

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

DATE: March 19, 2015

TO: Zoning Hearing Officer

FROM: Planning Staff

SUBJECT: Consideration of a Minor Subdivision, pursuant to County Subdivision Regulations Section 7010, to subdivide a 26,981 sq. ft. parcel into two lots (11,550 sq. ft. and 15,431, sq. ft.), located at 506 Palmer Lane in the unincorporated North Fair Oaks area of San Mateo County.

County File Number: PLN 2014-00429 (Ronaghi)

PROPOSAL

The applicant proposes to subdivide a 26,981 sq. ft. parcel into two lots, Lot 1 (11,550 sq. ft.) and Lot 2 (15,431 sq. ft.). This is a “flag lot” subdivision with Lot 1 located in front, and Lot 2 located in the rear, served via a 20-foot wide driveway access.

RECOMMENDATION

That the Zoning Hearing Officer approve the Minor Subdivision, County File Number PLN 2014-00429, by making the required findings and adopting the recommended conditions of approval listed in Attachment A.

BACKGROUND

Report Prepared By: Tiare Peña, Project Planner, Telephone 650/363-1850

Report Reviewed By: Dave Holbrook, Senior Planner

Applicant: Mojtaba Ronaghi

Owner: Rona Development LLC

Location: 506 Palmer Lane, Redwood City

APN: 060-163-170

Size: 26,981 sq. ft.

Existing Zoning: R-1/S-93 (Single-Family Residential/10,000 sq. ft. minimum parcel size)

General Plan Designation: Medium Density Residential (6.1 to 8.7 dwelling units per net acre)

Parcel Legality: The parcel was created as delineated upon that certain map entitled, "Barney Park, San Mateo County, California," filed for record in the Office of the Recorder of the County of San Mateo, State of California, on October 6, 1922, in Book 11 of Maps, at pages 10 and 11.

Sphere-of-Influence: City of Redwood City

Existing Land Use: Single-Family Residential

Water Service: California Water District

Sanitary Service: Fair Oaks Sewer Maintenance District

Flood Zone: FEMA Flood Zone X, areas of 0.2% annual chance of flood; Community Panel No. 06081C0303E; effective October 16, 2012.

Environmental Evaluation: Categorically exempt; CEQA Section 15315 (Class 15), Minor Land Divisions.

Setting: The project site is a flat lot located on Palmer Lane (formerly 15th Avenue) in the unincorporated North Fair Oaks area near Atherton. The site is currently developed with a single-family residence which will be demolished if the subdivision is approved. Located to the north, south, east and west of the site are other single-family residential uses. There are numerous trees located throughout the parcel, none of which will be removed under this application.

Chronology:

<u>Date</u>	<u>Action</u>
November 6, 2014	- Application submitted. Both parcels comply with minimum lot size requirements.
December 4, 2014	- Referral sent to the North Fair Oaks Council; no comments were received.
December 4, 2014	- Building Inspection Section submits comments.
December 10, 2014	- Menlo Park Fire Protection District reviews submittal and has no comments.

December 10, 2014 - Department of Public Works submits comments.

December 30, 2014 - Application deemed complete.

DISCUSSION

A. KEY ISSUES

1. Compliance with the General Plan/North Fair Oaks Community Plan

The County General Plan designates the subject property as “Medium Density Residential,” at 6.1 to 8.7 dwelling units per acre. The proposed land division represents an average of about 6.20 dwelling units per acre and complies with the land use designation and density of the General Plan.

Regarding the provision of housing, North Fair Oaks Community Plan Policy 3.1 (*Provision of Housing*) discusses providing a sufficient supply of safe, sanitary housing of adequate size. A subdivision of this parcel will allow for two residences to be constructed in this location.

2. Compliance with Zoning Regulations

Future development on these parcels will be required to comply with the R-1/S-93 Zoning District standards regarding setbacks, lot coverage, height and floor area ratio.

Below is a table listing the development standards for the R-1/S-93 Zoning District and how each proposed parcel compares with the applicable standards for subdivision. Please note that the existing residence, shed, outbuildings and pool will be demolished prior to recordation of the parcel map.

Development Standards	R-1/S-93 Requirement	Lot A	Lot B
Minimum Parcel Size	10,000 sq. ft.	11,550 sq. ft.	15,431 sq. ft.
Width	50 ft.	80 ft.	100 ft.

3. Compliance with Subdivision Regulations

The proposed minor subdivision has been reviewed by staff with respect to the County Subdivision Ordinance. The Department of Public Works, Menlo Park Fire Protection District, the Building Inspection Section, Environmental Health Division and the Geotechnical Section have also reviewed the project and found that, as conditioned, it complies with their

standards and the requirements of the County Subdivision Ordinance. Conditions of approval have been included in Attachment A of this report.

In order to approve this subdivision, the Zoning Hearing Officer must make the following findings, each followed by the supporting evidence.

- a. **Find that, this tentative map, together with the provisions for its design and improvement, is consistent with the San Mateo County General Plan.**

The Department of Public Works and Planning Department have reviewed the tentative map and found it consistent, as conditioned in Attachment A, with State and County land division regulations. The project is consistent with the County General Plan, as discussed in Section A.1 of this report.

- b. **Find that the site is physically suitable for the type and proposed density of development.**

This site is physically suited for single-family residential development for the following reasons: (1) the proposed parcels conform to the minimum parcel size requirements of the R-1/S-93 Zoning District; and (2) the applicant must obtain a sewer and water connection for Lot 2 prior to recording the parcel map, and both sewer and water providers have indicated that connections are available.

The existing residence is to be demolished after issuance of applicable demolition permits from the Building Inspection Section prior to recordation of a parcel map.

- c. **Find that the design of the subdivision and the proposed improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.**

The subdivision as proposed presents no conflicts with existing easements, since there are currently no easements located or recorded on the property.

- d. **Find that the design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities.**

Currently, there is one residence on the site which will be demolished. Future development can make use of passive heating and cooling to the extent practicable.

- e. **Find that the design of the subdivision and the proposed improvements are not likely to cause serious public health problems, substantial environmental damage, or substantially and avoidably injure fish or wildlife or their habitat.**

The design of the subdivision will not cause serious public health problems nor will it cause substantial environmental damage. There is adequate routine and emergency access, which has received preliminary approval by the Department of Public Works and the Menlo Park Fire Protection District. The proposed subdivision design will also comply with required standards related to stormwater runoff. There are no creeks nearby and thus the subdivision will not impact any fish, wildlife or their habitat. Future residential development on both parcels will require review by the Planning Department for conformance with the R-1/S-93 Zoning District regulations and will also require obtaining building permits.

- f. **Find that the design of the subdivision is in compliance with Section 7020 of the County Subdivision Regulations.**

The subdivision, as proposed and to the extent feasible, preserves the natural topographic features of the site and minimizes the removal of vegetation, including significant and heritage trees, and protects both surface and groundwater resources from unnecessary alteration, depletion, or degradation per Section 7020-1.a, 1.b and 1.c.

The subdivision, as proposed, includes a “flag parcel” with the access corridor meeting the minimum width of 20 feet as required by Section 7020-2.i. The subdivision is also in compliance with Section 7020-2.a (*Suitability*); 2.b (*Size*), neither parcel is less than 5,000 sq. ft.; 2.c (*Dimensions*), neither parcel is less than 50 feet wide or less than 100 feet in depth; and 2.d (*Frontage*), each parcel has, at least, a minimum frontage of 20 feet.

- g. **Find that the discharge of waste from the proposed subdivision into an existing community sewer system would not result in violation of existing requirements prescribed by a State Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 1300) of the State Water Code.**

The discharge of waste into the existing community sewer system will not result in a violation of existing State Regional Water Quality Control Board requirements.

- h. **Find that the land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965.**

The land is not encumbered by a California Land Conservation Contract.

4. Compliance with In-Lieu Park Fees

Section 7055.3 (*Fees In Lieu of Land Dedication*) requires, as a condition of approval of the tentative map, that the subdivider dedicate land or pay an in-lieu fee. Said fee is for acquisition, development or rehabilitation of County park and recreation facilities, and/or to assist other providers of park and recreation facilities to acquire, develop or rehabilitate facilities that will serve the proposed subdivision. The section further defines the formula for calculating this fee. The subdivision's "in-lieu park fee" will be calculated and paid by the owner prior to recordation of the parcel map, and is estimated to be approximately \$26,152.97.

B. REVIEW BY NORTH FAIR OAKS COMMUNITY COUNCIL

Due to scheduling conflicts, staff was unable to schedule this project to be discussed at the North Fair Oaks Council public meeting. A referral was sent to the North Fair Oaks Community Council, but no comments were returned.

C. ENVIRONMENTAL REVIEW

This project is categorically exempt, pursuant to the California Environmental Quality Act, Section 15315 (Class 15), related to minor division of land in urban areas on slopes less than 20%. The subject parcel is generally flat and located in the North Fair Oaks area, a designated urban community.

D. REVIEWING AGENCIES

Department of Public Works
Building Inspection Section
Menlo Park Fire Protection District
Fair Oaks Sewer Maintenance District
Cal Water

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
- B. In-Lieu Park Fee Worksheet
- C. Location Map
- D. Tentative 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 2014-00429 Hearing Date: March 19, 2015

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

RECOMMENDED FINDINGS

Regarding the Environmental Review, Find:

1. That this project is categorically exempt from the California Environmental Quality Act, pursuant to Section 15315 (Class 15), related to minor division of land in urban areas on slopes less than 20%.

Regarding the Subdivision, Find:

2. That, in accordance with Section 66473.5 of the State Subdivision Map Act, this tentative map, together with the provisions for its design and improvement, is consistent with the San Mateo County General Plan.
3. That the site is physically suitable for the type and proposed density of development. The S-93 Zoning District requires a minimum parcel size of 10,000 square feet. The proposed subdivision results in two parcels measuring greater than 10,000 sq. ft., thus complying with the criteria for the S-93 Zoning District.
4. That the design of the subdivision and the proposed improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. There are no public easements located within this property.
5. That the design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities.
6. That the design of the subdivision and the proposed improvements are not likely to cause serious public health problems, substantial environmental damage, or substantially and avoidably injure fish or wildlife or their habitat.
7. That the discharge of waste from the proposed subdivision into an existing community sewer system would not result in violation of existing requirements

prescribed by a State Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 1300) of the State Water Code.

8. That the land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

1. This subdivision approval is valid for two (2) years, during which time a parcel map shall be filed. An extension to this time period in accordance with Section 7013.5.c of the Subdivision Regulations may be issued by the Planning Department upon written request and payment of any applicable extension fees, if required, sixty (60) days prior to expiration. Minor adjustments to the project may be approved by the Community Development Director if they are consistent with the intent of and are in substantial conformance with this approval. Any other developments on the property will be subject to a separate permitting process.
2. The applicant shall pay to the San Mateo County Planning and Building Department the in-lieu park fee of \$26,152.97 as required by County Subdivision Regulations Section 7055.3 (as calculated on the In-Lieu Park Fee Worksheet) prior to recordation of the parcel map.
3. Prior to recordation of the parcel map, the applicant shall obtain demolition permits for all structures on the site.
4. No trees are permitted to be removed. Any tree removal is subject to a separate permitting process.
5. Prior to any grading or construction activity on the project site, the property owner shall implement the following tree protection plan:
 - a. The property owner shall establish and maintain tree protection zones throughout the entire length of the project.
 - b. Tree protection zones shall be delineated using 4-foot tall orange plastic fencing supported by poles pounded into the ground, located as close to the driplines as possible while still allowing room for construction/grading to safely continue.
 - c. The property owner shall maintain tree protection zones free of equipment and materials storage and shall not clean any equipment within these areas.

- d. Should any large roots or large masses of roots need to be cut, the roots shall be inspected by a certified arborist or registered forester prior to cutting.
- e. Any root cutting shall be monitored by an arborist or forester and documented.
- f. Roots to be cut should be severed cleanly with a saw or toppers.
- g. Normal irrigation shall be maintained, but oaks should not need summer irrigation.

The above information shall be on-site at all times.

- 6. No grading is permitted. Any grading is subject to a separate permitting process.

Department of Public Works

- 7. 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 residences per Ordinance No. 3277.
- 8. Prior to the issuance of the building permit or planning permit (if applicable), the applicant shall submit a driveway "Plan and Profile," to the Department of Public Works, showing the driveway access to the parcel (garage slab) complying with County Standards for driveway slopes (not to exceed 20%) and to County Standards for driveways (at the property line) being the same elevation as the center of the access roadway. When appropriate, as determined by the Department of Public Works, this plan and profile shall be prepared from elevations and alignment shown on the roadway improvement plans. The driveway plan shall also include and show specific provisions and details for both the existing and the proposed drainage patterns and drainage facilities.
- 9. The applicant shall submit a Parcel Map to the Department of Public Works County Surveyor for review, to satisfy the State of California Subdivision Map Act. The final map will be recorded only after all Inter-Department conditions have been met.
- 10. 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.
- 11. The applicant shall submit a permanent stormwater management plan in compliance with the County's Drainage Policy and NPDES requirements for review and approval by the Department of Public Works.

12. The applicant shall have prepared, by a registered civil engineer, a drainage analysis of the proposed subdivision and submit it to the Department of Public Works for review and approval. The drainage analysis shall consist of a written narrative and a plan and shall meet the requirements on the County's drainage policy. The flow of the stormwater onto, over, and off the property being subdivided 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. Recommended measures shall be designed and included in the driveway or street improvement plans or building plans, and submitted to the Department of Public Works for review and approval.
13. The applicant shall record documents which address future maintenance responsibilities of any private drainage and/or roadway facilities which may be constructed. Prior to recording these documents, they shall be submitted to the Department of Public Works for review.
14. The applicant shall prepare a plan indicating the proposed method of sewerage for the proposed properties. This plan should be included on the improvement plans and submitted to the Department of Public Works for review. Upon completion of this review, the applicant or his engineer shall have these approved plans signed by the Fair Oaks Sewer District.
15. The applicant shall submit, to both the Department of Public Works, and the Planning Department, written certification from the appropriate Water District stating that their requirements to provide water service connections to the proposed parcels of this subdivision have been met.
16. Any potable water system work required by the appropriate district within the County right-of-way shall not be commenced until County requirements for the issuance of an encroachment permit have been met. Plans for such work shall be reviewed by the Department of Public Works prior to the issuance of the permit.
17. The applicant shall submit written certification from the appropriate energy and communication utilities to the Department of Public Works and the Planning Department stating that they will provide energy and communication services to the proposed parcels of this subdivision.
18. "As-built" plans of all construction required by these conditions shall be prepared and signed by the subdivider's engineer upon completion of all work. The "as-built" plans shall be accompanied by a written certification from the engineer that all private facilities have been completed in conformance with the approved plans.

19. Plans, with specific construction details, shall be stamped and signed by the registered civil engineer and submitted to the Department of Public Works for review and approval prior to construction.
20. Erosion and sediment control during the course of this grading work shall be according to a plan prepared and signed by the engineer of record, and approved by the Department of Public Works and the Planning Department. Revisions to the approved erosion and sediment control plan shall be prepared and signed by the engineer. It shall be the responsibility of the applicant's engineer to regularly inspect the erosion control measures and determine that they are functioning as designed and that proper maintenance is being performed. Deficiencies shall be immediately corrected.

Building Inspection Section

21. Building permits shall be applied for and obtained from the Building Inspection Section for any future demolition or construction on the parcels created as a result of the filing of the parcel map for this project.

Environmental Health Division

22. Prior to recordation of the parcel map, the applicant shall provide payment of outstanding Environmental Health fees of \$1,262.

Menlo Park Fire Protection District

23. Approval is subject to State Laws and Regulations and applicable County Ordinances, such approval is also subject to field inspections and tests.

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