



County of San Mateo

Inter-Departmental Correspondence

Department: PLANNING AND BUILDING

File #: 22-232

Board Meeting Date: 4/5/2022

Special Notice / Hearing: 10-day publication and 500 Feet notice
Vote Required: Majority

To: Honorable Board of Supervisors

From: Steve Monowitz, Community Development Director

Subject: Consideration of an Initial Study and Mitigated Negative Declaration, pursuant to the California Environmental Quality Act (CEQA), and a General Plan Amendment and Zoning Map Amendment, pursuant to Section 6550 of the County Zoning Regulations, a Major Subdivision, pursuant to Sections 7000 et seq. of the County Subdivision Ordinance, and a Grading Permit, pursuant to Section 9280 et seq. of the San Mateo County Ordinance Code, to construct a six (6) unit, 18,550 sq. ft. townhouse development consisting of two (2) three-story buildings and twelve (12) parking spaces, on two existing parcels (combined 13,225 sq. ft.) at 1301 and 1311 Woodside Road, located in the Sequoia Tract area of the unincorporated San Mateo County. The project requires a General Plan Land Use Map amendment from Medium Density Residential to High Density Residential and Zoning Map amendment from single-family residential (R-1/S-74) to multi-family residential (R-3/S-3). The project involves 220 cubic yards of cut and 60 cubic yards of fill and the removal of ten (10) significant trees. The two (2) existing single-family residences are proposed to be demolished.

County File Number: PLN 2019-00252 (Dinar)

RECOMMENDATION:

Recommendation to:

- A) Adopt a resolution adopting the Mitigated Negative Declaration for the General Plan amendment, zoning map amendment, major subdivision, and grading permit for the development of six townhouses at 1301 and 1311 Woodside Road in the unincorporated Sequoia tract area; and

- B) Adopt a resolution amending the San Mateo County General Plan Land Use Map to change the land use designation of Assessor Parcel Numbers 069-311-250 and 069-311-340 from "Medium Density Residential" to "High Density Residential", at 1301 and 1311 Woodside Road in the unincorporated Sequoia tract area; and

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 change the zoning of Assessor Parcel Numbers 069-311-250 and 069-311-340 from R-1/S-74 to R-3/S-3, at 1301 AND 1311 Woodside Road in the unincorporated Sequoia tract area, previously introduced to the Planning Commission on December 8, 2021, and waive reading of the ordinance in its entirety; and

D) Approve the Major Subdivision, and Grading Permit, County File Number PLN 2019-00252, by making the required findings and adopting the conditions of approval in Attachment A.

BACKGROUND:

Proposal: The subject parcels are currently zoned R-1/S-74 (One-Family Residential; S-74 Combining District; 5,000 sq. ft. minimum parcel size) and are proposed to be rezoned to R-3/S-3 (Multiple-Family Residential; 5,000 sq. ft. minimum parcel size) to allow for higher density housing. The applicant proposes a General Plan Land Use Map amendment to change the parcels from Medium Density Residential, which allows 6.1 - 8.7 dwelling units/acre, to High Density Residential, which allows 17.5 - 87 dwelling units/acre. The applicant has proposed six (6) three-story townhouses (18,550 sq. ft. total). Residential units consist of five (5) four-bedroom units and one (1) two-bedroom unit; one of the six proposed units will be an affordable housing unit. Two covered parking spaces will be provided within attached garages for each unit. The project involves 220 cubic yards of cut and 60 cubic yards of fill and the removal of ten (10) significant trees. The two (2) existing single-family residences on the parcels are proposed to be demolished.

Report Prepared By: Camille Leung, Project Planner, Telephone 650/363-1826

Applicant: Moshe Dinar

Owner: Kardosh Mounir

Location: 1301 and 1311 Woodside Road, Sequoia Tract

APN(s): 069-311-250 and 069-311-340

Size: 13,225 sq. ft.

Existing Zoning: R-1/S-74 (One-family Residential/5,000 sq. ft. lot minimum)

General Plan Designation: Medium Density Residential

Sphere-of-Influence: City of Redwood City

Existing Land Use: Single-family Residential

Water Supply: California Water Service

Sewage Disposal: Fair Oaks Sewer Maintenance District

Flood Zone: Flood Zone X (Area of Minimal Flood Hazard); FEMA Panel No. 06081C0303E, effective October 16, 2021.

Environmental Evaluation: An Initial Study and Mitigated Negative Declaration (IS/MND) were prepared and circulated for review, with a 30-day review period commencing on August 11, 2021 and ending on September 10, 2021, as required by the California Environmental Quality Act (CEQA). Mitigation measures have been included as conditions of approval in Attachment A.

Setting: The subject parcels are zoned R-1/S-74 and are directly bordered by Rutherford Avenue to the north, Woodside Road to the west, single-family residences to the east, and a commercial building to the south. Across Rutherford Avenue to the north is an apartment complex and to the west across Woodside Road is an apartment complex and commercial development. The greater surrounding area is comprised of single-family residences, commercial buildings and apartment complexes. Along Woodside Road, all of the areas on the west side and many parcels on the east side are located within the incorporated areas of Redwood City. Each subject parcel is currently developed with a single-family residence.

Chronology:

<u>Date</u>	<u>Action</u>
June 21, 2017	-Major Development Pre-application Public Workshop (PRE 2017-00012) held for a 10-unit apartment/condominium complex.
June 3, 2019	-Based on community feedback, the applicant returned with a revised 6-unit proposal. Major Development Pre-application Public Workshop (PRE2018-00054) for six townhouse units was held; see Attachment I for a summary letter.
July 8, 2019	-Application submitted.
June 16, 2021	-Application deemed complete.
July 29, 2021	-Department of Public Works (DPW) staff identified sight distance issues related to project design at the corner of Woodside Road and Rutherford Avenue. The applicant agreed to dedicate at least fifteen feet of curb area at Rutherford Avenue as a “no parking” area (required by Mitigation Measure 5) and will be addressed with a separate application with the Department of Public Works.
August 11, 2021 to September 10, 2021	-Initial Study/Mitigated Negative Declaration public comment period.
December 8, 2021	-The Planning Commission held a public hearing and recommended approval of the project in a 4-1 vote.
April 5, 2022	- Board of Supervisors public hearing of the project.

DISCUSSION:

A. PLANNING COMMISSION ACTION

The Planning Commission considered the project at its December 8, 2021 meeting, and, by a vote of 4-1, recommended approval of the project to the Board of Supervisors.

B. ANALYSIS OF PROJECT COMPLIANCE WITH APPLICABLE COUNTY POLICIES AND REGULATIONS

The following is an analysis of the project's compliance with applicable County regulations, policies and standards:

1. Conformance with the General Plan

Upon review of the applicable provisions of the General Plan, staff has determined that the project complies with applicable General Plan Policies, including the following:

a. Soil Resources

Policy 2.17 (*Regulate Development to Minimize Soil Erosion and Sedimentation*) seeks to minimize soil erosion and sedimentation. The project would include 280 cubic yards of grading. Specifically, the grading activities necessary to prepare the site for residential development will require 220 c.y. of cut and 60 c.y. of fill to accommodate the proposed structures and shared driveway. The required implementation of erosion control measures will ensure that soil erosion is minimized. Per County standards, no grading shall be allowed during the winter season to avoid potential soil erosion, unless approved in writing by the Community Development Director. Conditions 15, 17, and 18 (Mitigation Measures 1, 3, and 4, respectively) provide measures to minimize erosion and sedimentation during project construction activities.

b. Visual Quality

Policies 4.15 (*Appearance of New Development*) and 4.36 (*Urban Area Design Concept*) require development in urban areas to promote and enhance good design, siting, site relationships, and other aesthetic considerations. The proposed architectural elements and exterior materials and colors for the two buildings work to enhance the overall design of the project in conjunction with the proposed landscaping. The height of the proposed townhouse structures is 31 feet 1-inch, which is below the maximum height of the proposed S-3 zoning (36 feet).

c. Urban Land Use

Policy 8.14 (*Appropriate Land Use Designations and Locational Criteria for Urban Unincorporated Areas*) provides guidelines for the appropriate designations and densities of properties located in Urban Neighborhoods to meet the stated objectives of the Urban Land Use Component, including but not limited to Objective 8.2(d) (Land Use Objectives for Urban Communities) which seeks to provide a mix and an amount of residential land uses that provide substantial housing opportunities in unincorporated areas. Table 8.1P in the General Plan identifies locational criteria for High Density Residential areas to include being adjacent to or in conjunction with commercial land uses, near employment centers, next to public services and facilities, and on large vacant parcels on the edge or outside of single-family neighborhoods.

The property is situated directly along Woodside Road, a commercial transit

corridor. Denser development is preferred in proximity to such an area because it offers services such as bus stops and commercial convenience services to reduce the need for vehicular trips. The project parcel is located at the edge of the single-family residentially zoned area of the Sequoia Tract neighborhood where the single-family residential-zoned parcels range in size from 5,000 sq. ft. to 10,000 sq. ft. in size compared to the larger 13,225 sq. ft. project site. Adjacent parcels consist of commercial, multi-family and single-family developed properties served by public services and facilities with varying zoning combining districts of S-3, S-4, S-7, and S-74. These combining districts limit the number of units by setting a minimum lot area per dwelling unit standard and work in conjunction with the General Plan land use designation to provide for the appropriate density in urban areas.

The parcels' current land use designation of Medium Density Residential allows for a density range of 6.1 - 8.7 dwelling units/net acre. The proposed General Plan Map Amendment to High Density Residential will allow a density range of 17.5 - 87 dwelling units/net acre. In order to support multi-family residential development comparable and compatible to other multi-family developed properties in the Sequoia Tract area as encouraged in Policy 8.37 (*Density*), a High Density land use designation, with an S-3 combining district, is proposed. The project proposes six residential units which would result in a density of 19.8 dwelling units/net acre, consistent with the proposed High Density Residential range of 17.5 - 87 dwelling units/net acre. The proposed density is suitable to the location and property size given its proximity to services and compatibility with surrounding development.

Policy 8.30 (*Infilling*) encourages the infilling of urban areas where infrastructure and public services are available. The project site is relatively larger in size, 13,225 sq. ft., compared to surrounding 5,000 sq. ft. - 10,000 sq. ft. residential parcels within the same R-1/S-74 Zoning District. The proposed project will allow better utilization of the comparably larger project site to fulfill urban land use objectives which seek to provide a mix and an amount of residential land uses to maximize housing opportunities in urban areas of the County and decrease the demand to construct housing in undeveloped areas.

Policy 8.35 (*Zoning Regulations*) seeks to ensure that development is consistent with land use designations through the use of zoning districts that establish specific development regulations. The proposed rezoning will allow better utilization of the larger project site for a transitional buffer of multi-family residential development between the higher intensity commercial corridor along Woodside Road, the existing adjacent multi-family residential development, and the lower density single-family residential Sequoia Tract neighborhood. The proposed rezoning from R-1/S-74 (One-Family Residential/5,000 sq. ft. lot minimum) to R-3/S-3 (Multiple-Family Residential/5,000 sq. ft. lot minimum), and the proposed multi-family residential construction, is proportional in size and scale to the property and compatible with existing multi-family development in the neighborhood, including in the areas of height, bulk, and setbacks as required by Policy 8.39 (*Height, Bulk, and Setbacks*).

d. Water Supply and Wastewater

Water Supply Policies 10.10 (*Water Suppliers in Urban Areas*) and 10.12 (*Coordination of Water Suppliers*) consider water systems as the appropriate water

supply for urban areas and seek to ensure water providers have capacity commensurate with the level of development permitted by adopted land use plans. The project property is currently served by California Water Service-Bear Gulch. The proposed project has been preliminarily reviewed and the purveyor did not raise any objections to the ability to continue serving the properties based on the proposed increase in development density.

Additionally, Wastewater Policies 11.4 (*Adequate Capacity for Unincorporated Areas*) and 11.5 (*Wastewater Management in Urban Areas*) consider sewerage systems as the appropriate method of wastewater management in urban areas and seek to ensure adequate capacity is available for unincorporated areas. The subject parcels are currently served by Fair Oaks Sewer Maintenance District. The District has indicated that there is sufficient sewer capacity to serve the proposed project.

e. Transportation

Policy 12.21 (*Local Circulation Policies*) seeks to ensure local circulation systems function adequately to maximize freedom of movement for transportation users and allows adequate and safe access for various land uses. The project site is located at Rutherford Avenue and Woodside Road, which are improved public roadways with curb, gutter and sidewalks. Access to existing amenities will be maintained along Woodside Road, including public transit stops. The maximum expected trip generation for a future development resulting from the proposed project is 38 trips per day per the traffic impact analysis (Attachment J). This maximum expected trip generation is below the County Department of Public Works and City/County Association of Government's (C/CAG's) thresholds for requiring a traffic impact study although one has been provided. As discussed in the IS/MND, the traffic report states that the added project trips would not degrade the levels of service and are not expected to result in a noticeable increase in vehicle delay at nearby intersections.

Additionally, this maximum expected trip generation does not require a Vehicle Miles Traveled (VMT) analysis because as a "small project" generating less than 110 daily trips, it falls below the screening thresholds designed to identify projects that could result in a significant VMT impact. Furthermore, the project provides 12 covered parking spaces in compliance with the parking requirements set forth in the County's Zoning Regulations.

The IS/MND identifies a potentially significant traffic impact related to sight distance, which would be reduced to a less than significant level with the implementation of Mitigation Measure 5, which requires a fifteen-foot curb segment next to the driveway on Rutherford Avenue to be painted red to indicate no parking is allowed to provide adequate sight distance.

f. Housing Element

Policy HE 11 (*Amend Zoning and General Plan Land Use Designations to Meet Future Housing Needs*) encourages modification of General Plan land use designations and zoning regulations to accommodate the construction of needed

new housing units. Policy HE 20.1 seeks to undertake General Plan amendments and/or rezoning of undeveloped and underutilized land for higher density residential and mixed-use development, as necessary, to meet the County’s current and future Regional Housing Needs Allocation and to facilitate housing production countywide. The State of California requires each jurisdiction in the State to include a Housing Element as part of its General Plan. Within the County Housing Element, the County is required to demonstrate how the existing and projected housing needs of people of all income levels will be met.

The State’s process to identify the type and amount of housing units each jurisdiction is required to provide is called the Regional Housing Need Allocation (RHNA) and covers an eight-year period. In July 2013, the Association of Bay Area Governments (ABAG) adopted the Final Regional Housing Need Plan for the San Francisco Bay Area: 2015-2023, which identified that unincorporated San Mateo County would need to provide 913 housing units over four income levels for the current cycle. The proposed project proposes 6 residential units, therefore allowing for the creation of needed additional housing units. One unit is required to be designated to, at minimum, affordable for a low-income household per the County’s Inclusionary Requirement for Affordable Housing. Accordingly, the applicant proposes Unit F, a four-bedroom unit, as an affordable housing unit.

Policy HE 14 (*Require Development Densities Consistent with General Plan*) requires development densities that are consistent with the General Plan. The proposed zoning and General Plan modifications will increase the number of housing units allowed in order to accommodate the proposed six (6) unit project, which is compatible with the type and level of other multi-family development in the Sequoia Tract area.

2. Conformance with the Zoning Regulations

The project parcels are presently zoned R-1/S-74 (One-family Residential/5,000 sq. ft. lot minimum). The proposed change to R-3/S-3 (Multiple-family Residential/5,000 sq. ft. lot minimum) allows for multiple family dwellings such as the proposed townhouses. The S-3 Combining District requirements are listed below:

	S-3 Development Standards	Proposed
Building Site Area	5,000 sq. ft.	13,225 sq. ft. (existing)
Maximum Building Site Coverage	(50%) 9475.5 sq. ft.	(22.9%) 2,849 sq. ft.
Minimum Front Setback	20 ft.	20 ft.
Minimum Rear Setback	20 ft.	20 ft.
Minimum Right Side Setback	5 ft.	5 ft.
Minimum Left Side Setback	10 ft. (due to being a corner lot)	10 ft.
Maximum Building Height	36 ft.	31 ft. 1 in.
Minimum Parking Spaces	12	12

3. Findings for Rezoning and General Plan Map Amendment

In order to change the General Plan land use designation and the zoning for the subject property, the Board of Supervisors is required to make specific findings.

The Planning Commission provided a recommendation of project approval, based on project compliance with the required findings, to the Board of Supervisors based on its review of the project. The required findings are:

a. That the proposed rezoning of the subject parcel meets the public necessity, convenience, and the general welfare of the community.

The project parcels are located in a highly urbanized location within the Sequoia Tract area of San Mateo County. The combined parcels are relatively larger in size compared to surrounding residential parcels with the same existing single-family residential zoning designation, and abuts both commercial and multiple-family developed and zoned parcels that provide an appropriate transition to the single-family residentially zoned area further away from Woodside Road.

The proposed rezoning would be compatible with the type and density of development in the area and will allow better utilization of the larger parcel for a transitional buffer of multi-family residential development between the higher intensity commercial corridor along Woodside Road and the lower density single-family residential area within the Sequoia Tract neighborhood. The rezoning provides the opportunity for the development of much needed multiple-family housing in an area that already has this use present, as well as adequate infrastructure. Staff prepared an Initial Study for the proposed amendment, pursuant to the California Environmental Quality Act (Attachment J), which concludes that, as proposed and mitigated, the project would not result in any adverse environmental impacts.

b. That the General Plan Land Use Map Amendment is compatible with adjacent land uses and will not be in conflict with the policies of the General Plan.

As previously discussed, the project parcels are located directly adjacent to Woodside Road, at the edge of the single-family residentially zoned boundary of the Sequoia Tract neighborhood. The property abuts commercial development fronting Woodside Road and multi-family and single-family development. The project site is comparably larger in size at 13,225 sq. ft. than the 5,000 sq. ft. - 10,000 sq. ft. adjoining single-family residentially zoned parcels. Re-designation of the subject property will allow better utilization of the parcel for a transitional buffer of multi-family residential development between the higher intensity commercial corridor along Woodside Road and the lower density single-family residential area of the Sequoia Tract, while maintaining a consistent land use pattern in the area.

4. Compliance with Subdivision Regulations

a. Pursuant to Section 7010 of the County Subdivision Regulations, subdivisions require a Development Footprint Analysis (DFA) to evaluate any site development constraints and potential impacts to natural resources, sensitive habitats, and on-

site hazards. The Community Development Director may, on a case-by-case basis, determine that such the DFA is unnecessary. Due to the highly urbanized nature of the project location and surrounding areas and the lack of sensitive resources, it was determined that a DFA was not required for this project.

b. The proposed subdivision meets Subdivision Design Requirements per Section 7020 with noted exceptions of Section 7020(2)(c) (Dimensions) and Section 7020(2)(d) (Frontage). These sections require a minimum width of 50 feet and street frontage of 20 feet for each lot, respectively. Section 7095(3)(a)(3) (Exceptions to Parcel Design Requirements) explicitly recognizes the need for exceptions to parcel design requirements for townhouses.

Staff has found that the findings to approve the exceptions to parcel design requirements can be made as follows:

(1) That there are special circumstances or conditions affecting the property, or the exception is necessary for the preservation and enjoyment of substantial property rights of the owner/subdivider;

Due to the attached nature and relatively narrow design of traditional townhomes, the lot width and street frontage for such development is usually less than the required fifty (50) feet and twenty (20) feet, respectively, typically associated with detached single-family dwellings. While two of the proposed lots lack street frontage entirely, access is provided via a shared private driveway. This arrangement provides adequate ingress and egress to all of the proposed units.

(2) That the exception enhances or is appropriate for the proper design and/or function of the subdivision;

The proposed exceptions are appropriate to accommodate six (6) townhouses and necessary access via the shared driveway.

(3) That the exception facilitates or guarantees preservation of sensitive habitats or natural or scenic resources, will not negatively impact adequate infrastructure capacity, will not have any adverse cumulative impacts; or will avoid natural or man-made hazards; and

There are no sensitive habitats or natural or scenic resources at the site. While a western portion of Woodside Road (a State highway) from Alameda de las Pulgas to La Honda Road is a State Scenic Road, this section of Woodside Road is east of Alameda de las Pulgas. California Water Service-Bear Gulch and the Fair Oaks Sewer District have confirmed water and sewer capacity based on the proposed project.

(4) That the granting of the exception will not be detrimental to the public health, safety or welfare or injurious to other property or uses in the area in which the property is situated.

Specifically, the relief from lot width and street frontage requirements will not be detrimental to the public health, safety or welfare or injurious to other property or uses in the area in which the property is situated. The project has been preliminarily approved with conditions by the Department of Public Works and Menlo Park Fire Protection District with regards to access and fire safety. The additional units will improve public welfare by increasing the available housing stock in the County and by providing an affordable housing unit.

c. Findings for Approval of a Tentative Map or Tentative Parcel Map.

Staff has concluded that the findings required to approve the requested subdivision application can be made as follows:

(1) That the proposed map is consistent with applicable general and specific plans.

Staff has reviewed the tentative map and found it, as conditioned in Attachment A of this report, consistent with State and County land division regulations. The project is consistent with the County General Plan and Zoning Regulations as discussed in Section B.1 and B.2 of this report, specifically with regard to soil resources, visual quality, urban land use, water supply, wastewater, transportation, and the housing element. The proposed project, as mitigated through the mitigation measures included as conditions of approval in Attachment A, has been determined to have a less than significant impact through CEQA review.

(2) That the design or improvement of the proposed subdivision is consistent with the applicable general and specific plans.

Staff has reviewed the development and found it, as conditioned in Attachment A of this report, consistent with State and County land division regulations. The project is consistent with the County General Plan and Zoning Regulations as discussed in Section B.1 and B.2 of this report, specifically with regard to soil resources, visual quality, urban land use, water supply, wastewater, transportation, and the housing element. The proposed project, as mitigated through the mitigation measures included as Conditions of Approval in Attachment A, has been determined to have a less than significant impact through CEQA review.

(3) That the site is physically suitable for the type and proposed density of development.

This site is physically suited for the proposed density of six (6) townhouse units. The site is in a highly urbanized area and is relatively flat. In addition, there are no sensitive resources on site which require protection. The proposed density is within the range of the proposed General Plan designation. Water is provided by the California Water Service-Bear Gulch and sewer services by the Fair Oaks Sewer District.

(4) That the design of the subdivision or type of improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

Given the mitigation measures and conditions of approval, it is not anticipated that the project will cause substantial environmental damage or substantially injure fish or wildlife or their habitat. The site is located in a highly urbanized area and contains no sensitive environmental resources.

Ten (10) significant-sized trees will be removed as part of the proposed subdivision. The nine (9) significant-sized Coast Live Oak trees and one (1) significant sized Italian Stone Pine tree proposed for removal are within the footprint of the proposed development. Staff believes the removal of these trees will not substantially impact the environment. In addition, eighteen (18) new trees will be planted as part of the project's landscape plan. Per Condition 9, landscaping shall be California native and non-invasive and shall include a minimum of two (2) 15-gallon Oak trees.

(5) That the design of the subdivision or type of improvements is not likely to cause serious public health problems.

The proposed subdivision is not likely to cause serious public health problems as it is served by public water and sewer systems that have adequate capacity to serve this project. Review of the project by affected agencies yielded no objections. There are no hazardous or noxious uses proposed and, as mitigated and conditioned, no public health problems are likely to occur from construction and grading work.

(6) That the design of the subdivision or the type of 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 existing public access easements on the parcels, nor are any being proposed.

(7) That in this connection, the Advisory Agency may approve a map if it is found that alternate easements, for access or for use, are otherwise available within a reasonable distance from the subdivision, will be provided, and are substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to the Advisory Agency to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

This finding is not applicable, as there are no existing easements.

(8) That the land is subject to a contract entered into

pursuant to the California Land Conservation Act of 1965 (“The Williamson Act”) and that the resulting parcels following a subdivision of that land would not be too small to sustain their agricultural use. For purposes of this section, land shall be presumed to be in parcels too small to sustain their agricultural use if the land is: (a) Less than ten (10) acres in size in the case of prime agricultural land, or (b) Less than forty (40) acres in size in the case of land which is not prime agricultural land. A subdivision of land subject to the Williamson Act, with parcels smaller than those specified above, may be approved only under the special circumstances prescribed in Section 66474.4(b) of the Map Act.

The project site is not subject to a Williamson Act contract and is not designated by the General Plan as open space so the finding regarding such are not applicable to the proposed subdivision.

(9) 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 13000) of the State Water Code.

The Fair Oaks Sewer Maintenance District (operated by the San Mateo County Department of Public Works) has reviewed the application and found the project, as conditioned, to comply with applicable requirements.

(10) That, for a subdivision on land located in a state responsibility area or a very high fire hazard severity zone, as both are defined in Section 51177 of the California Government Code, all of the following are supported by substantial evidence in the record:

(a) The design and location of each lot in the subdivision, and the subdivision as a whole, are consistent with any applicable regulations adopted by the State Board of Forestry and Fire Protection pursuant to Sections 4290 and 4291 of the Public Resources Code;

(b) Structural fire protection and suppression services will be available for the subdivision through a county, city, special district, political subdivision of the state, or another entity organized solely to provide fire protection services that is monitored and funded by a county or other public entity; or the Department of Forestry and Fire Protection by contract entered into Pursuant to Sections 4133, 4142, or 4144 of these Public Resources Code; and

(c) To the extent practicable, ingress and egress for the subdivision meets the regulations regarding road standards for fire equipment access adopted pursuant to Section 4290 of the Public Resources Code as interpreted and applied by the County Fire Marshal, and any applicable County ordinance.

The project parcels are not located in a state responsibility area or a very high fire hazard severity zone. The project was reviewed by the Menlo Park Fire Protection District and received preliminary approval with conditions. The conditions provided in Attachment A will ensure that the project complies with all applicable fire regulations.

5. Compliance with In-Lieu Fees

Subdivision Ordinance Chapter 4, Article 6 (Park and Recreation Facilities) requires that, as a condition of approval of the tentative map or tentative parcel map, the subdivider will be required to dedicate land or pay a fee in lieu of dedication for the purpose of acquiring, developing or rehabilitating County park and recreation facilities and/or assisting other providers of park and recreation facilities in acquiring, developing or rehabilitating facilities that will serve the proposed subdivision. Section 7055.3 further defines the formula for calculating the in-lieu fee for subdivisions of fifty lots or less. The anticipated fee for this subdivision is \$118,933.80 for in-lieu park fees. A worksheet showing the computation methodology is included in Attachment K. However, the final fee shall be based upon the assessed value of the project parcel at the time of recordation of the parcel map.

6. Compliance with County Grading Regulations

The proposed project requires approximately 280 cubic yards of grading work (220 cubic yards (c.y.) cut and 60 c.y. fill) to accommodate the proposed structures and shared driveway. This will include work within previously disturbed and new areas.

Planning and Geotechnical staff have reviewed the proposal and submitted documents and determined that the project conforms to the criteria for review contained in the Regulations for Excavating, Grading, Filling and Clearing on Lands in Unincorporated San Mateo County (referred to in this report as “Grading Regulations”). The findings and supporting evidence are outlined below:

a. **That the granting of the permit will not have a significant adverse effect on the environment.**

The project will have a less-than-significant impact on the environment with the implementation of the mitigation measures contained in the Mitigated Negative Declaration for identified categories in which the project may have a potential significant impact.

b. **That the project conforms to the criteria of the San Mateo County Grading Ordinance.**

The project, as conditioned, conforms to the criteria for review contained in the Grading Regulations, including an erosion and sediment control plan, dust control measures, and required replacement of removed vegetation.

c. **That the project is consistent with the General Plan.**

As outlined earlier in Section B.1 of this report, the project conforms to the General Plan.

C. ENVIRONMENTAL REVIEW

An Initial Study and Mitigated Negative Declaration were prepared and circulated for this proposal. The public comment period commenced on August 11, 2021 and ended on September 10, 2021. No comments were received within this comment period.

D. REVIEWING AGENCIES

County of San Mateo Department of Public Works
Menlo Park Fire Protection District
California Department of Transportation, District 4
California Water Service - Bear Gulch District
Fair Oaks Sewer Maintenance District
City of Redwood City
San Mateo Local Agency Formation Commission

County Counsel has reviewed and approved the materials as to form and content.

FISCAL IMPACT:

Nominal cost to the Planning and Building Department associated with project monitoring.

ATTACHMENTS:

- A. Recommended Actions, Findings and Conditions of Approval
- B. Proposed Resolution for the Initial Study and Mitigated Negative Declaration
- C. Proposed Resolution for the General Plan Land Use Map Amendment
- D. Proposed Ordinance for the Zoning Map Amendment
- E. Vicinity Map
- F. Zoning Map
- G. General Plan Land Use Map
- H. Project Planset
- I. Public Workshop Summary Letter, dated July 11, 2019
- J. Initial Study/Mitigated Negative Declaration, released August 11, 2021 (Attachments available at <https://planning.smcgov.org/ceqa-document/re-zone-general-plan-amendment-and-major->)
- K. In Lieu Park Fee Worksheet
- L. Letter of Decision, dated December 22, 2021, and Planning Commission Staff Report, dated December 8, 2021 Meeting (Attachments available at: <https://planning.smcgov.org/events/planning-commission-hearing-21>)