

# MEMORANDUM

## COUNTY OF SAN MATEO PLANNING AND BUILDING DEPARTMENT

**DATE:** September 5, 2019  
**TO:** Zoning Hearing Officer  
**FROM:** Bryan Albini, Project Planner  
**SUBJECT:** Consideration of a Non-Conforming Use Permit to allow Riekes Recreation Facility to make modifications to an existing legal non-conforming use (Indoor Recreational/ in the M-1/Edison/NFO District) & non-conforming structure (front yard setbacks). Proposal to modify existing institutional facility to conform to setback requirements & remove any structures within the public (Edison) road right-of-way.

County File Number: PLN 2019-00108 (Riekes Center/Moulton)

---

Planning staff has consulted with County Counsel regarding this project and the need for a Use Permit given the recently adopted M-1/Edison/NFO Zoning Regulations amendment approved by the Board of Supervisors on July 23, 2019.

The project was submitted on March 15, 2019 and deemed complete August 15, 2019. At the time of project application, the M-1/Edison/NFO zoning district regulations allowed "Indoor Exercise and Leisure Facilities" with a Use Permit and calculated parking spaces at a rate of one space for every 2,000 sq. ft. of floor area.

In the interceding period, the development standards, allowed uses, and parking standards of the M-1/Edison/NFO zoning district were amended and no longer require a Use Permit for Indoor Exercise and Leisure Facilities, of which the Riekes Center, is categorized.

The updated parking standards calculate parking spaces for these facilities at a rate of one space for each 750 sq. ft. of floor area. The facility currently has 24 off-street parking spaces available. The proposed increase in floor area of 1790 sq. ft. would require 2 additional parking spaces under the amended regulations.

In addition to the modified calculation rate, other parking provisions in Chapter 3 (*Parking*) were retained. Specifically, Section 6118(e), which allows for no change in parking requirements provided there is no increase of more than (10) percent in the number of off-street parking spaces for additions or enlargements. The parking regulations require 52 spaces for the existing building's 38,590 sq. ft. of floor area and the proposed improvements require 54 spaces. The difference in additional parking spaces required under the current M-1/Edison/NFO regulations, of 2 spaces, is an approximate 4 percent increase in spaces and, thus, is compliant with parking requirements.

Given the above, no Use Permit is required for this project and Planning staff recommends that the Zoning Hearing Officer remand the item back to staff.