

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

DATE: October 16, 2014

TO: Zoning Hearing Officer

FROM: Planning Staff

SUBJECT: Consideration of a Minor Subdivision, pursuant to Section 7010 of the San Mateo County Subdivision Regulations and the State Subdivision Map Act and a Coastal Development Permit, pursuant to Section 6328 of the San Mateo County Zoning Regulations to subdivide a 15,932.5 sq. ft. legal parcel into two parcels located on the 200 block of Dolores Street in the unincorporated El Granada area of San Mateo County. This project is appealable to the California Coastal Commission.

County File Number: PLN 2013-00209 (Ospina)

PROPOSAL

The applicant proposes to subdivide a presently unimproved 15,932.5 sq. ft. legal parcel into two parcels (Lot 1 – 9,352.8 sq. ft.; Lot 2 – 6,579.5 sq. ft.). Both parcels are proposed with a width of 50 feet or greater and a depth of greater than 100 feet. Each proposed parcel would take separate access from Dolores Street. This proposal does not include any development, at this time, nor does it include any tree removal or grading.

RECOMMENDATION

Approve the Minor Subdivision, County File Number PLN 2013-00209, by making the required findings and adopting the conditions of approval listed in Attachment A.

BACKGROUND

Report Prepared By: Pete Bentley, Project Planner, Telephone 650/363-1821

Owner/Applicant: Alvaro and Connie Ospina

Location: P.O. Box 1926, El Granada, CA 94018

APN: 047-141-060

Parcel Size: 15,932.5 sq. ft.

Existing Zoning: R-1/S-17/DR/CD (Single-Family Residential/5,000 sq. ft. minimum parcel/Design Review/Coastal Development)

General Plan Designation: Medium-Low Density Residential (2.1-6.0 dwelling units per acre)

Parcel Legality: Legal parcels filed in the office of the County Recorder of San Mateo County on March 1, 1927, Volume 15, Maps, Pages 26, 27, and 28.

Sphere-of-Influence: City of Half Moon Bay

Existing Land Use: Unimproved Land

Water Supply: Coastside County Water District

Sewage Disposal: Granada Sanitary District

Flood Zone: FEMA Flood Insurance Rate Map Zone "X" (area determined to be outside the 0.2% annual chance floodplain), Panel No: 06081C0138E, Effective Date: October 16, 2012.

Environmental Evaluation: Categorically Exempt; CEQA Section 15315 (Class 15); Minor Land Division.

Setting: The subject property is located east of Highway 1 and one mile southeast of the Half Moon Bay Airport. To the south and west are single-family residences and further south is the City of Half Moon Bay. Parcels within the area all exceed 5,000 sq. ft. and are developed with one- and two-story single-family residences. There is no proposal for development; removal of any trees; or grading as part of this minor subdivision proposal.

DISCUSSION

A. KEY ISSUES

1. Conformance with the General Plan

The County General Plan designates the subject property as Medium-Low Density Residential. The proposed subdivision would result in a density of approximately 2.6 dwelling units per acre, where 2.1-6.0 dwelling units per acre is allowed under this designation.

Policy 4.21 (*Scenic Corridors*) addresses the protection and enhancement of the visual quality of scenic corridors by managing the location and appearance of structural development. The project site is not located within the Highway 1 County Scenic Corridor. In addition, no structures are

proposed on proposed Lot 1 or Lot 2 at this time. Any future development and construction on these parcels is subject to the Coastside Design Review process.

Policy 8.14 (*Land Use Compatibility*) and Policy 8.35 (*Uses*) address the protection and enhancement of character of existing single-family areas and allow uses in zoning districts that are consistent with the overall land use designation. The subject parcel is adjacent to single-family dwellings and will remain zoned for residential use.

2. Conformance with the Zoning Regulations

The subject parcel is located in a single-family residential (R-1/S-17/DR/CD) Zoning District. No structures are being proposed under this project on this parcel, however, both parcels have been reviewed against the applicable development standards as outlined below:

DEVELOPMENT STANDARDS		
	Required	Proposed Parcels 1 and 2
Minimum Parcel Size	5,000 sq. ft.	9,352.8 sq. ft. - Lot 1 6,579.5 sq. ft. - Lot 2
Minimum Lot Width	50 feet	70 ft. - Lot 1 50 ft. - Lot 2
Minimum Lot Depth	100 feet	132 ft. - Lot 1 131.6 ft. - Lot 2
Parcel Coverage	50%	Less than or Equal to 16 feet*
Parcel Coverage	35%	Greater than 16 feet*
Floor Area Ratio	0.53% (parcel size)	4,956.98 sq. ft. and 3,487.14 sq. ft.*
Height	28 feet	28 feet*
Front Setback	20 feet	20 feet*
Rear Setback	20 feet	20 feet*
Side Setback	5 feet each side	For structures 16 feet in height or less*
Side Setback	Structures over 16 feet in height: Combined total of 15 feet with minimum of 5 feet on any side.*	
<i>*Future development would be held to these regulatory limits.</i>		

a. Design Review

The project site is located in a Design Review district. While no structures are currently being proposed, future development on each parcel will be subject to review for conformance with the Design Review standards.

3. Compliance with Subdivision Regulations

Staff's recommendation to approve the subdivision application is based on the following findings pursuant to Section 7013 (3)(b) of the San Mateo County Subdivision Regulations:

a. **That the proposed map is consistent with applicable general and specific plans.**

The proposed map is consistent with the San Mateo County General Plan as previously discussed in Sections A.1 of this report. The proposed subdivision will result in parcels of 9,352.8 sq. ft. and 6,579.5 sq. ft. or approximately 2.6 dwelling units per acre, where 2.1-6.0 dwelling units per acre are required by the General Plan.

b. **That the design or improvement of the proposed subdivision is consistent with the applicable general and specific plans.**

The design of the proposed subdivision is consistent with the San Mateo County General Plan, the Local Coastal Program and the Zoning Regulations, as previously discussed in Sections A.1 and A.2 of this report.

No improvements are being proposed at this time. The conceptual building envelopes of the submitted map indicate conformance with applicable zoning provisions. In addition, all future development of the subdivided parcels must comply with Design Review standards.

c. **That the site is physically suitable for the type of development.**

The allowed use for this site includes single-family residential units with a density of approximately 2.6 dwelling units per acre, where 2.1-6.0 dwelling units per acre are allowed under the Medium-Low Density Residential land use designation. The proposed parcels are capable of being served by sewer and water. The proposed subdivision complies with the applicable Zoning Regulations, and the size and width of the proposed parcels are sufficient to accommodate future development provided that development complies with the Zoning Regulations.

- d. **That the site is physically suitable for the proposed density of development.**

This site is physically suited for single-family residential development for the following reasons: (1) water and sewer service is available provided the proposal meets current Zoning Regulations, and (2) both new parcels can be accessed via the improved existing road. Further development on the proposed parcels is subject to a separate permitting process.

- e. **That the design of the subdivision or type of improvements is not likely to cause serious public health problems.**

The project is in compliance with all applicable development standards and applicable Subdivision Regulations. The inclusion of conditions of approval ensures that the public health and safety of the area are maintained.

- f. **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 or proposed easements on the parcel.

- g. **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 Control Board pursuant to Division 7 (commencing with Section 13000) of the State Water Code.**

While a sewer line is available subject to conformance with the regulations of the Granada Sanitary District, there are no proposed structures that would utilize sewer. All development on the proposed parcels must meet the requirements prescribed by the State Regional Water Control Board.

- h. **That the land is not 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.**

The land is not under or subject to a Williamson Act Contract or Open Space Easement.

4. Compliance with In-Lieu Park Fees

Section 7055.3 (*Fees In Lieu of Land Dedication*) requires that, as a condition of approval of the tentative map, the subdivider is required to dedicate land or pay an in-lieu fee. Said fee is for acquisition, development or rehabilitation of County park and recreation facilities, and/or 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 fee for this subdivision's "in lieu park fee" will be paid by the owner prior to recordation of the parcel map. That fee is currently estimated to be \$4,611.89.

B. 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%.

C. REVIEWING AGENCIES

	Approve	Deny	Conditions
Building Inspection Section	X		
Department of Public Works	X		X
Geotechnical Department	X		
Cal-Fire	X		
Coastal Commission			
Coastside County Water	X		

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
- B. Park In-Lieu Fee Worksheet
- C. Vicinity Map
- D. Tentative Subdivision 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 2013-00209 Hearing Date: October 16, 2014

Prepared By: Pete Bentley For Adoption By: Zoning Hearing Officer
Project Planner

RECOMMENDED FINDINGS

Regarding the Subdivision, Find:

1. 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.
2. That the site is physically suitable for the type and proposed density of development. The S-17 Zoning District requires a minimum of 5,000 sq. ft. parcel size. The proposed subdivision results with both parcels exceeding this minimum square footage, thus, complying with the criteria for the S-17 Zoning District.
3. 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. Access to both parcels will be from separate driveways constructed off of Dolores Street, a San Mateo County maintained roadway.
4. That the design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities.
5. 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.

Regarding the Environmental Review, Find:

6. 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%.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

1. This subdivision approval is valid for two years, during which time a final 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, 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 applicable in-lieu park fees as required by County Subdivision Regulations, Section 7055.3, prior to recordation of the final parcel map. See "Discussion," Key Issue #5.
3. No trees are permitted to be removed. Any tree removal is subject to a separate permitting process.
4. No grading is permitted. Any grading is subject to a separate permitting process.

Department of Public Works

5. Prior to the issuance of future building permits, the applicant/owner 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.
6. 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.
7. The applicant shall submit a completed C.3-C.6 form "at the time of development" of either or both of the two lots. Should new/replaced impervious surface equal or exceed 10,000 sq. ft., the applicant shall comply with the requirements as stated in "Provision C.3 of the Municipal Regional Stormwater NPDES Permit."
8. Upon submittal of future building plans, 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, 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. Upon submittal of future building plans, 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 of 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.
10. 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.
11. 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.
12. 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.
13. The applicant shall submit a parcel map directly to the Department of Public Works for review and recording.
14. Erosion and sediment control during the course of any future 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.

Building Inspection Section

15. 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 final parcel map for this project.

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County of San Mateo
Planning and Building Department

In-Lieu Park Fee Worksheet

[This formula is excerpted from Section 7055 of the County's Subdivision Regulations]

This worksheet should be completed for any residential subdivision which contains 50 or fewer lots. For subdivisions with more than 50 lots, the County may require either an in-lieu fee or dedication of land.

1. **For the parcel proposed for subdivision, look up the value of the land on the most recent equalized assessment roll. (Remember you are interested in the land only.)**

$$\text{Value of Land} = \$204,600$$

2. **Determine the size of the subject parcel in acres.**

$$\text{Acres of Land} = 0.366 = \frac{15,932.5}{43,560}$$

3. **Determine the value of the property per acre.**

- a. **Set up a ratio to convert the value of the land given its current size to the value of the land if it were an acre in size.**

<u>Formula:</u>	
<u>Parcel Size in Acres (From Item 2)</u> 1 Acre of Land	<u>Value of Subject Parcel (From Item 1)</u> Value of Land/Acre
<u>Fill Out:</u>	
0.366 1 Acre	\$204,600 Value of Land/Acre

- b. **Solve for X by cross multiplying.**

<u>Formula:</u>	
Value of Land	= $\frac{\text{Value of the Subject Parcel (From Item 1)}}{\text{Size of the Subject Parcel in Acres (From Item 2)}}$
<u>Fill Out:</u>	
Value of Land .46 =	$\frac{\$204,600}{0.366} = \$559,016.39$

4. Determine the number of persons per subdivision.

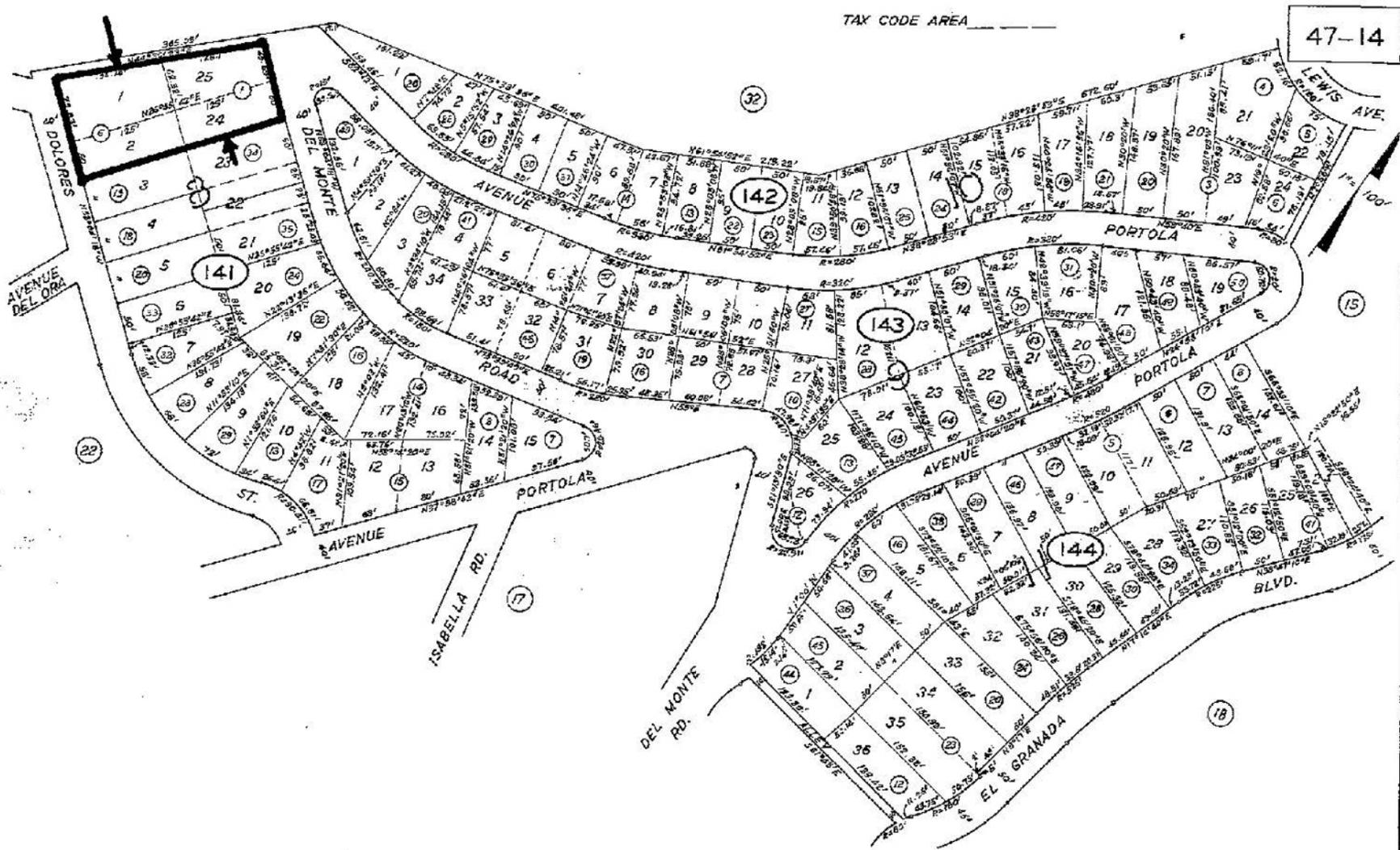
Formula:				
Number of New Lots Created*	X	2.75**	=	Number of Persons Per Subdivision
*Example = A 2-lot split would = 1 newly created lot.				
Fill Out:				
_____ *1 _____	X	2.75**	=	_____ 2.75 _____
**Average number of persons per dwelling unit according to the most recent federal census (2010).				

5. Determine the parkland demand due to the subdivision.

Formula:				
Number of Persons Per Subdivision Demand (From Item 4)	X	.003*** Acres/Person	=	Parkland
Fill Out:				
_____ 2.75 _____	X	.003*** Acres/Person	=	_____ 0.00825 _____
***Section 7055.1 of the County's Subdivision Ordinance establishes the need for .003 acres of parkland property for each person residing in the County.				

6. Determine the parkland in-lieu fee.

Formula:				
Parkland Demand (From Item 5) Fee	X	Value of the Land/Acre (From Item 3.b)	=	Parkland In-Lieu Fee
Fill Out:				
_____ 0.00825 _____	X	_____ \$559,016.39 _____	=	_____ \$4,611.89 _____



D.M. ASSESSOR'S MAP COUNTY OF SAN MATEO, CALIF.

EL GRANADA SUB. NO. 2 RSM 15/26

San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____

