

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

DATE: November 16, 2023

TO: Zoning Hearing Officer

FROM: Planning Staff

SUBJECT: Consideration of a Use Permit Renewal and Amendment, pursuant to § 6500 of the Zoning Regulations, to allow the continued operation of the Filoli Center, located at 86 Cañada Road in the unincorporated Woodside area of San Mateo County.

County File Number: PLN 1999-00710 (Filoli)

PROPOSAL

The project applicant requests a Use Permit Renewal and amendment to allow the continuation of uses and activities associated with the Filoli Center. Structures associated with the use include the main house, visitor center, administration buildings, existing staff housing, greenhouses, a potting shed, a restroom building, outdoor snack area and the staff lounge. Activities currently permitted at the site include tours of the historic house and gardens, educational classes, private parties and fund-raising events. The amendment is to increase the maximum number of attendees on the property at any one time from 450 to 600.

RECOMMENDATION

That the Zoning Hearing Officer approve the Use Permit Renewal, County File No. PLN 1999-00710 by making the required findings and adopting the conditions of approval listed in Attachment A.

BACKGROUND

Report Prepared By: Tiare Peña, Project Planner; Tpena@smcgov.org

Applicant: Filoli Center

Owner: National Trust for Historic Preservation, Washington, D.C.

Public Notification: Ten (10) 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 Times.

Location: 86 Cañada Road, Woodside

APNs: 067-270-040; 067-270-070 and 067-270-060

Size: 126 acres

Existing Zoning: R-E/S-11 (Residential Estates/Minimum Parcel Size 1-5 acres)

General Plan Designation: Open Space

Sphere-of-Influence: N/A

Existing Land Use: Historic Home and Philanthropic Institute

Water Supply: Wells and City of San Francisco Watershed

Sewage Disposal: Septic System

Flood Zone: FEMA Flood Insurance Rate Map designation indicates parcel as Zone D, Community Panel No. 06081 C0285E effective date 10/16/2012.

Environmental Evaluation: The project is categorically exempt pursuant to §15301, Class 1, of the California Environmental Quality Act (CEQA) Guidelines for the continued operation of existing public or private facilities involving no physical changes or expansion of use.

Setting: The parcels are located a mile west of Cañada Road and were originally part of the 1,400-acre Phleger Estate. The site is covered with Oak trees, Redwood trees and other natural vegetation except for approximately 16 acres where the orchard, gardens and the residence are located. The 8,000 sq. ft. residence was constructed in 1923 and is surround by landscaping and a number of small outbuildings. Buildings include an 8,250 sq. ft. visitor center and a 3,990 sq. ft. carriage house. Accessory buildings include a pump house, a pool cabana, garden tool and lathe houses, greenhouses, a detached garage to serve the main residence. Two staff housing units were built in 1925 and in 1970 an existing barn was renovated into a third staff housing unit.

Chronology:

<u>Date</u>	<u>Action</u>
1982	- First Use Permit for the Filoli Center is issued.
1987	- Five-year Use Permit Renewal approved by the Zoning Hearing Officer.
May 18, 1993	- Use Permit amendment approved allowing revisions to the original approval for reconstruction of the carriage house.

- April 20, 2000 - Zoning Hearing Officer approves Use Permit amendment to allow the construction of a new nursery and storage facility on the parcel.
- 2002 - Use Permit renewed
- July 28, 2004 - Use Permit amendment to allow a 158 sq. ft. restroom facility and a 1,369 sq. ft. addition to the existing Visitor Center café and a Tree Removal permit approved.
- 2013 - Use Permit renewed
- July 8, 2022 - Application submitted for Use Permit renewal.
- November 16, 2023 - Zoning Hearing Officer public hearing.

DISCUSSION

A. **KEY ISSUES**

1. **Conformance with the San Mateo County General Plan**

The San Mateo County General Plan designates this property as General Open Space and outside the urban/rural boundary. Recreation is a primary feasible use associated with land designated as open space. Furthermore, staff has determined that the project complies with applicable General Plan policies, with specific discussion of the following:

Chapter 4 -Visual Quality Policies

Policies 4.47 through 4.68, which regulate architectural design standards for rural scenic corridors, require the design of structures to be compatible in size and scale with the building site and surrounding environment, and to conform to the natural topography and blend with the natural vegetation. In addition, the policies require, to the extent practical, the location of development so it does not obstruct views from scenic roads or disrupt the visual harmony of the natural landscape. These policies further require the design and construction of new roads to be sensitive to the visual qualities and character of scenic corridors and that all utility lines are placed underground.

The original Use Permit and subsequent amendments all required conformance with these General Plan policies and past improvements to the property were approved subject to conformance with these General Plan policies. Staff completed a site visit to the Filoli Center and Gardens and

has determined that the project continues to be in conformance with all applicable General Plan Policies.

2. Compliance with Zoning Regulations

The project is located in the R-E/S-11 Zoning District. In 1982, the Zoning Hearing Officer approved the Use Permit allowing the operation of the center by making the findings required to allow an institution of a philanthropic or charitable nature pursuant to § 6500(c.6). In 1987, the Zoning Hearing Officer approved the renewal of the Use Permit, and subsequent renewals and amendments were also found to be consistent with all zoning requirements. No physical changes or additional improvements are proposed at this time.

3. Compliance with Conditions of Last Approval

Staff has reviewed the previous Use Permit conditions of approval for the Filoli Center and Gardens (PLN 1999-00710) last approved January 17, 2013, and has determined that the facility is in compliance with all previous conditions. Previous conditions that remain relevant are included in Attachment A of this report.

4. Compliance with Use Permit Finding

In order to approve the Use Permit to allow the continued operation of this facility, the Zoning Hearing Officer must make the following finding:

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

Staff has conducted a site inspection and reviewed the project against the General Plan and Zoning Regulations as outlined in this report. Staff has received no complaints about the operation of the Filoli Center. Based on said review and the history of Filoli Center and Gardens as an asset to the community, staff has determined that the continued use of the facility will not cause detrimental impacts to the public welfare, therefore this finding can be made.

B. ENVIRONMENTAL REVIEW

The project is exempt from environmental review, pursuant to the California Environmental Quality Act (CEQA) Guidelines under the provisions of §15301, Class 1 of the California Environmental Quality Act for the continued operation of

existing public or private facilities involving no physical changes or expansion in use.

C. REVIEWING AGENCY

1. County Fire

ATTACHMENTS

- A. Recommend Findings and Conditions of Approval
- B. Location Map

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County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 1999-00710 Hearing Date: November 16, 2023

Prepared By: Tiare Peña, Project Planner For Adoption By: Zoning Hearing Officer

RECOMMENDED FINDINGS

For the Environmental Review, Find:

1. That the project is categorically exempt from the California Environmental Quality Act (CEQA) Guidelines under provisions of §15301, Class 1, for the continued operation of existing public or private facilities involving no additional physical changes and no expansion of use.

For the Use Permit, Find:

2. That the establishment, maintenance and/or conducting of the proposed use will not, under the circumstances of this particular case, be detrimental to the public welfare or injurious to property or improvements in said neighborhood because the Filoli Center is a historic asset to the community that complies with the County's General Plan and Zoning Regulations.

CONDITIONS OF APPROVAL

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 November 16, 2023. Modifications beyond that which was approved by the Zoning Hearing Officer will be subject to review and approval by the Community Development Director and may require review at a public hearing. Minor modifications that are largely consistent with this approval may be approved at the discretion of the Community Development Director.
2. This permit shall be valid for ten (10) years from the date of this approval and shall expire on November 16, 2033. If continuation of this use is desired, the applicant shall file a Use Permit renewal application with the Planning and Building

Department six months prior to its expiration and pay the fees applicable at that time.

3. This permit shall cover the facilities and activities as presently operating, including the visitor center, reference library, maintenance and nursery buildings, restroom outbuilding, nature tours, educational activities and special events.
4. The hours of operation for tours shall be from 7:00 a.m. to 9:00 p.m.; special event and staff functions may be scheduled at other hours. The number of persons regularly allowed on the property shall not exceed 600.
5. The permanent stormwater controls shall be maintained throughout the life of the project.

County Fire

6. The applicant is advised that the project site is located within the Fire Hazard Severity Zone No. 3304 on Official Maps of the California Department of Forestry and Fire Protection and has been designated as having a moderate wildland fire danger rating. The site is further located within the boundaries of the San Francisco Peninsula Watershed Hazardous Fire Area as defined in Title 14, California Code of Regulations § 1205.4. Lands within such areas are subject to annual fire safety clearance provisions of Public Resource Code §4291 and, upon sale or transfer, the owner must comply with the disclosure requirements of Public Resources Code § 4136.
7. Prior to May 5th of each year of the renewal period, the applicant shall schedule an inspection of the site with the County Fire Marshal. The inspection will verify that all structures have been provided with the minimum 30-foot clearance of standing vegetation excluding any ornamental shrubbery, that all spark arresting screens are installed and functional, that all roofs are free of accumulations of vegetative material, and that all dead wood has been removed from trees overhanging all structures.
8. The applicant shall annually remove accumulations of vegetation adjacent to the parking area as deemed appropriate by the County Fire Marshal.
9. The applicant shall ensure that all portable fire extinguishers, fire extinguishers and fire extinguishing systems are maintained and serviced by licensed personnel and shall provide documentation upon request of the County Fire Marshal.

10. The applicant shall obtain building permits for all events where tents or tarps are erected and shall comply with any specific conditions of the Fire Marshal based on the particular event or activity.
11. All roadways shall be vertically clear from any obstructions to a height of 13-feet by 6 feet.
12. Any chimney or woodstove outlet shall have installed onto the opening no larger than 1/2-inch in size, or an approved spark arresting device. Maintain around and adjacent to such buildings or structures a fuel break/firebreak made by removing and clearing away flammable vegetation for a distance of not less than 30 feet and up to 100 feet around the perimeter of all structures or to the property line, if the property line is less than 30 feet from any structure. This is not a requirement nor an authorization for the removal of live trees. Remove that flammable portion of any tree which extends within 10 feet of the outlet of any chimney or stovepipe, or within 5 feet of any portion of any building or structures. Remove that dead or dying portion of any tree which extends over the roof line of any structure.

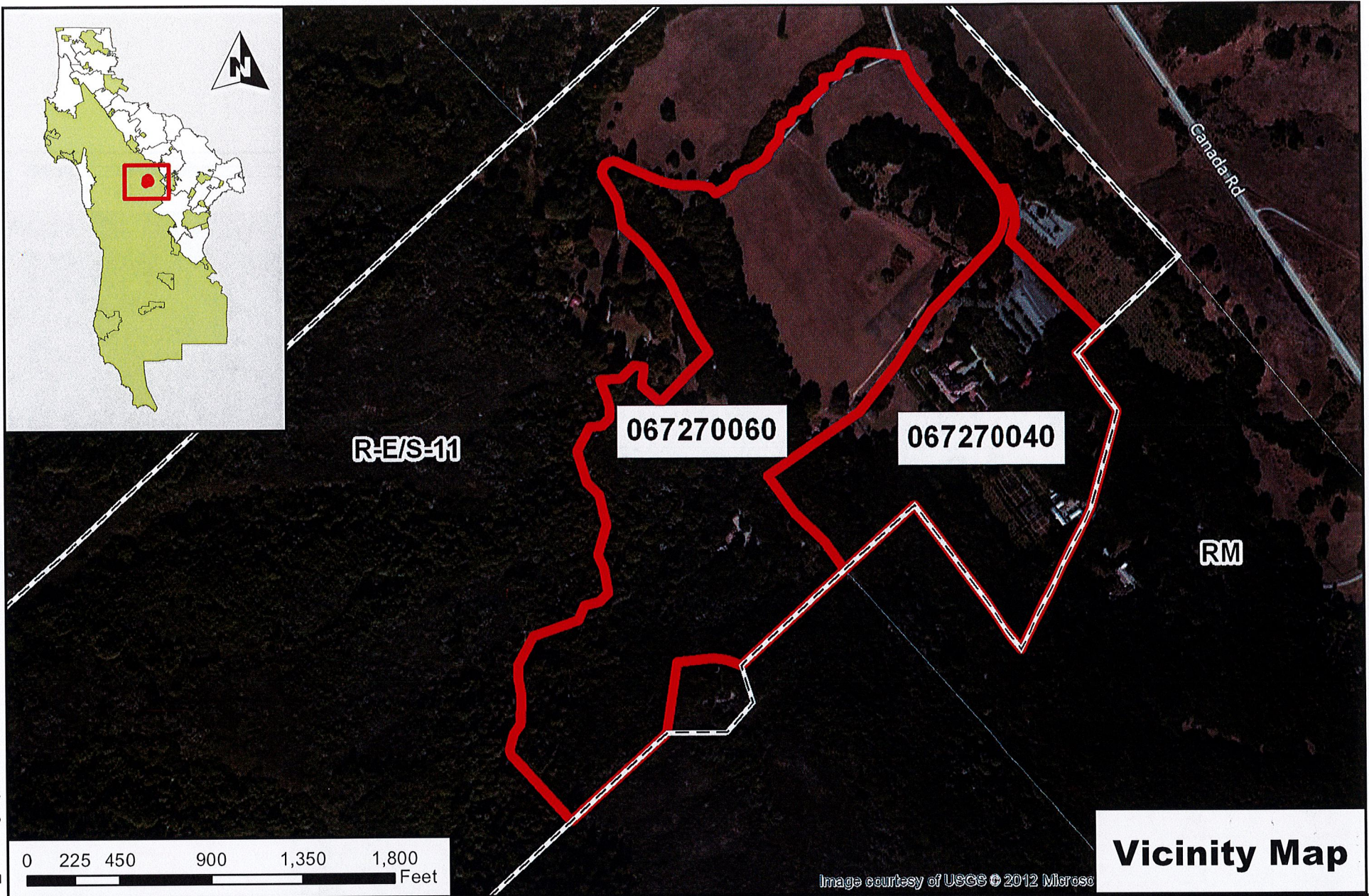
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COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT B

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Vicinity Map

San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant: **Filoli**

Attachment: **B**

File Numbers: **PLN1999-00710**

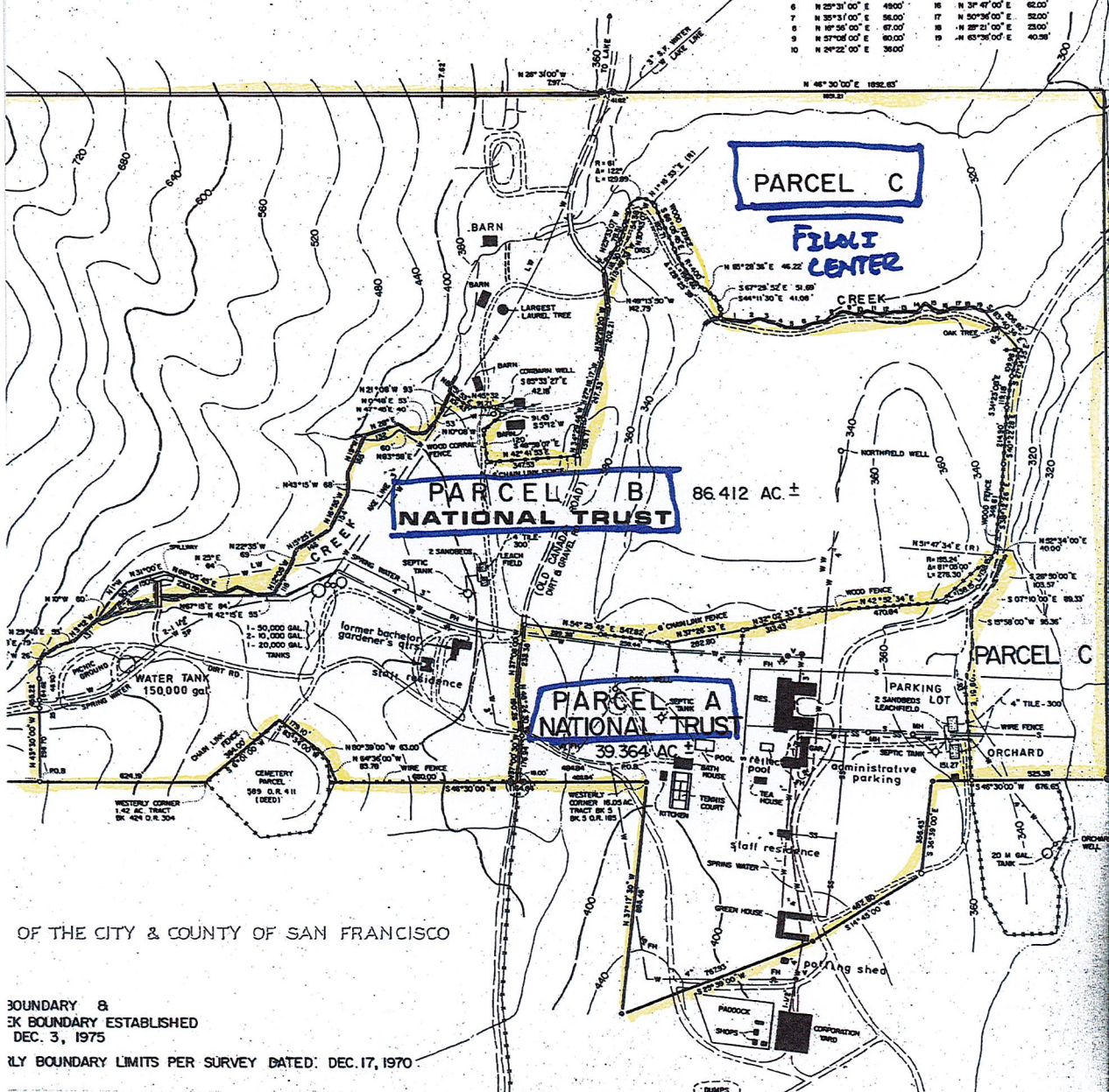


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in yellow are for three staff members.

LANDS OF THE CITY & COUNTY OF SAN FRANCISCO

CREEK TRAVERSE

1	N 54°05'00" E	100.00'	11	N 61°35'00" E	49.00'
2	N 30°25'00" E	43.00'	12	N 40°18'00" E	58.00'
3	N 61°41'00" E	42.00'	13	N 49°18'00" E	84.00'
4	N 67°04'00" E	28.00'	14	N 2°12'00" W	35.00'
5	N 51°14'00" E	54.00'	15	N 72°35'00" E	68.00'
6	N 29°31'00" E	49.00'	16	N 3°47'00" E	62.00'
7	N 35°31'00" E	58.00'	17	N 30°36'00" E	52.00'
8	N 19°35'00" E	67.00'	18	N 28°21'00" E	23.00'
9	N 57°08'00" E	60.00'	19	N 63°38'00" E	40.38'
10	N 24°22'00" E	38.00'			



OF THE CITY & COUNTY OF SAN FRANCISCO

BOUNDARY &
 BK BOUNDARY ESTABLISHED
 DEC. 3, 1975

ILY BOUNDARY LIMITS PER SURVEY DATED: DEC. 17, 1970