

**Board Meeting Date:** May 23, 2023  
**Special Notice / Hearing:** 10-day notice;  
publication and 500  
ft. radius  
**Vote Required:** Majority

**To:** Honorable Board of Supervisors

**From:** Steve Monowitz, Community Development Director

**Subject:** EXECUTIVE SUMMARY Consideration of an appeal of the Planning Commission's decision to approve a Major Subdivision to construct a new four-story, 23-unit condominium development at 206 Sequoia Avenue in the unincorporated Sequoia Tract area of San Mateo County.

County File Number: PLN 2022-00136 (Canyon Vista Partners, LLC.)

**RECOMMENDATION:**

Recommendation that the Board of Supervisors deny the appeal and uphold the Planning Commission's decision to approve the Major Subdivision, PLN 2022-00136, by making the findings and adopting the conditions of approval contained in Attachment A and determine that no additional environmental review is required pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15162.

**DISCUSSION:**

The appellant contends that the Planning Commission's decision to approve the Major Subdivision required to construct a new four-story, 23-unit residential condominium building should be reversed and a decision hearing for the project should be held again due to allegedly inadequate notification to an interested party for the February 8, 2023 Planning Commission public meeting. The appeal further asserts that as a result, there was not adequate time for the appellant to notify neighbors of the February 8, 2023 public meeting, which allegedly reduced public attendance. The appeal further notes that the public notification error was not mentioned during the Planning Commission meeting. The appeal is based on this alleged noticing error only; no substantive issues regarding the subdivision's consistency with applicable policies and regulations are raised by the appeal.

With regard to the alleged noticing error, according to County records, the appellant's email was included in the list of "interested parties" to receive special notices relating to this project. However, no email notification was sent to the appellant prior to the February 8, 2023 Planning Commission hearing, which was attended by the appellant and a number of additional interested parties.

County Subdivision Regulations, Section 7013.2(e) identify subdivision notification requirements and state that “Substantial compliance with these provisions for notice shall be sufficient and a technical failure to comply will not affect the validity of action or decision authorized by these regulations.” A public meeting notice for the project was a) mailed to property owners within a five hundred (500) foot radius, an additional radius of 200 feet than required, and published in the San Mateo Times at least ten (10) days prior to the meeting, b) posted on the Planning and Building Department website not less than ten (10) days prior to the meeting, and c) sent to all applicable affected public agencies ten (10) days prior to the meeting as required in Section 7013.2 (*Noticing Requirements*) of the Subdivision Regulations. Therefore, the noticing for the February 8, 2023 Planning Commission hearing for the project was in substantial compliance with subdivision requirements.

The memorandum and the recommended findings and conditions of approval have been reviewed and approved by the County Attorney’s Office as to form.

**FISCAL IMPACT:**

No fiscal impact.