

**Board Meeting Date:** July 26, 2022  
**Special Notice / Hearing:** 10-day public notification and 500 feet notice  
**Vote Required:** Majority

**To:** Honorable Board of Supervisors

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

**Subject:** EXECUTIVE SUMMARY: Consideration of a General Plan Map Amendment, Zoning Map Amendment, Minor Subdivision, Grading Permit, and adoption of a Mitigated Negative Declaration, to subdivide a 34,816 square-foot parcel into three (3) lots at 501 Palmer Lane in the unincorporated North Fair Oaks area. The project requires a General Plan Map Amendment and Zoning Map Amendment to assign a zoning designation of One-family Residential (R-1/S-93) and General Plan designation of Single-family Residential to a 9,500 sq. ft. portion (detached from the Town of Atherton) of the project parcel. The project involves a total of 470 cubic yards of grading and the removal of four significant trees.

County File Number: PLN 2018-00271 (Radara LTD/Berghold)

**RECOMMENDATION:**

That the Board of Supervisors:

- A) Adopt a resolution adopting the Initial Study and Mitigated Negative Declaration for the General Plan Land Use Map Amendment, Zoning Map Amendment, Minor Subdivision, and Grading Permit for the project at 501 Palmer Lane in the unincorporated North Fair Oaks area;
- B) Adopt a resolution amending the San Mateo County General Plan Land Use Map to assign a land use designation of Single-family Residential to a 9,500 square foot portion of Assessor's Parcel Number 060-162-130, at 501 Palmer Lane in the unincorporated North Fair Oaks area;
- C) Adopt an ordinance amending Chapter 2 of Division VI of the San Mateo County Ordinance Code (Zoning Annex) to revise the zoning maps, Appendix A, to assign a zoning designation of R-1/S-93 (One-family Residential/S-93 Combining District) to a 9,500 sq. ft. portion of Assessor's Parcel Number 060-162-130 at 501 Palmer Lane in the unincorporated North Fair Oaks area, previously introduced to the Planning Commission on June 22, 2022, and wave reading of the ordinance in its entirety; and

- D) Approve the Minor Subdivision and Grading Permit, County File Number PLN 2018-00271, by making the required findings and adopting the conditions of approval in Attachment A.

**BACKGROUND:**

Proposal: The project parcel was previously split between the County of San Mateo and Town of Atherton boundary. In 2018, the San Mateo Local Agency Formation Commission (LAFCo) approved a minor sphere-of-influence amendment and detachment of a portion of the parcel (approximately 9,500 sq. ft.) from the Town of Atherton. The County has historically issued permits for development on the property and detachment was supported by the Town of Atherton and County to clarify which agency had land use jurisdiction and provide for consistent application of land use regulations by one agency over the whole of the property. Additionally, detachment was necessary in order to subdivide the property, as proposed, placing the entire property in the County’s jurisdiction. Subsequent to detachment, the proposed General Plan Map Amendment and Zoning Map Amendment is necessary to incorporate this portion of the parcel in the County’s land use and zoning maps. The applicant requests a General Plan Map Amendment, Zoning Map Amendment, Minor Subdivision, and Grading Permit to assign a consistent zoning designation of One-family Residential (R-1/S-93) and General Plan designation of Single-family Residential, to the 9,500 sq. ft. portion (detached from the Town of Atherton) of the 34,816 sq. ft. parcel and subdivide the parcel into 3 lots:

	<b>Proposed Parcel Size</b>	<b>Proposed Access</b>
Proposed Parcel A	11,082 sq. ft.	San Benito Avenue
Proposed Parcel B	13,732 sq. ft.	Palmer Lane (existing)
Proposed Parcel C	10,002 sq. ft.	Palmer Lane

The existing single-family residence will remain on proposed Parcel B and a new two-story residence with a basement is proposed for Parcel A. A total of 470 cubic yards of grading (i.e., excavation) is proposed to accommodate the new basement for the proposed development on Parcel A. The removal of 12 trees, including four significant trees consisting of one Walnut tree (12 inches diameter at breast height (dbh)), two American elm trees (12 inches and 25 inches dbh), and 1 Mexican fan palm tree (26 inches dbh), located throughout the property is proposed, primarily on proposed Parcel A. No development is currently proposed on Parcel C.

**DISCUSSION:**

Planning Commission Hearing: The Planning Commission considered the project at its regularly scheduled public meeting on June 22, 2022 and voted (4-0) to recommend that the Board of Supervisors adopt the amendments and approve the project.

The project parcel is a double-frontage lot, between Palmer Lane and San Benito Avenue, and is adjacent to the Town of Atherton boundary, in the unincorporated North Fair Oaks community. Surrounding land uses include single-family residential

developments within the County and the Town of Atherton on parcels ranging in average size from 7,500 sq. ft. to 20,000 square feet. The proposed subdivision will result in three single-family residentially zoned lots of no less than 10,000 sq. ft. each.

The project will conform with applicable General Plan policies, Zoning, Subdivision, and Grading standards. The General Plan land use map amendment and Zoning Map amendment will assign a general plan land use and zoning designation to the detached portion of the property to match the existing land use and zoning designation of the parcel and be consistent with the surrounding unincorporated area. Furthermore, the project will support infill objectives of the General Plan and provide additional housing at a lower single-family residential density to maintain consistency with the surrounding incorporated and unincorporated vicinity with minimal impact to services, infrastructure or the community.

The North Fair Oaks Community Council has provided a recommendation for approval of the project with the request that replacement trees be 24-inch box size, as opposed to the 15-gallon size recommended in Mitigation Measure 2 of the Mitigated Negative Declaration, to help expedite replacement of mature tree canopy being lost as a result of the project. Staff has revised recommended Mitigation Measure 2 based on the Council's request.

An Initial Study and Mitigated Negative Declaration (IS/MND) were prepared for the project. No comments were received during the 20-day public comment period. Only minor modifications have been made to the IS/MND since circulation, including correction of technical inaccuracies and substitute tree sizing. These minor modifications are shown in the final draft IS/MND, included as Attachment L to the staff report, as strikethrough and underline edits. The IS/MND concludes that the project will not have any significant effect on the environment, subject to the recommended mitigation measures incorporated into the project conditions of approval in Attachment A of the staff report.

The Resolutions and Ordinance have been reviewed and approved by County Counsel as to form.

**FISCAL IMPACT:**

No fiscal impact.