



County of San Mateo

Inter-Departmental Correspondence

Department: PLANNING AND BUILDING

File #: 16-561

Board Meeting Date: 9/26/2017

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors
From: Steve Monowitz, Director of Planning and Building
Subject: Agenda Item No. 6: Bragg 3-Lot Subdivision and Road Naming; 2050 Santa Cruz Ave., West Menlo Park; County File No. PLN 2016-00226

RECOMMENDATION:

Recommendation to uphold the applicant's appeal and approve the Subdivision and Street Naming application (County File Number PLN 2016-00226) by adopting the Findings of Approval and Conditions of approval included.

BACKGROUND:

This memorandum summarizes proceedings before the Board of Supervisors at its meeting of September 12, 2017, as well as staff's work to implement the Board's instructions at that hearing. Specifically, staff has brought this matter back with a revised recommendation to grant the applicant's appeal of the Planning Commission's denial of the subdivision application, based on revised findings and conditions of approval.

On September 12, 2017, the Board of Supervisors considered an appeal by the project applicant of the Planning Commission's (PC) denial of this project. The Board heard testimony and acknowledged letters both opposing and supporting the project, as well as a letter and testimony from the applicant's attorney regarding the California Housing Accountability Act.

Due to the Board's concerns regarding the loss of trees that would result from the project and the need to increase housing opportunities, the Board inquired regarding whether the existing County Subdivision Regulations would allow exceptions to the proposed lot depth. (If so, this would have allowed the project's private roadway to be moved so as to avoid removal of several oak trees on the site.) While the County's Subdivision Regulations do not currently allow any such exceptions, staff informed the Board that the Planning Department is in the process of preparing comprehensive revisions to the County Subdivision Ordinance and that it is contemplated that the revised regulations will include such exceptions. Staff identified that there was a possibility that the revised regulations could be considered and adopted by the Board before the end of this year, which would result in these regulations being effective before the end of January 2018.

While not wishing to delay action on the project until adoption of the new Subdivision Ordinance, the Board continued this item to September 26, 2017, to allow staff time to prepare a recommendation for approval, conditioned to require realignment of the private roadway so as to preserve oak trees on the property if revisions to the County Subdivision Regulations that would allow for such realignment are effective before the end of January 2018.

Staff therefore recommends approval of the project, subject to the following additional condition:

No tree removal, site disturbance, or construction activities that could impact the oak trees along and adjacent to the proposed driveway shall take place prior to the recordation of the final map, which shall not occur prior to January 1, 2018. In the event that revisions to the County Subdivision Regulations are adopted before January 1, 2018 in a manner that allows exceptions to lot depth dimension requirements as they would affect Lot 2 as identified in the project application materials, a revised Tentative Map that adjusts the alignment of the driveway to avoid tree removal and that shows the revised lot dimensions shall be submitted for the review and approval of the Community Development Director, and subsequent recordation by the applicant as the Final Map.

Should the revised Subdivision Regulations not be adopted before January 1, 2018, the project shall be considered approved as submitted to the Board of Supervisors on September 12, 2017, subject to the Planning conditions listed in this Attachment A.

Approval of this additional condition would result in the following:

- The applicant can proceed with site preparation and utility installation activities required to serve the subdivision in all areas outside of the dripline of the large oak tree located within the currently proposed alignment of the proposed road. No site disturbance can occur within the dripline of this oak until January 1, 2018, at which time it will be known whether an alternative subdivision design and roadway alignment shall be implemented.
- If the revised Subdivision Regulations, including revisions that allow for exceptions to lot depth, are adopted before January 1, 2018, the applicant will be required to revise the Tentative Map for the project, showing a reduced lot depth and allow the private roadway to be moved away from an oak tree that would otherwise be removed under the current map.
- Should the revised Subdivision Regulations not be adopted before January 1, 2018, the project will be considered approved and subject to the Conditions of Approval as specified in Attachment A. This is the project and subdivision design along with the same conditions as submitted to the Planning Commission and as proposed to the Board under the Alternative Recommendation in the September 12, 2017 Board report. This Alternative Recommendation allows the removal of oak trees in order to accommodate the private road with no additional or required changes to the subdivision design.

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
- B. Tentative Map
- C. Board of Supervisors Memorandum, dated September 12, 2017