



**North Fair Oaks Community Council**  
San Mateo County Coordinated  
Departmental Response



**DATE:** May 25, 2023  
**NFOCC MEETING DATE:** June 22, 2023  
**SPECIAL NOTICE/HEARING:** Yes  
**VOTE REQUIRED:** Yes

**TO:** Members, North Fair Oaks Community Council

**FROM:** Planning Staff

**SUBJECT:** Consideration of an Off-Street Parking Exception, pursuant to Section 6120 of the San Mateo County Zoning Regulations, to allow one (1) covered parking space where two (2) covered spaces are required, associated with a major remodel of and addition of 435 sq. ft. to an existing single-family residence, at 3273 Fair Oaks Avenue, located in the unincorporated North Fair Oaks area of San Mateo County.

County File Number: PLN 2023-00121

### **PROPOSAL**

The applicant, Kevin Peng, and the owner, Pac Bay Investment LLC, are requesting an Off-Street Parking Exception to keep their single-car garage where two (2) covered spaces are required for a proposed three-bedroom house. Under building permit (BLD 2022-02696) the applicant proposes a major remodel and third bedroom addition to an existing 956 sq. ft. single-family residence. As the total valuation of work exceeds 50% of the current valuation of the house and includes a bedroom addition, the project requires two (2) covered spaces as per Section 6136.5 of the Zoning Regulations. While the existing single-car garage was illegally converted into living space (VIO 2022-00176), the applicant plans to restore this space back to a single-car garage under a building permit (BLD 2023-00503). Expansion of the existing garage to a two-car garage would significantly impact the layout of the residence due to the narrow 40-foot width of the parcel.

### **RECOMMENDATION**

That the North Fair Oaks Community Council provide a recommendation to the Community Development Director on the applicant's request for an off-street parking exception to allow for the continued use of a single-car garage where two (2) covered

parking spaces are required in association with a major remodel of an existing single-family residence.

## **BACKGROUND**

Report Prepared By: Sonal Aggarwal, Project Planner; Camille Leung, Senior Planner

Owner: Pac Bay Investment, LLC

Applicant: Kevin Peng

Public Notification: Ten (10) day advanced notification was mailed to property owners within 300 feet of the project parcel on May 25, 2023, and the notice period ended on June 9, 2023. No comments were received during the notice period.

Location: 3273 Fair Oaks Avenue, Redwood City

APN: 060-021-280

Parcel Size: 4,000 sq. ft.

Existing Zoning: R-1/S-73 (Single-Family Residential/5,000 sq. ft. minimum parcel size)

General Plan Designation: Medium-Density Residential (6.1-8.7 du/ac)

Existing Land Use: Existing Single-Family Residence

Water Supply: Existing House Served by California Water Service Company- Bear Gulch

Sewage Disposal: Existing Service by Fair Oaks Sewer District

Flood Zone: Zone X (Area of Minimal Flood Hazard); Community Panel Number 06081C0302E, effective October 16, 2012.

Environmental Evaluation: This project is categorically exempt under Section 15301 Class 1 (e), additions to existing structures provided that the addition will not result in an increase of more than 50% of the floor area of the structures before the addition, or 2,500 sq. ft., whichever is less. The total new area will be 435 sq. ft., which is less than 50% of existing floor area of 956 sq. ft. (478 sq. ft. is 50% of 956 sq. ft.)

Setting: The project site is a flat parcel located within an existing North Fair Oaks neighborhood primarily comprised of single-family residences. All surrounding parcels in the neighborhood are developed.

Chronology:

<u>Date</u>	<u>Action</u>
April 4, 2023	- Off-Street Parking Exception Application submitted
May 24, 2023	- Application Deemed complete
June 22, 2023	- North Fair Oaks Community Council Meeting

**DISCUSSION**

A. KEY ISSUES

1. Compliance with the General Plan

Urban Land Use Policies

Policy 8.9 (*Designation of Existing Urban Communities*) of the General Plan identifies North Fair Oaks as an urban community and the North Fair Oaks Community Plan has designated the land use density as Single-Family Residential. Policy 8.36 (*Uses*) calls for the allowance of uses in zoning districts that are consistent with the overall land use designation.

The proposed project is consistent with the residential land use designation of the parcel and surrounding area. The project parcel is zoned R-1/S-73 (Single-Family Residential/5,000 sq. ft. minimum parcel size). The parcel is only 4,000 sq. ft. in size, with a non-conforming width of 40-feet where 50 feet is required. Pursuant to Section 6161(a) of the County Zoning Regulations, a single-family dwelling is an allowed use in this zoning district and the project would continue the single-family residential use of the parcel in compliance with these policies.

Policy 8.40 (*Parking Regulations*) calls for the regulation of minimum on-site parking requirements and parking development standards in order to accommodate the parking needs of development, provide convenient and safe access, and prevent congestion of public streets.

The Zoning Regulations establishes two-car covered parking as the minimum parking requirement for a residence with two or more bedrooms. Relief from the second covered parking requirement may be allowed via an Off-Street Parking Exception as discussed further in Section 2.a, below.

2. Compliance with the North Fair Oaks Community Plan

Chapter 3- Circulation and Parking

Chapter 3 of the North Fair Oaks Community Plan provides, in part, an overview of current and future parking needs and recommended parking management strategies for North Fair Oaks. Policy 5E calls for the modification of parking policies to allow affordable housing developments, minor expansions of single-family homes, transit-supportive development projects, and other uses where reduced parking demand can be demonstrated to qualify for further reduced parking requirements or exemptions per approval from the County Planning Department.

The applicant proposes a major remodel that would maintain most of the existing house footprint and add a new 435 sq. ft. addition to the house. The granting of an Off-Street Parking Exception is consistent with this policy because compliance with the current parking requirement (two-covered parking spaces and minimum required internal clearance of 18 feet by 19 feet) would require the garage wall to be pushed out by approximately 8 feet into the living room, which could negatively impact the circulation of the living room and the usable livable area of the house, on a lot that is narrow in width compared to other lots in the area.

3. Compliance with the Zoning Regulations

a. S-73 Development Standards

The proposal complies with the property's R-1/S-73 zoning designation, as indicated in the following table:

S-73 Development Standards		Existing	Proposed
Minimum Lot Width	Average 50 ft.	40 ft.	No Change
Minimum Lot Area	5,000 sq. ft.	4,000 sq. ft.	No Change
Minimum Front Yard Setback	20 ft.	25 ft. 4 in.	20 ft.
Minimum Rear Yard Setback	20 ft.	26 ft. 9 in.	20 ft.
Minimum Right-Side Yard Setback	5 ft.	4 ft. 7 in.*	No Change
Minimum Left-Side Yard Setback	5 ft.	5 ft. 9 in.	No Change
Maximum Building Height	28 ft.	12 ft. 10 in.	No Change

S-73 Development Standards		Existing	Proposed
Maximum Lot Coverage	2,000 sq. ft. (50%)	1,222 sq. ft. (30.5 %)	1,627 sq. ft. (40.6%)
Maximum Floor Area Ratio	2,600 sq. ft.	956 sq. ft. (23.9 %)	1,403 sq. ft. (35%)
*Legal non-conforming			

As discussed in the sections above, the project parcel is zoned R-1/S-73 (Single-Family Residential/ 5,000 sq. ft. minimum parcel size). The existing residence with the attached single-car garage has a non-conforming 4-foot and 7-inch right-side setback, where a minimum of 5 feet is required. The proposed project is otherwise compliant with the zoning district standards for height, lot coverage, and floor area ratio. The proposed addition to the existing single-family dwelling does not introduce a new use to the property. Therefore, the existing single-family residence remains consistent as a permitted use in the zoning district.

b. Parking Requirements

As discussed previously, the proposed project includes the request to allow the continued the use of a single-car garage, where two (2) covered parking spaces are required. The existing garage space was illegally converted into a living space with a closet and half bathroom and would be converted back into a 224 sq. ft. single-car garage with an internal clearance of 20 feet by 10 feet 1/2-inch (19 feet by 9 feet minimum required internal clearance for one-car garage).

The number of parking spaces required for residential development is defined in Section 6119 of the County's Zoning Regulations. For each dwelling unit having two or more bedrooms, two off-street, covered spaces are required. As discussed previously, the project adds a third bedroom and proposes a major remodel of the single-family residence. The minimum clear internal dimensions for a two-car garage are 18 feet by 19 feet, which would require the garage wall to be pushed by approximately 8 feet into the living room, which could negatively impact the circulation of the living room and the usable livable area of the house. Therefore, the applicant has requested an off-street parking exception for relief from the current parking regulations.

4. Compliance with Off-Street Parking Exception Findings

The granting of an Off-Street Parking Exception is subject to the following findings:

- a. **That the establishment, maintenance and/or conducting of the off- street parking facilities as proposed are as nearly in compliance with the requirements set forth in Section 6119 of the Zoning Regulations as are reasonably possible.**

The proposal includes the waiver of one covered parking space and the continued use of an existing single-car garage, where two (2) covered spaces would be required for a major remodel and third bedroom addition. Based on the existing development configuration on the parcel, staff has found that adding another covered parking space could negatively impact the circulation of the house on a lot that is narrow in width compared to other lots in the area. The applicant has also submitted plans to resolve VOI 2022-00176 and convert the illegally converted garage back to parking space to provide one off-street parking space for the residence.

- b. **That the establishment, maintenance and/or conducting of the use will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in said neighborhood.**

The project proposes to continue the existing legal non-conforming parking situation by continuing to use the existing single-car garage. Also, the property has 1 uncovered parking space located within the existing driveway. A notice of this meeting was sent to all neighbors, located within a 300 feet notification radius of the project site on May 1 and 25, 2023, yielded no responses from the public.

**ATTACHMENTS**

- A. Location Map  
B. Plans

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