLAN (SWPPP) – The project applicant shall provide a Storm Water Pollution Prevention Plan (SWPPP) in compliance with Bay Area Stormwater Management Agencies Association (BASMAA) Blueprint for a Clean Bay Best Management Practices to Prevent Stormwater Pollution from Construction-Related Activities. (PUBLIC WORKS)

The following conditions shall be satisfied prior to issuance of a BUILDING PERMIT FOR THE SUPERSTRUCTURE.

Building Division (PA)

- 8 CALGREEN – The building permit plans shall incorporate the applicable CALGreen Checklist noting the green building measures the project will incorporate in accordance with the California Green Building Standards Code and City of San Mateo Reach Codes subject to the review and approval by the Building Official, or his/her designee. Current City of San Mateo CALGreen checklists are located on Building Division webpage or will be provided by Community Development Department staff, if requested. (BUILDING)
- 9 WATER CONSERVATION IN LANDSCAPING – The applicant shall submit a completed Water Conservation in Landscaping Screening Form. If the screening form indicates the project is subject to the Water Conservation in Landscaping Ordinance pursuant to Municipal Code Section 23.72.030, additional documentation prescribed by the screening form shall also be included with the site plan. City of San Mateo Water Conservation in Landscaping forms are located on Building Division webpage. The applicant shall submit the required landscape documentation package with building permit application subject to the review and satisfaction of the Building Official, or his/her designee. (BUILDING)

Fire Department (PA)

- 10 CODE CONFORMANCE – The applicant shall indicate on all building permit plans that all construction shall meet current code standards at the time of building permit submittal. The building permit plans are subject to review and approval by the Fire Marshal or his/her designee. (FIRE)

- 11 FIRE DEPARTMENT SUBMITTALS – The applicant shall submit all plans involving fire systems (including but not limited to fire sprinklers, fire hydrants, and fire alarms) in conjunction with the superstructure building permit plans to the Fire Department. The plans are subject to review and approval by the Fire Marshal or his/her designee. (FIRE)

Public Works Department (PA)

- 12 SEWER LATERAL INSPECTION – As required by Municipal Code Section 7.38.432, the applicant shall hire a licensed plumber or contractor to perform a sewer lateral inspection and complete a Sewer Lateral Inspection Form (Form) to be submitted to the Director of Public Works or designee, unless the project is exempt per Municipal Code Section 7.38.432(c)(2). The video inspection shall be completed prior to building permit issuance. The Form shall be reviewed by the Department of Public Works. If the Form indicates a failed inspection, the repair and/or replacement of the sewer lateral shall appear on the building permit plans for the superstructure prior to building permit issuance. In addition, if the Form indicates a failed inspection, the applicant shall repair and/or replace the sewer lateral, with all required permits, and provide an updated Form with a passing inspection, prior to occupancy. (PUBLIC WORKS)

- 13 UNDERGROUND UTILITIES – The building permit plans for the superstructure shall show the installation of all new, and upgraded, utility services, including telephone, electric power, and other communications lines underground to the building in accordance with City of San Mateo Municipal Code 26.32.020. Transformers and switch gear cabinets shall be placed on private property or within a utility easement. (PUBLIC WORKS)

- 14 UTILITIES – It is required that the project underground any new or upgraded service lines serving the site, including but not limited to CTV and Electrical line. No overhead connection is allowed.

The Developer shall provide joint trench composite plans for the underground electrical, gas, telephone, cable television, and communication conduits and cables including the size, location and details of all trenches, locations of building utility service stubs and meters and placements or arrangements of junction structures.

Sanitary sewer laterals and/or water meters located in driveways shall have traffic rated boxes and lids.

Developer is required to confirm the location of existing utility lines along the project frontage by potholing. Prior to any potholing, developer shall obtain an encroachment permit and submit a pothole plan for City review and approval. Developer shall provide the pothole results to the Director of Public Works or designee or designee prior to final design. Any utility conflicts shall be the responsibility of the developer to rectify. (PUBLIC WORKS)

- 15 WASTEWATER CAPACITY CHARGE – A wastewater capacity charge, as established by San Mateo Municipal Code Chapter 7.38.065, is imposed on all new development to recover a proportionate share of costs for existing and future wastewater system facilities and assets from new or expanded connections to City wastewater systems. The applicable wastewater capacity charge is determined by use, wastewater flow, and wastewater strength loadings and the amount shall be established by City Council resolution. The fee shall be collected by the Public Works Department and paid prior to issuance of the first superstructure building permit. The fee shall be based on the most current adopted fee schedule at the time of payment. (PUBLIC WORKS)

The following conditions shall be met prior to RELEASE OF UTILITIES, FINAL INSPECTION, ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY, or ISSUANCE OF A CERTIFICATE OF OCCUPANCY, whichever occurs first.

Planning Division (PA)

- 16 FINAL LANDSCAPING FOR SINGLE FAMILY PROJECTS – Apart from paved driveway and walkway areas, required front yard and street-side yard areas (if applicable) shall be improved with landscaping, which may consist of a combination of drought-tolerant plants and other organic and inorganic materials, except paving. If new landscaping is not proposed, any damaged landscaping shall be replaced with new landscaping as described above. Proposed new landscaping shall be shown on the building permit plans prior to permit issuance and all landscaping shall be installed prior to final inspection, subject to the satisfaction of the Community Development Director, or his/her designee. (PLANNING)
- 17 PLANNING FINAL INSPECTION – Upon completion of all construction and landscaping, the applicant shall request the Project Planner conduct a Planning Final inspection for verification of compliance with all outstanding conditions of approval. The applicant shall contact the Project Planner to schedule each inspection a minimum of 72 hours in advance of the requested inspection. (PLANNING)

Building Division (PA)

- 18 SOIL FINAL REPORT – The Geotechnical Engineer or Civil Engineer who prepared the soil investigation, or an equally qualified professional, shall issue a final report stating the completed pad, foundation, finish grading and associated site work substantially conform to

the approved plans, specifications and investigations, to the satisfaction of the Building Official or his/her designee. (BUILDING)

Fire Department (PA)

- 19 FIRE SPRINKLER SYSTEM – The applicant shall install a fire sprinkler system throughout the single-family dwelling in accordance with NFPA 13D or the California Residential Code subject to review and approval by the Fire Marshal or his/her designee prior to the Fire Final Inspection. (FIRE)

The following conditions shall be complied with AT ALL TIMES DURING THE CONSTRUCTION PHASE OF THE PROJECT.

Planning Division (PA)

- 20 FRAME/PLANNING ROUGH INSPECTION – Upon completion of all framing and prior to the installation of exterior sheathing and windows, the applicant shall request the Project Planner conduct a Rough Frame inspection to verify items including, but not limited to, window locations, window sizes, and massing. The applicant shall contact the Project Planner to schedule each inspection a minimum of 72 hours in advance of the requested inspection. (PLANNING)

- 21 SINGLE FAMILY DWELLING WALL AND ROOF DEMOLITION – The applicant shall not demolish any exterior walls or roof structure beyond the demolition approved in this planning application approval and subsequent building permit. The applicant shall notify the Project Planner if any additional demolition of wall, roof structure, or any other portion of the building not originally approved for removal is requested. Any proposed modifications to the approved planning application shall be reviewed and approved by the Community Development Director, or his/her designee, prior to construction of the proposed modifications. (PLANNING)

Building Division (PA)

- 22 CONSTRUCTION WORK HOURS – Construction shall occur only between the hours of 7:00 a.m. and 7:00 p.m. on Monday through Friday, between 9:00 a.m. and 5:00 p.m. on Saturday, and between 12:00 noon and 4:00 p.m. on Sundays and holidays. These hours do not apply to construction that takes place inside a completely enclosed building and does not exceed the exterior ambient noise level as measured 10 feet from the exterior property lines. The applicant shall conform to the construction work hours to control traffic congestion, noise, and dust unless an exemption is granted in accordance with Municipal Code Section 23.06.061. (BUILDING)

Fire Department (PA)

- 23 ADDRESS NUMBERS – The applicant shall post temporary address numbers on each building at the project site that must be easily visible from the street or fire access road. (FIRE)

- 24 DEMOLITION – The applicant shall comply with the California Fire Code Chapter 33 during all phases of construction of the project. (FIRE)

- 25 EGRESS – The applicant shall maintain required egress for all adjacent buildings/properties. (FIRE)

Public Works Department (PA)

- 26 BEST MANAGEMENT PRACTICES (BMP) – The applicant shall perform all construction activities in accordance with the City’s Storm Water Management and Discharge Control Rules and Regulations (SMMC 7.39), and the San Mateo Countywide Water Pollution Prevention Plan (SMCWPPP) by reference. Detailed information can be located at: <https://www.flowstobay.org/preventing-stormwater-pollution/with-new-redevelopment/construction-best-practices/>
(PUBLIC WORKS)

- 27 MATERIAL HAULING – For material delivery vehicles equal to, or larger than two-axle, six-tire single unit truck (SU) size or larger as defined by FHWA Standards, the applicant shall submit a truck hauling route that conforms to City of San Mateo Municipal Code Chapter 11.28.040 for the approval of the Director of Public Works or designee. The project sponsor shall require contractors to prohibit trucks from using “compression release engine brakes” on residential streets. The haul route for this project shall be: <insert haul route>, or as approved by the Director of Public Works or designee. A letter from the applicant confirming the intention to use this hauling route shall be submitted to the Department of Public Works, and approved, prior to the issuance of any City permits. All material hauling activities including but not limited to, adherence to the approved route, hours of operation, staging of materials, dust control and street maintenance shall be the responsibility of the applicant. All storage and office trailers shall be kept off the public right-of-way. Tracking of dirt onto City streets and walks will not be allowed. Entry and exit from the site will use rock or rumble strips to prevent tracking. The applicant shall provide an approved method of cleaning tires and trimming loads on site. Any job-related dirt and/or debris that impacts the public right of way shall be removed immediately. No wash down of dirt into storm drains is allowed. Use of a sweeper is permissible as long as it operates dry (no water used, only vacuum). All material hauling activities shall be done in accordance with applicable City ordinances and conditions of approval. Violation of such may be cause for suspension of work. (PUBLIC WORKS)

The following conditions shall be complied with AT ALL TIMES that the project permitted by this planning application occupies the premises.

Planning Division (PA)

28 APPROVED PLANNING APPLICATION CONFORMANCE AT ALL TIMES – All physical improvements, uses, and operational requirements authorized by the approved planning application shall, at all times that the use permitted by this planning application occupies the premises, substantially conform with the approved planning application. This includes but is not limited to plans, materials, project description, and other items submitted as part of the approved planning application. Any proposed modifications to the approved planning application shall be reviewed and approved by the Community Development Director, or his/her designee, prior to construction of the proposed modifications. The Community Development Director, or his/her designee shall determine whether the proposed modifications substantially conform with the approved planning application, or whether a planning application modification is required to be submitted to permit the proposed modifications, as required by Municipal Code Section 27.08.080 Modifications. (PLANNING)

29 ONGOING LANDSCAPE MAINTENANCE – All landscaped areas shall be maintained free of litter, debris and weeds. All plantings shall be permanently maintained in a healthy growing condition and, whenever necessary, replaced with equivalent plant materials to ensure continued conformance with approved plans. (PLANNING)

City Attorney (PA)

30 INDEMNIFICATION – The applicant will defend, indemnify, and hold harmless the City of San Mateo, its elected and appointed officials, employees, and agents from and against any costs, claims, or liabilities arising out of the approval of this planning application, including, without limitation, any award of attorney fees that might result from third party challenge. If applicant is required to defend the City, the City shall retain the right to select the counsel who shall defend the City. (CITY ATTORNEY)

31 PENALTY – In accordance with San Mateo Municipal Code section 27.02.210-Violations of Planning Application Conditions, any violation of any of the conditions of approval is unlawful and will subject the applicant to the penalties set forth in Chapter 1.04-General Penalty of the San Mateo Municipal Code as well as any other available legal remedies. (CITY ATTORNEY)