

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

DATE: September 18, 2025

TO: Zoning Hearing Officer

FROM: Planning Staff

SUBJECT: Consideration of a Nonconforming Use Permit, pursuant to Chapter 8.388.030(3)(b)(2) of the San Mateo County Ordinance Code to allow one covered parking space in a garage where two are required and an exception to the maximum allowable building floor area associated with construction of a proposed three-bedroom home including junior accessory dwelling unit (JADU) on a nonconforming lot at 305 Belmont Avenue in the Sequoia Tract neighborhood of unincorporated San Mateo County.

County File Number: PLN2025-00045 (Yang)

PROPOSAL

The applicant is requesting a Nonconforming Use Permit to allow the creation of a nonconforming parking situation associated with the development of a new single-family home on a substandard lot at 305 Belmont Ave. Currently, there is a 1,425-square-foot single-family home and detached ADU on the project parcel. The ADU was converted, with permits, from a garage in 2022. There is no covered parking on the project site. The applicant is proposing to demolish the existing house and ADU and construct a new 2,529-square-foot home, including a 242-sq.-ft. JADU and a 209-sq.-ft. single-car garage (for a total floor area of 2,744-sq.-ft.). The proposed house complies with all required zoning standards of the S-74 zoning district, except for the covered parking requirement (one covered parking space is proposed where two are required), and the maximum building floor area limitation, which would be remedied through the granting of the requested Use Permit.

The subject parcel is considered non-conforming relative to lot width and parcel size requirements in the S-74 zoning district. The parcel is 37.5 feet wide and 3,825 sq. ft. in area, where minimum width of 50 feet and minimum area of 5,000 sq. ft. are required. Chapter 8.388.030(3)(b)(2) of the San Mateo County Ordinance Code states that "Proposed development on an improved non-conforming parcel, that does not conform with the zoning regulations currently in effect, shall require the issuance of a use permit." As stated above, the proposed home's size (total floor area) and single-car garage design create the non-conforming conditions which require a Use Permit to remedy.

RECOMMENDATION

That the Zoning Hearing Officer approves the Nonconforming Use Permit, County File Number PLN2025-00045 by adopting the required findings and conditions of approval listed in Attachment A.

BACKGROUND

Report Prepared By: Michael Jacinto, Project Planner

Applicant/Owner: Jianzheng Yang

Public Notification: Ten-day advanced notification for the hearing was mailed to property owners within 300 feet of the project parcel and a notice for the hearing posted in a newspaper (San Mateo County Times) of general public circulation.

Location: 305 Belmont Ave, Redwood City

APN: 069-323-310

Lot Size: 3,825 sq. ft.

Existing Zoning: R-1/S-74

General Plan Designation: Residential, Medium Density (up to 8.7 du/acre)

Existing Land Use: The property is currently developed with a single-family residence and detached ADU in the rear yard.

Water Supply: California Water Service – Bear Gulch District

Sewage Disposal: Fair Oaks Sewer Maintenance District

Flood Zone: FEMA Flood Zone X (Area of Minimal Flood Hazard); Community Panel No. 06081C0303E, effective October 16, 2012.

Environmental Evaluation: This project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), Section 15303, Class 3(a), relating to the construction of one single family residence in a residential zone.

Setting: The subject property comprises Lot 55 and half the adjacent Lot 54 on Block 9, Sequoia tract and has a total area of 3,825 square feet. The property is improved with an approximately 1,425-square-foot single family residence built in 1938. A detached garage, with a footprint of about 275 square feet, was converted to an accessory dwelling unit in 2022 and occupies a portion of the rear yard behind the primary residence.

A virtual survey of properties in the vicinity of the project site reflects variability in the pattern of off-street parking in attached garages for homes on narrow and standard lots. The neighboring 307 Belmont Avenue property has an attached single-car garage on a narrow (37.5-foot-wide) lot. Properties at 331, 335, and 350 Belmont Avenue are situated on standard (50-foot-wide) lots and accommodate off-street parking in attached, single-car garages fronting Belmont Avenue.

DISCUSSION

A. KEY ISSUES

1. Compliance with the General Plan

Policy 8.39 (*Height, Bulk, and Setbacks*) regulates height, bulk, and setback requirements in zoning districts in order to: (1) ensure that the size and scale of development is compatible with the parcel size, (2) provide sufficient light and air in and around the structure, and (3) ensure public health and safety. The size and scale of this development is compatible with the parcel size and is consistent with the development of the neighboring parcels. The proposed house complies with the development criteria of the S-74 zoning district (setback, height, and daylight plane requirements) with the exception of the parking requirements.

Policy 8.40 (*Parking Requirements*) regulates on-site parking requirements in order to: (1) accommodate the parking needs of the development, (2) provide convenient and safe access, (3) prevent congestion of public streets, and (4) establish orderly development patterns. The project proposes to provide three parking spaces onsite; however, only one will be covered, where two covered parking spaces are required. Given the limited width of the project parcel, providing a two-car garage would result in a front façade that is almost entirely garage door. This potentially conflicts with urban design policies in the General Plan. The proposal will still provide safe vehicular access into the project parcel and there's no evidence to suggest that the project design will reduce available on-street parking in the neighborhood.

2. Conformity with San Mateo County Zoning Standards

a. Development Standards - S-74 Zoning District

The project parcel is zoned R-1/S-74. The proposed single-family dwelling with attached single-car garage complies with the use regulations of this zone. The applicant is requesting a non-conforming use permit to allow a single covered parking space where two are required by the County's Zoning Regulations and to exceed the maximum allowable floor area.

Table 1: S-74 Development Standards

	Development Standard	Proposed
Minimum Parcel Size	5,000 sq. ft.	3,825 sq. ft.
Maximum Lot Coverage	50% (2,500 sq. ft.)	45% (1,726 sq. ft.)
Minimum Front Setback	20 feet	20 feet
Minimum Right-Side Setback	5 feet	5 feet
Minimum Left Side Setback	5 feet	5 feet (4 feet for JADU)
Minimum Rear Setback	20 feet	20 feet
Maximum Height	28 feet	24 feet
Maximum Building Floor Area	2,600 sq. ft.	2,502 sq. ft.(house) + 500 sq. ft. (JADU)

Section 6300.4.23 of the San Mateo County Zoning Ordinance establishes a minimum building (lot) width of 50 feet for properties in the S-74 district. The width of the subject property's lot frontage is nonconforming at 37.5 feet.

Section 6300.4.24 of the zoning ordinance establishes a minimum parcel size of 5,000 square feet. The subject property's lot dimensions are 37.5 feet wide by 102 feet deep. The subject property has an area of 3,825 square feet, which does not conform to the 5,000 sq. ft. lot size minimums required in the S-74 district.

b. Building Floor Area Limitations

The floor area of the proposed primary residence is 2,529 sq. ft. excluding the JADU. With the JADU the proposed building area would total 2,834 sq. ft, which would exceed the S-74 zoning district's maximum building floor area limit of 2,600 sq. ft. It should be noted that the County's ADU regulations make no provisions allowing JADUs to exceed maximum floor area limits of the underlying zoning district. The project therefore seeks to remedy this other nonconformity through obtaining a Use Permit supported by findings presented under Subsection 3, below.

c. **Parking Requirements**

The proposed project includes a one-car garage, a second uncovered parking space in the driveway, and an additional uncovered parking space, for a total of three spaces. No additional parking is required for the JADU. Both uncovered parking spaces are entirely on the project parcel.

3. **Compliance with Non-Conforming Use Permit Regulations**

As discussed previously, Section 8.388.030(3)(b)(2) of the Ordinance Code requires issuance of a Use Permit when proposed development on an improved non-conforming parcel does not conform with the zoning regulations currently in effect. The required findings for this Use Permit are:

a. **The proposed development is proportioned to the size of the parcel on which it is being built,**

As discussed above in Section 2, the proposed new residence complies with the S-74 zoning regulations on maximum lot coverage but slightly exceeds total floor area limitations by just over 200 sq. ft due to the proposal's inclusion of a JADU, which in other contexts may be permitted to exempt up to 800 sq. ft.

b. **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,**

All adjoining parcels are developed with single-family houses on parcels that are at or below the minimum parcel size for the S-74 zoning district. There are no opportunities to acquire additional land.

c. **The proposed development is as nearly in conformance with the zoning regulations currently in effect as is reasonably possible,**

As discussed previously, the proposed house conforms to the requirements of the County Zoning regulations with the exception of provision of the two covered parking spaces and maximum floor area limitations. Because of the substandard width of the subject parcel, provision of two side-by-side covered parking spaces would unreasonably restrict the ability of the property owner to construct a house that meets their needs and could result in the loss of the Junior ADU from the house plans.

- d. **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 injury to property or improvements in the said neighborhood, and**

The project site is not located in the Coastal Zone, so there will be no impact on Coastal resources. Nor is there any evidence to suggest that permitting one of the required off-street parking spaces to be uncovered will result in a detriment to the public welfare or impact on neighboring property or improvements.

- f. **Use permit approval does not constitute a granting of special privileges.**

While the provision of two covered parking spaces is the standard throughout the County, there is ample evidence within close proximity to the project site of houses that fall short of this standard. There are many instances throughout the County of major additions to houses with only one covered parking space. In fact, recent changes in State law now permit the conversion of all covered parking on a parcel to an Accessory Dwelling Unit without requiring the replacement of that covered parking. Approval of this request would be consistent with past County practice and current trends in State law.

B. ENVIRONMENTAL REVIEW

This project is categorically exempt from the California Environmental Quality Act (CEQA) as a Class 3 exemption, pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the state CEQA Guidelines relating to the construction of limited numbers of new, small structures including one single family residence, or a second dwelling unit in a residentially zoned area.

C. REVIEWING AGENCIES

Building Inspection Section (includes Drainage Review)
Menlo Park Fire Protection District
Department of Public Works
Fair Oaks Sewer Maintenance District
California Water Service – Bear Gulch District

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
- B. Vicinity Map
- C. Project Plans

County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN2025-00045 Hearing Date: September 18, 2025

Prepared By: Michael Jacinto, Project Planner For Adoption By: Zoning Hearing Officer

RECOMMENDED FINDINGS

Regarding the Environmental Review, Find:

1. That the project is categorically exempt from the California Environmental Quality Act pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA), relating to the construction of limited numbers of new, small structures including one single family residence, or a second dwelling unit in a residentially zoned area.

Regarding the Non-Conforming Use Permit, Find:

2. **The proposed development is proportioned to the size of the parcel on which it is being built.**

As discussed above in Section 2, the proposed new residence complies with all S-74 zoning regulations except for floor area maximums and parking configuration, which are intended to limit the size of development on a parcel so that it is proportional to the parcel's size.

3. **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.**

All adjoining parcels are developed with single-family houses on parcels that are at or below the minimum parcel size for the S-74 zoning district. There are no opportunities to acquire additional land.

4. **The proposed development is nearly in conformance with the zoning regulations currently in effect as is reasonably possible.**

As discussed previously, the proposed house conforms to the requirements of the County Zoning regulations with the exception of provision of the two covered parking spaces and maximum total floor area limits. Because of the substandard width of the subject parcel, provision of two side by side covered parking spaces would unreasonably restrict the ability of the property owner to construct a house that meets their needs and could result in the loss of the Junior ADU from the house plans.

5. **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.**

The project site is not located in the Coastal Zone, so there will be no impact to Coastal resources. Nor is there any evidence to suggest that permitting one of the required off-street parking spaces to be uncovered will result in detriment to the public welfare or impact neighboring property or improvements.

6. **Use permit approval does not constitute a granting of special privileges.**

While the provision of two covered parking spaces is the standard throughout the County, there is ample evidence within close proximity to the project site of houses that fall short of this standard. There are many instances throughout the County of major additions to houses with only one covered parking space. In fact, recent changes in State law now permit the conversion of all covered parking on a parcel to an Accessory Dwelling Unit without requiring the replacement of that covered parking. Approval of this request would be consistent with past County practice and current trends in State law.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

1. This approval applies only to the proposal, documents, and plans described in this report and submitted to and approved by the Zoning Hearing Officer on October 2, 2025. Minor modifications to the project may be approved by the Director of Planning and Building if they are consistent with the intent of, and in substantial conformance with, this approval.
2. This permit is valid for one year from the date of final approval, in which time a valid building permit shall be issued, and a completed inspection (to the satisfaction of the Building Inspector) shall have occurred. Any extension of this permit shall require submittal of an application for permit extension and payment of applicable fees 60 days prior to expiration.

3. No tree cutting is allowed by this permit. Removal of any tree over 12 inches in diameter shall require a separate Tree Removal Permit.
4. Noise sources associated with demolition, construction, repair, remodeling, or grading of any real property shall be limited to the hours from 7:00 a.m. to 6:00 p.m., weekdays and 9:00 a.m. to 5:00 p.m., Saturdays. Said activities are prohibited on Sundays, Thanksgiving, and Christmas (San Mateo County Ordinance Code Section 4.88.360).

Building Inspection Section

5. This project requires a building permit.

Civil/Drainage Section

6. Project will comply with County drainage policy to prevent stormwater from flowing across property lines. For projects that trigger size and/or slope thresholds, prior to the issuance of the building permit, the applicant shall have prepared, by a registered civil engineer, a drainage analysis of the proposed project and submit it to the Planning and Building Department for review and approval. The drainage analysis shall consist of a written narrative and a plan. The flow of the stormwater onto, over, and off of the property shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the pattern of flow. The analysis shall detail the measures necessary to certify adequate drainage. Post-development flows and velocities shall not exceed those that existed in the pre-developed state.

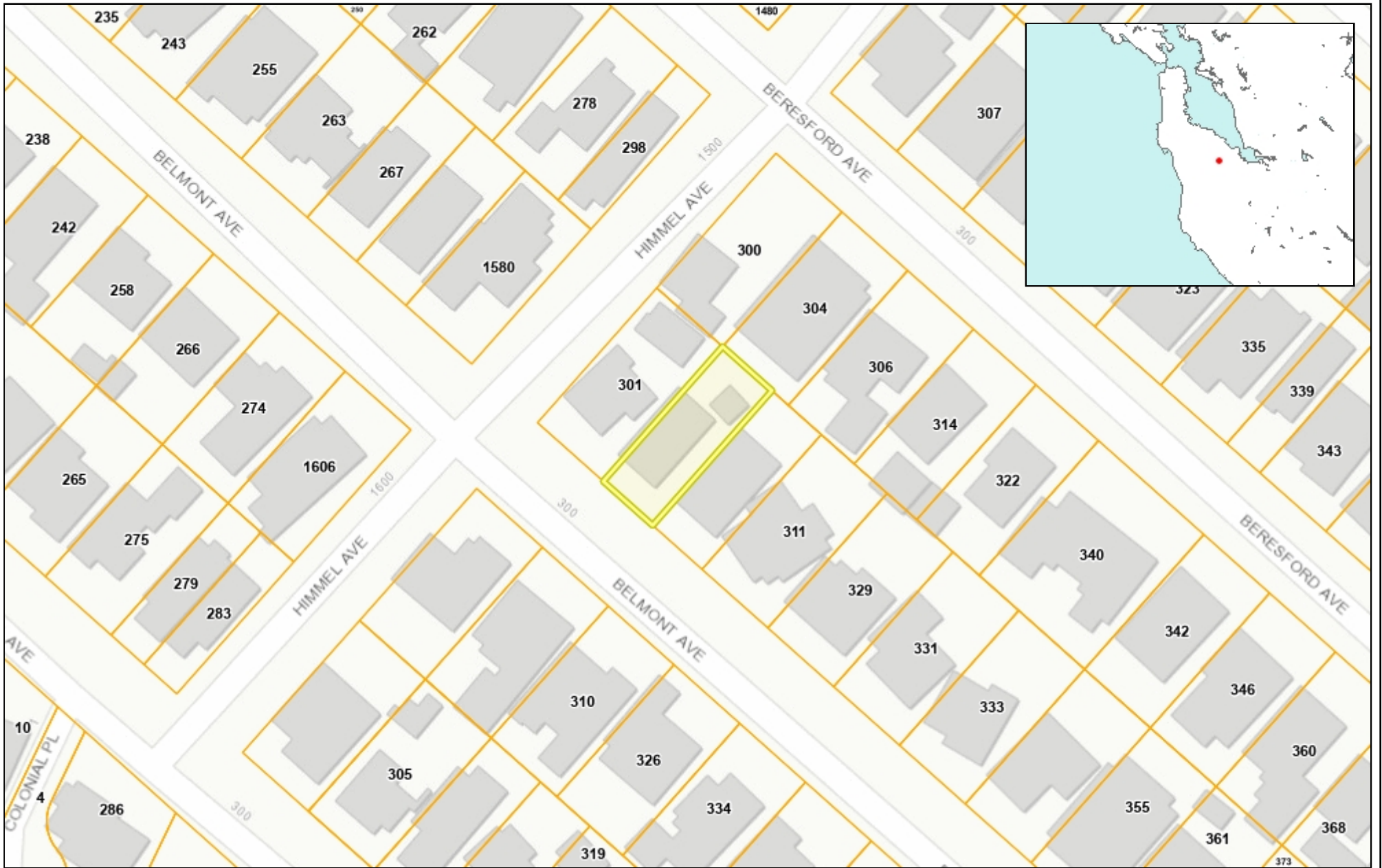
Department of Public Works

7. No proposed construction work within the County right-of-way shall begin until County requirements for the issuance of an encroachment permit, including review of the plans, have been met and an encroachment permit issued. Applicant shall contact a Department of Public Works Inspector 48 hours prior to commencing work in the right-of-way.
8. Prior to the issuance of the building permit, the applicant will be required to provide payment of "roadway mitigation fees" based on the square footage (assessable space) of the proposed building per Ordinance No. 3277.




County of San Mateo - Planning and Building Department

ATTACHMENT B



0.04 0 0.02 0.04 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Latitude Geographics Group Ltd.

1:1,128 

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



County of San Mateo - Planning and Building Department

ATTACHMENT C

APPLICABLE CODE

- 2022 CBC-CPC-CMC-CEC-CRC CODES, AND CFC & NFPA-13
- 2022 CALGREEN & ENERGY CODES, COUNTY OF SAN MATEO ORDINANCES

TO BE SUBMITTED UNDER SEPERATE PERMIT

- FIRE SPRINKLER SYSTEM
- SOLAR PANEL INSTALLATION

SCOPE OF WORK

- NEW SINGLE FAMILY RESIDENCE WITH JADU:
- TOTAL: 4 BEDRM, 4.5 BATH W/ ATTACHED GARAGE
- TOTAL LIVING AREA: 2600SF, W/ 200SF GARAGE
- MAIN RESIDENCE: 3 BEDRM, 3.5 BATH
- JADU: 1 BEDRM, 1 BATH W/ KITCHEN&LAUNDRY
- DEMOLISH EXISTING S.F.R

PROJECT INFORMATION

OWNER: JIM YANG

305 BELMONT AVE, REDWOOD CITY
 APN #: 069-323-310
 OCCUPANCY: R3/U; CONST. TYPE: VB
 ZONING: R-1/S-74 (SELBY-SEQUOIA)

LOT SIZE: 3,876 SF (LEVEL SITE)

FLOOR AREA - (SEE AREA DIAGRAM ON SHEET A-4)

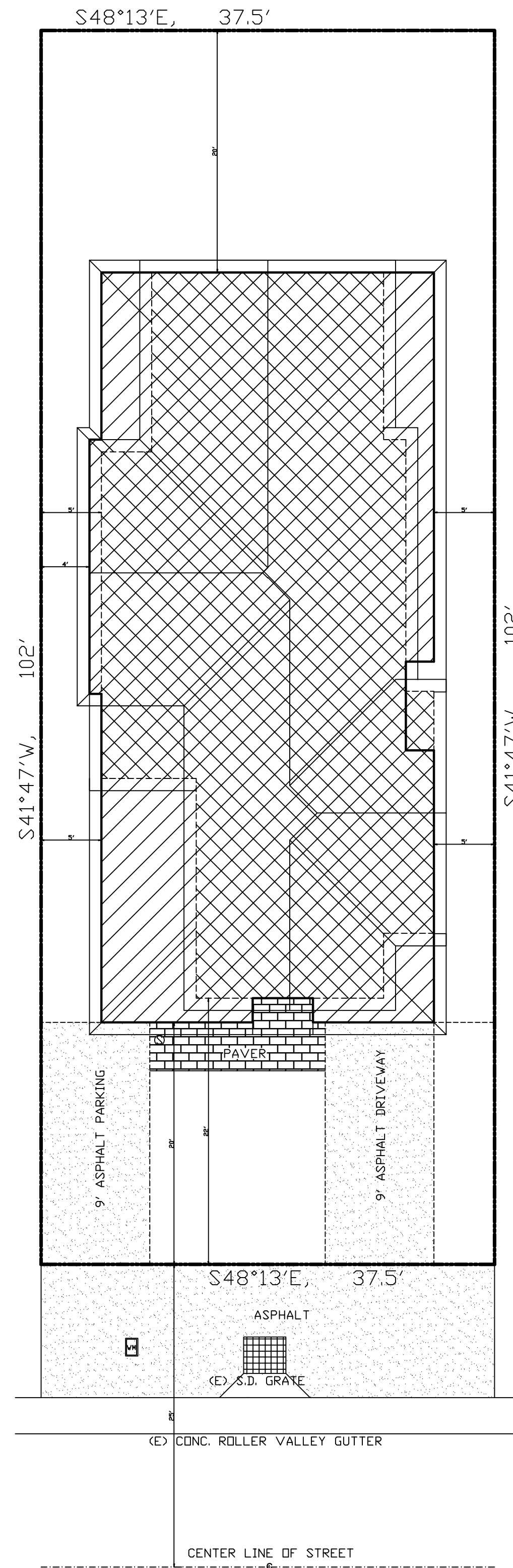
FLOOR AREA	(sf)	ALLOWABLE
GARAGE	209.1	Exclude from Floor Area
MAIN	2,501.9 <	2,600 (W/O JADU)
ADU	242.1 <	500 (JADU)
TOTAL FLOOR AREA	2,744.0 <	3,100 (With JADU)
SITE COVERAGE		
1st FLR FOOTPRINT	1,456.8	
2nd FLR O.H. + PORCH	27.1	
	1,483.9 <	1,938 (W/O JADU)
	38.3% <	60%
	1,483.9 <	(Main House+JADU)
	38.3% <	60%

HEIGHT

NATURAL FINISHED GRADE 100.71
 TOP MOST ELEV. POINT 101.54 } 27.83'
 NET HT.

SETBACK REQUIRED PROPOSED

FRONT 20' 20'
 LEFT 5' 5' (4' @ ADU)
 RIGHT 5' 5'
 REAR (1st Flr) 20' 20'
 REAR (2nd Flr) 20' 20'

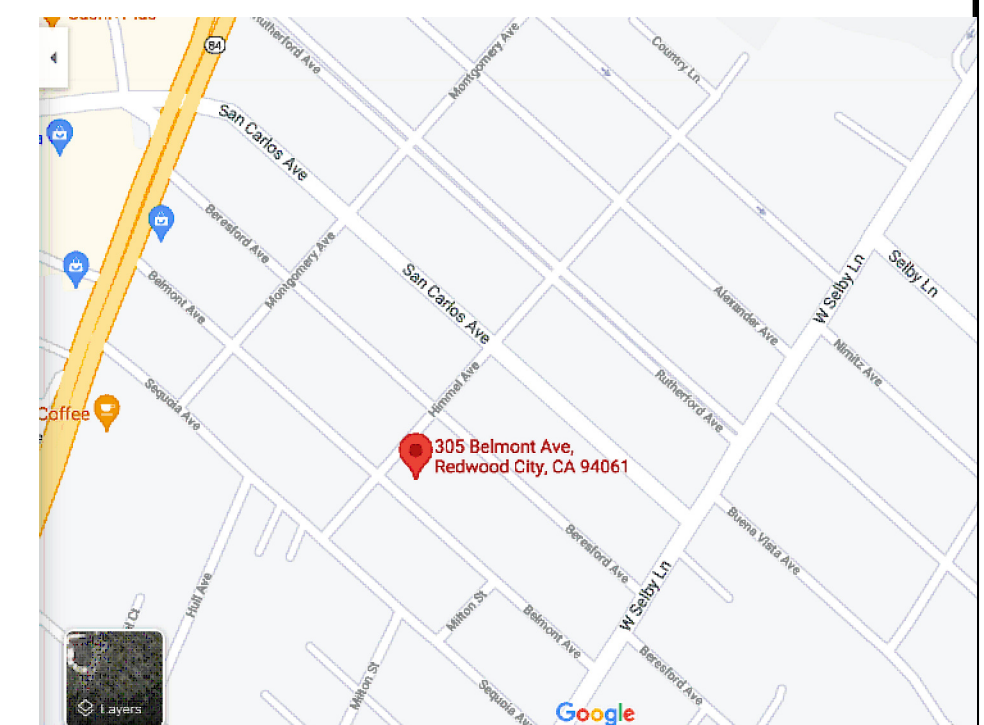


1st FLOOR 2nd FLOOR

SITE PLAN
 S: 1/8" = 1' - 0"

SHEET INDEX

- A-1 SITE PLAN
- A-2 FLOOR PLAN
- A-3 ELEVATIONS
- A-4 SECTION/AREA ANALYSIS
- SV-1 SURVEY PLAN



VICINITY MAP

REVISIONS BY

Jim Yang

BY: JIM YANG

BELMONT PRIME
 305 BELMONT AVE
 REDWOOD CITY, CA 94061
 TEL: (408) 219-2935

SITE PLAN
 PROJECT INFO

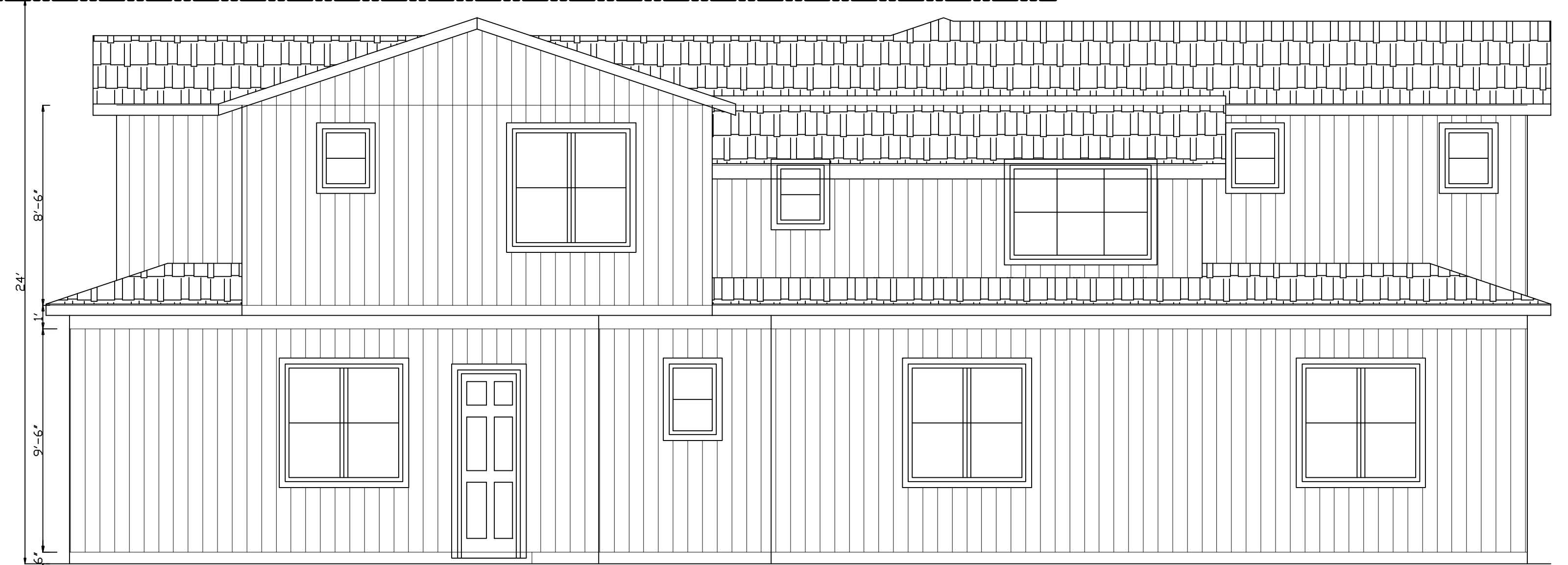
YANG RESIDENCE
 305 BELMONT AVE
 REDWOOD CITY, CA 94061

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 Job 25-101
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 A-1
 Of N Sheets

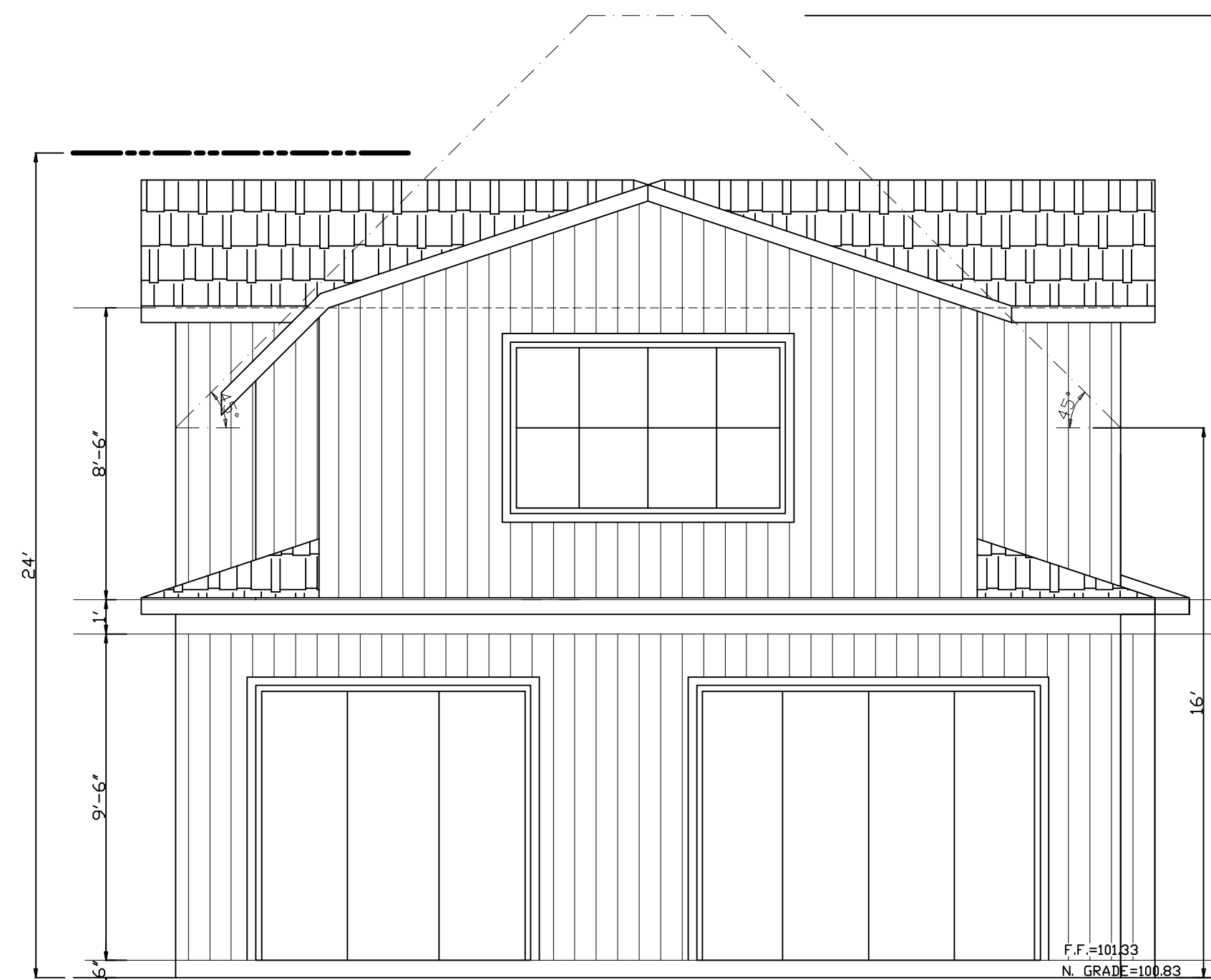
REVISIONS	BY



LEFT (WEST) ELEVATION
S: 1/4" = 1' - 0"



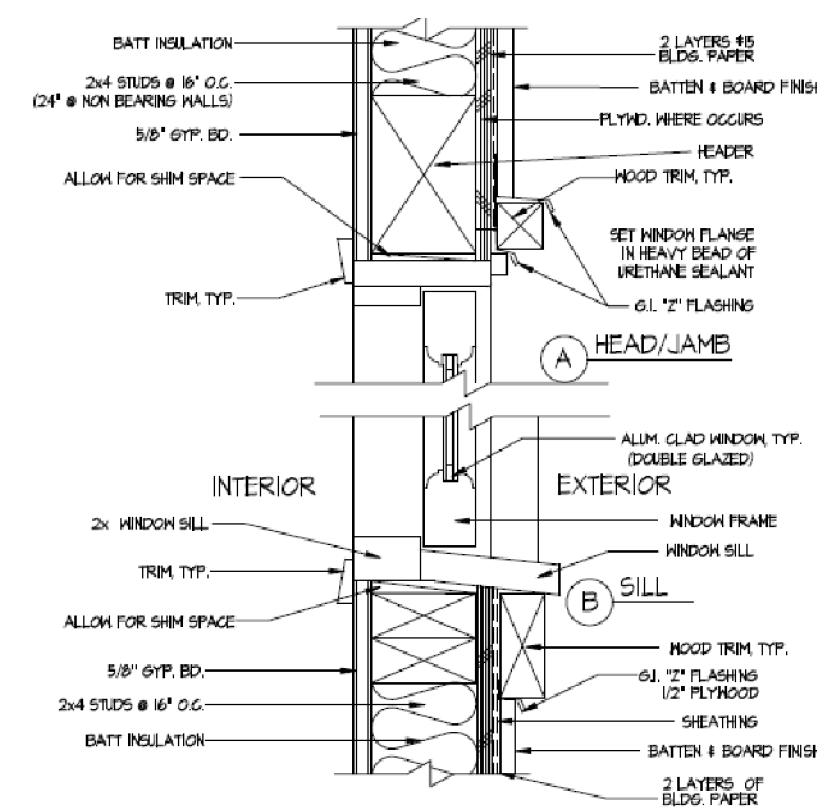
RIGHT (EAST) ELEVATION
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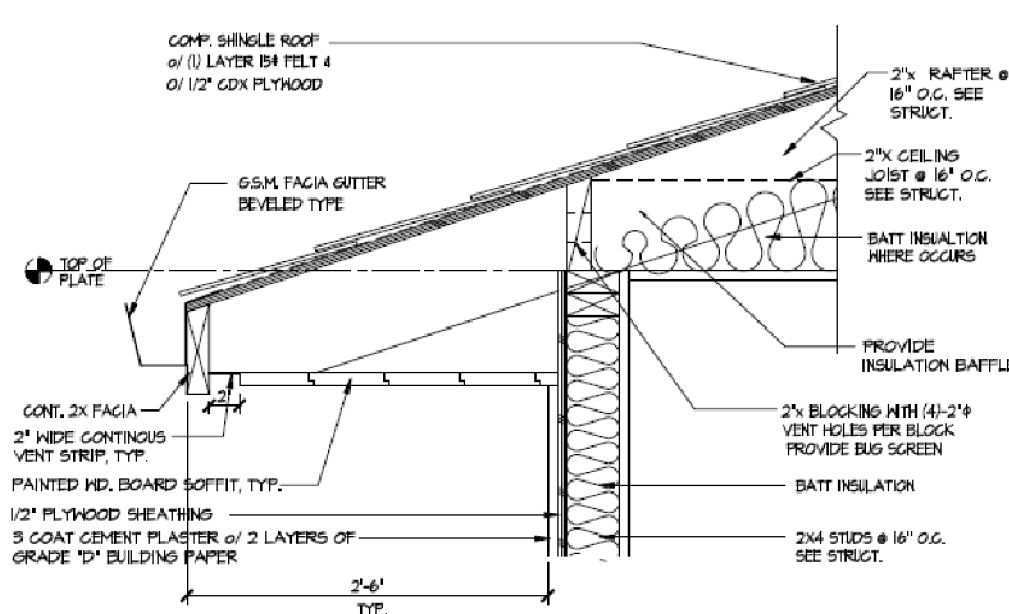
REAR (NORTH) ELEVATION
S: 1/4" = 1' - 0"



FRONT (SOUTH) ELEVATION
S: 1/4" = 1' - 0"



TYPICAL WINDOW



TYPICAL EAVE

Jan 17/25

BELMONT PRIME

yescenter@gmail.com
TEL: (408) 219-2935

ELEVATION

YANG RESIDENCE
305 BELMONT AVE
REDWOOD CITY, CA

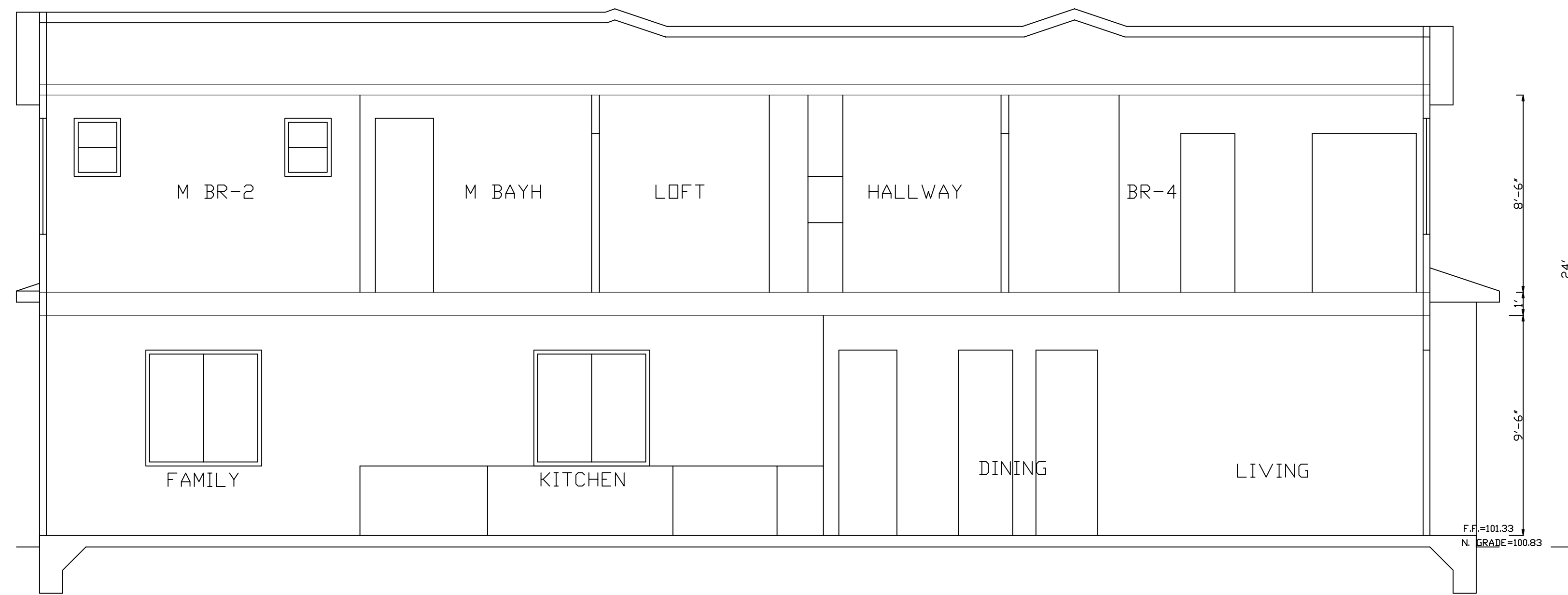
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Sheet A-3
Of N Sheets

REVISIONS	BY

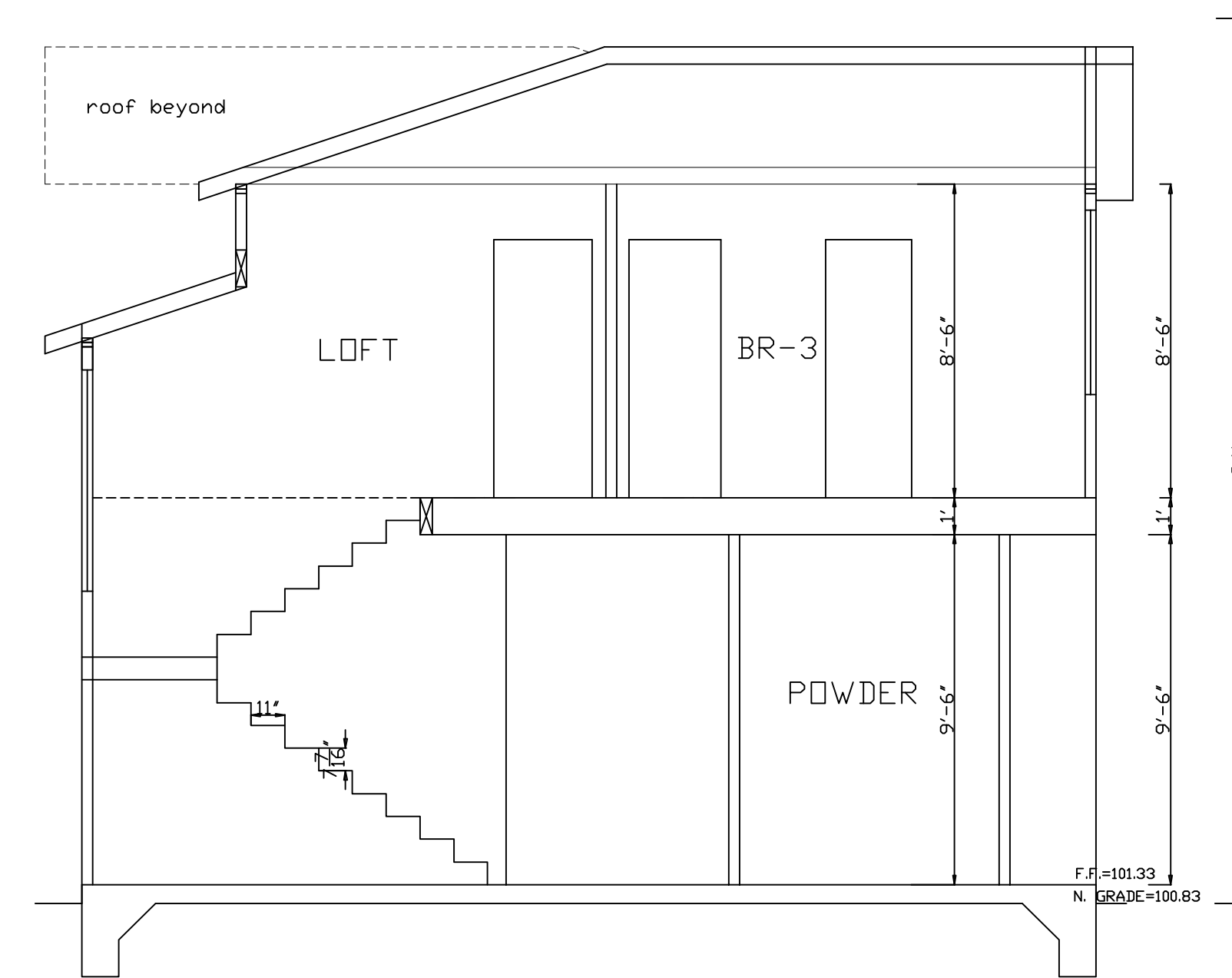


AREA ANALYSIS
S: 1/4" = 1' - 0"

AREA BLOCK	AREA (sf)	TOTAL (sf)
GARAGE A1	187.56	
GARAGE A2	21.56	209.1
JADU B	189.58	
C	52.50	242.1
MAIN-1st Flr D	25.00	
E	448.81	
F	6.61	
G	36.67	
H	107.53	
I	242.67	
J	380.42	1,247.7
MAIN-2nd Flr K	82.67	
L	258.94	
M	125.78	
N	500.67	
O	21.00	
P	265.14	1,254.2
PORCH Q	10.00	
2nd FLR O.H. R	17.11	27.1



SECTION - B
S: 1/4" = 1' - 0"



SECTION - A
S: 1/4" = 1' - 0"

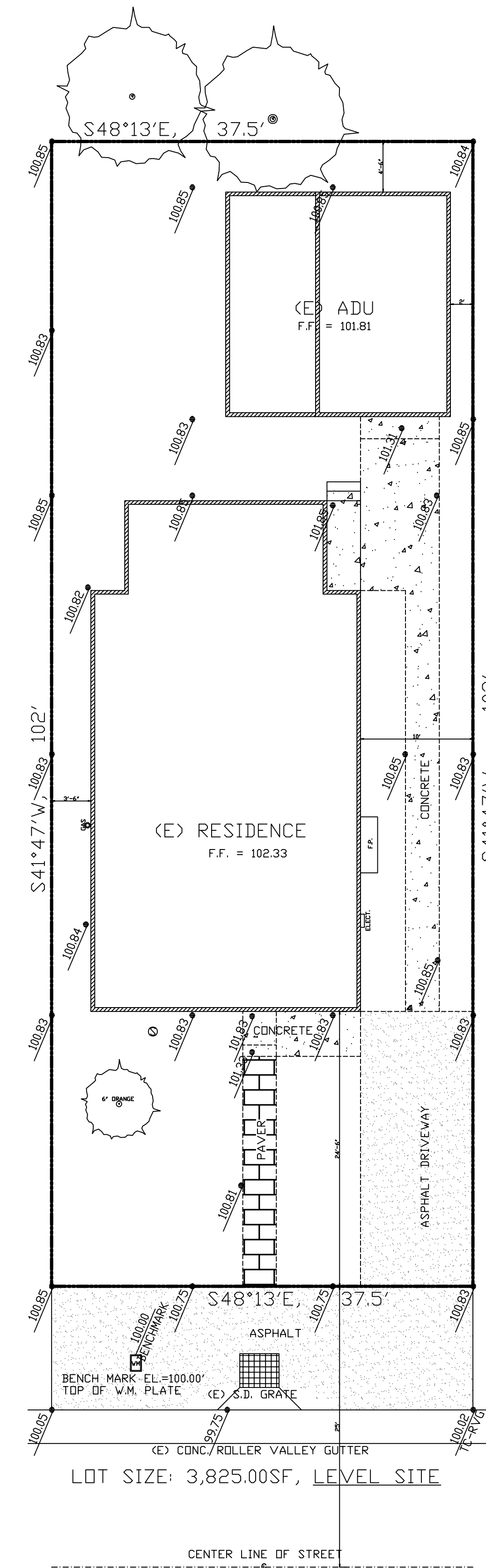
Jan 17/25

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yescenter@gmail.com
TEL: (408) 219-2935

SECTION
AREA CALCS

YANG RESIDENCE
305 BELMONT AVE
REDWOOD CITY, CA

Date 1/30/25
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A-4
Of N Sheets



BOUNDARY & TOPO SURVEY
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OWNER: JIM YANG

EXHIBIT A

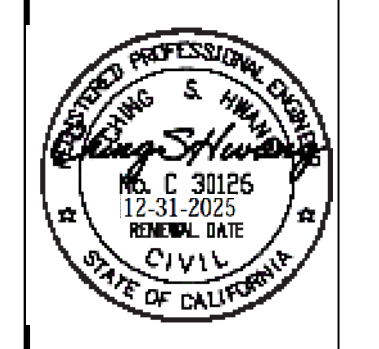
The land referred to is situated in the unincorporated area of the County of San Mateo, State of California, and is described as follows:

Lot 55 and the Northwesternly 12.5 feet, front and rear measurements, of Lot 54 in Block 9, as designated on the Map entitled, "Map No. 3 of the Sequoia Tract, San Mateo County", which Map was filed in the Office of the Recorder of the County of San Mateo, State of California on August 24, 1912 in Book 8 of Maps at Page 21.

APN: 069-323-310 JPN: 069-032-323-31 A

OWNER: JIANZHENG YANG
 ADDRESS: 305 BELMONT AVE, REDWOOD CITY, CA
 APN #: 069-323-310

REVISIONS	BY



BELMONT PRIME
 305 BELMONT AVE
 REDWOOD CITY, CA 94061
 TEL. (408) 219-2935

BOUNDARY & TOPO

YANG RESIDENCE
 305 BELMONT AVE
 REDWOOD CITY, CA 94061

Date	01/30/25
Scale	AS-SHOWN
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Job	25-101
Sheet	SV-1
Of	N Sheets