

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

DATE: February 12, 2014

TO: Planning Commission

FROM: Steven Rosen, Planning Staff

SUBJECT: STAFF REPORT ADDENDUM: Consideration of an amendment to the County Subdivision Ordinance, pursuant to Section 66411 of the California Government Code, and certification of a Negative Declaration, to modify the lot dimension requirements by eliminating the minimum and maximum lot depth standards in areas outside of the Coastal Zone. This item is continued from the December 11, 2013 meeting.

County File Number: PLN 2013-00221 (Zomorodi)

PROPOSAL

The project is an amendment to the County Subdivision Ordinance that only applies to areas outside of the Coastal Zone. The amendment will eliminate the 100-foot minimum lot depth requirement. The proposed change to the text will modify Section 7020 (Standard Subdivision Design Requirements). Subsection 2.c of Section 7020 currently reads:

The minimum width of each parcel shall conform to the requirements of the Zoning Regulations, but in no case shall be less than 50 feet, exclusive of rights-of-way or easements for road purposes. The minimum depth shall be as necessary to provide the minimum parcel size for the zoning district, but in no case shall be less than 100 feet, nor greater than three times the width, exclusive of rights-of-way or easements necessary for road purposes.

The project will strike the minimum and maximum lot depth requirement for areas outside of the Coastal Zone. For areas outside of the Coastal Zone, Section 7020.2.c will read:

*For areas **outside** of the Coastal Zone, the minimum width of each parcel shall conform to the requirements of the Zoning Regulations, but in no case shall be less than 50 feet, exclusive of rights-of-way or easements for road purposes. The minimum depth shall be as necessary to provide the minimum parcel size for the zoning district, exclusive of rights-of-way or easements necessary for road purposes.*

For areas within the Coastal Zone, Section 7020.2.c will continue to read:

*For areas **within** the Coastal Zone, the minimum width of each parcel shall conform to the requirements of the Zoning Regulations, but in no case shall be less than 50 feet, exclusive of rights-of-way or easements for road purposes. The minimum depth shall be as necessary to provide the minimum parcel size for the zoning district, but in no case shall be less than 100 feet, nor greater than three times the width, exclusive of rights-of-way or easements necessary for road purposes.*

The proposed amendment will not change the minimum lot size required by the applicable zoning districts, and it will not reduce the minimum lot size of 5,000 square feet required by Subsection 7020.2.b of the Subdivision Regulations. In no case would a subdivision be allowed to exceed the density designations on the General Plan Land Use Map.

An example of a lot that could be subdivided if this ordinance amendment is adopted is shown in Attachment C of the December 11 staff report (Attachment J of this addendum). It is large enough to be divided into lots that meet all standards except lot depth. The resulting lots exceed the minimum parcel size, exceed the minimum parcel width, and meet lot frontage requirements.

	Existing Affected Lots	New Lots That Can Only Be Created If This Amendment Is Adopted	Total Lots Possible After Subdivision If All Existing Affected Lots Are Subdivided*
R-1 Lots	76	101	177
R-2 Lots	1	2	3
Total Lots	77	103	180
*Eighteen lots are large enough to be subdivided into three lots. Four lots are large enough to be subdivided into four lots.			

The proposal will affect 77 parcels. The proposal would create the potential to create 103 new parcels: 101 in R-1 (single-family residence) zoning districts, and two in R-2 (two-family residence) zoning districts. The total number of parcels that could result if all 77 affected parcels were subdivided to their potential maximum would be 180: the 77 existing lots and the 103 possible new lots. The analysis did not account for site-specific constraints that would reduce the potential for subdivision. The project analysis and environmental study assumed that 103 new lots and 105 new housing units could be created.

RECOMMENDATION

That the Planning Commission recommend that the Board of Supervisors approve the proposed Subdivision Ordinance amendment and certify the Negative Declaration, County File Number PLN 2013-00221, by adopting the required findings as contained in Attachment A.

BACKGROUND

On December 11, 2013, the Planning Commission continued this item to February 12, 2014, in order to broaden public notification, allow the applicant the opportunity to change his proposal, and await further information regarding the application background and the County's intention behind the lot depth requirement. Additionally, staff received comments from the Committee for Green Foothills, and several other members of the public prior to the last hearing. Comments and staff responses are indicated below.

1. PUBLIC NOTIFICATION

Planning staff advertised the December 11, 2013 public hearing for this proposal in the San Mateo Times. Staff did not mail public notices to the 77 affected parcel owners because the proposal affects all unincorporated areas outside of the Coastal Zone rather than a specific site. The Planning Commission directed staff to broaden public notification by mailing public notices to the owners of all parcels within 300 feet of the 77 parcels that could be affected by this change to the Subdivision Regulations. Notification for this hearing was sent accordingly.

Ms. Janet Davis commented (Attachment E) that the Notice of Intent to Adopt the Negative Declaration (NOI) was inadequate. The NOI was advertised in the San Mateo Times on October 23, 2013, over 45 days prior to the December 11 hearing in accordance with the public noticing requirements of the (California Environmental Quality Act) CEQA Guidelines. A copy of the published notice is included as Attachment I.

2. CHANGES TO PROPOSAL

Mr. J. R. Rodine (the applicant's representative) and Ms. Lennie Roberts, of the Committee for Green Foothills, used the public comment portion of the December 11, 2013 public hearing to discuss changing the proposal. These changes were discussed further in e-mail correspondence copied to the Planning Department (Attachment B). These proposed changes, and staff's responses, follow:

a. Deletion of Exception 1 to the Parcel Design Requirements

Mr. Rodine wrote the following in the e-mail exchange:

Delete the following codified exception provision from Section 7020.2.k(1) that reads, "The parcels are located on or adjacent to steep hillsides, rivers, or creeks."

By doing this we eliminate the potential for applicants to seek an exception that may allow using portions of land that have an existing depth deficiency from applying unbuildable and/or hazardous area as a

means to subdivide. This speaks to the technical heart of Lennie's letter and my testimony.

Staff's Response: Section 7020.2.k of the County Subdivision Regulations provides three exceptions to the parcel design requirements. These are:

- (1) The parcels are located on or adjacent to steep hillsides, rivers or creeks;
- (2) The parcels are to be used for commercial or industrial purposes; or
- (3) The proposed development consists of clustered housing, townhomes, condominiums or combinations thereof.

The deletion of the exception to parcel design requirements for parcels located on or adjacent to steep hillsides, rivers, or creeks would hinder the Department's ability to accommodate infill development in a manner that protects natural resources and addresses site-specific constraints. It is important to note that the design standards for subdivisions include more than just the issue of lot depth. They include such things as special design requirements for open and forested ridgelines and skylines, and geologic and special flood hazard areas. The Planning Department does not support this change to the proposal because it would limit the County's ability to be flexible in its application of lot dimension standards where necessary to protect the environment and public safety. It is also unclear how, if at all, deleting the hillsides and creeks exception will interact or have any impact vis-à-vis the proposed lot depth amendment.

If it is the applicant's desire to amend his proposal to include this additional ordinance amendment, then staff withdraws its previous recommendation. This additional change has not been adequately analyzed in accordance with CEQA, and staff believes such an ordinance amendment should be incorporated into a comprehensive overhaul of the Subdivision Ordinance. An overhaul of the Subdivision Ordinance is currently on the Long Range Planning Department's work schedule and it is anticipated that said overhaul will commence by July 2015.

b. Addition of Language Requiring Compliance with Setback Provisions

Mr. Rodine wrote the following (Attachment B):

Substitute the above deleted language with the following, "All subsequent dwelling(s) or accessory structure(s) proposed for placement on any parcel created by a lot depth exception shall meet the codified front, side, and rear yard setback requirements of the underlying zone district."

If this appears redundant to zoning provisions, another mechanism to notify property owners of such setback regulations would be to require the above statement be placed upon the certificate and acknowledgment sheet(s) of the final parcel or subdivision map. This constitutes actual and constructive notice to future lot buyers. I have seen this method of disclosure used via the escrow and title process. My objective is to avoid variance applications that could constitute a proposed change in the character of an existing neighborhood. It essentially should discourage the consideration of structures that are too large for the lot and impact adjoining properties.

Staff's Response: Mr. Rodine also proposed requiring a statement on subdivision maps and deeds for parcels that do not meet the deleted lot depth requirements. This statement would require that dwellings and accessory structures must comply with front, side, and rear setback requirements. Planning staff does not support this change. It is redundant to existing requirements because every subdivision proposal must show that each lot contains a suitable building envelope and because conformity to the setback requirements in the Zoning Regulations is already mandatory—no matter the lot depth, the Zoning Regulations require the same setbacks.

Moreover, it could be interpreted to eliminate the right of the owners of dwellings on lots with depths of less than 100 feet or greater than three times their widths to apply for variances and Home Improvement Exceptions (HIE); as such, it would create an unfair and unnecessary limitation on legal parcels and structures.

The approval of a variance or HIE review requires a finding that, among other things, the granting of the approval will not be detrimental to the built or natural environment. This requirement and the ability to appeal the decision to the Planning Commission and Board of Supervisors provide adequate controls to ensure that any adjustments to standard setback requirements will be in the public's best interest. Planning staff, therefore, sees no reason to exclude lots that do not meet the deleted lot depth requirements from the ability to obtain HIEs or variances.

3. ADDITIONAL INFORMATION

At the December 11, 2013 public hearing, the Planning Commission requested additional information regarding the specifics of the applicant's concurrent subdivision application and a summation of the County's intent behind the lot depth requirement:

a. Application Background

The applicant, Shahram Zomorodi, applied to subdivide a corner parcel that measures 167.99 feet by 76.70 feet (12,902 sq. ft.) on the east corner of the intersection of Alameda de las Pulgas and Sharon Road. The proposed lots measure 81.03 feet wide by 76.70 feet deep (5,801 sq. ft.) and 86.96 feet wide by 76.70 feet deep (7,099 sq. ft.). These proposed lots meet the minimum lot size (5,000 sq. ft.) and width (50 feet) requirements for the R-1/S-72 Zoning District and have adequate building envelopes to accommodate single-family residences, but they do not meet the 100-foot lot depth minimum.

b. Intention Behind the Lot Depth Requirement

The Planning Commission requested information about the history of and County's intention behind the lot depth requirement. The lot depth requirement was added as part of the Subdivision Ordinance amendment adopted by the Board of Supervisors in 1992. The planner who drafted the requirement, Lisa Aozasa, stated that the requirement for a minimum 100-foot depth comes about only because the minimum lot size is 5,000 square feet and the minimum lot width is 50 feet. Rather than being a purposeful regulation, it came from a feeling that a lot width requirement necessitated a lot depth requirement, and that the minimum lot depth requirement should naturally be the lot size requirement divided by the lot width requirement.

There was some discussion at the public hearing that the minimum lot depth requirement was intended to allow space for septic treatment systems. The Environmental Health Division's representative has stated to staff that septic system leach fields do not need a fixed area of land. They can fit into less land than a 50-foot by 100-foot lot, or they can require much more land, depending on the soil and slope. (Moreover, a leach field cannot run beneath a building, so the only guaranteed amount of space for a leach field is the setback areas, which are independent of the lot depth requirement.) If lots were proposed that were too small to accommodate required septic systems, the Environmental Health Division would alert the Planning Department, which would then recommend that the Zoning Hearing Officer deny the subdivision application.

The maximum lot depth standard (3:1, depth:width) exists to prevent the creation of deep, narrow lots. This regulation has been in the Subdivision Ordinance for decades, and the reasoning behind this regulation is unknown and predates the current staff. Allowing deep lots could be used as a strategy to separate development from sensitive features or disruptive land uses, so eliminating this arbitrary limit would be beneficial.

c. Comments Received from Committee for Green Foothills (CGF)
(Attachment C)

Comment One:

This proposal will potentially affect a much greater number of parcels than analyzed in the Initial Study/Negative Declaration (IS/ND) ... The proposed amendment is also applicable in the following unincorporated areas in the Skyline Area:

- (1) Skyline Rural Residential Subdivisions, as designated in the General Plan: Quail Lane, Sierra Morena Woods, Redwood Park, Kings Mountain Park, Sky Ranch Estates, Skylonda, La Honda Vista, Heacox Road, Middleton Tract, and Bear Gulch Road - East.***
- (2) La Honda/Loma Mar Rural Residential Subdivisions, as designated in the General Plan: Alpine Creek Tract, La Honda/Redwood Properties, Redwood Terrace, Loma Mar, Pescadero Creek Park Subdivision, and Guthrie Subdivision.***
- (3) La Honda, which is designated as a Rural Service Center in the General Plan, and which has many small lots.***

CGF understands and appreciates that most, if not all, of these unincorporated areas currently have other constraints, including lack of safe and adequate water supply systems, sewage disposal systems, and other public services. However, Environmental Health standards may well change in the future in response to new technologies, and County requirements of adequate lot size for treatment of on-site individual sewage systems may be relaxed. The potential for new subdivisions in these areas should be included in the analysis of potential impacts under the IS/MD.

Staff's Response: This proposed change to the Subdivision Regulations will not result in any new potential for development in the Skyline Area. The Planning Department analyzed all lots outside of the Coastal Zone for the Initial Study, including those in the mountain areas but excluding those zoned Resource Management (RM) and Timberland Preserve Zone (TPZ), and found no lots that will gain new potential to be subdivided.

The residential portions of the Skyline Area that are in the S-10 and S-11 combining districts did not contain any lots affected by this proposal. They are characterized by their very large minimum lot sizes. These lot sizes—20,000 square feet in the S-10 areas and 1-to-5 acres in the S-11 areas—mean that any lot less than 100 feet deep would be between 200 feet and

2,200 feet wide. No parcels of this width that would be affected by this ordinance were identified during staff's analysis. Again, staff would like to emphasize that any proposed parcels would have to meet minimum parcel size in accordance with each zoning district's requirements.

The Resource Management (RM) zoning district was not included in the analysis because of its Maximum Density of Development rules that require a minimum lot size of between 5 acres and 40 acres. The analysis was infeasible because determining the minimum lot size for a parcel in the RM District is a complex density analysis based on road access, geological and hydrological safety, soil characteristics, slope, and proximity to the Skyline State Scenic Corridor. Likewise, the Timberland Preserve Zone (TPZ) zoning district was not included because its minimum parcel size is 160 acres, meaning that a parcel less than 100 feet deep would be over 13 miles wide.

Additionally, Section 7020.2.a of the Subdivision Regulations requires that all parcels shall be designed to be suitable for the purpose for which they are intended and consistent with the purpose of the zoning district in which they are located. Each subdivision will be reviewed by the Zoning Hearing Officer or Planning Commission who will determine whether the shape of the site is suitable for the proposed development and whether it conforms to the General Plan.

Comment Two:

While it is technically true that an amendment to the Subdivision Regulations would not per se result in additional development, this amendment would nonetheless allow the subdivision of land that is currently not subdividable. Certainly, there are potential impacts to aesthetics, biological resources, geology and soils, hydrology and water quality, land use and planning, and public services from development on some of the potential 105 new parcels. These impacts may well be site specific, but if staff has identified the parcels within each geographic area that could be subdivided under the amendment, the specific impacts of possible subdivisions are reasonably foreseeable and should be analyzed as such, at least at a general level.

Staff's Response: Analyzing the specific impacts of each individual subdivision is not within the scope of work. It is impossible to guess how each lot might be developed by the private developers who might see the potential to develop them. It is impossible to try to guess what future housing markets will mean for the size of houses. Likewise, analyzing the slope, the capacity of downstream sewer interceptor lines, grading and the accompanying particulate air pollution, the impact on trees and listed species, and so on for 77 sites is impossible, especially when the Planning

Department can only guess at subdivision designs. This level of analysis can and would be required at a project-specific level.

Comment Three:

If anything, the Shahidi experience cries out for an amendment to the County Subdivision Regulations that would disallow areas of a parcel that are within the banks of a creek, stream, lake, or other water body, and/or areas comprised of cliffs, bluffs, or similar geologic/geo-physical hazards to be included in the minimum square footage required for a developable parcel.

Staff's Response: This specific change (Parcel Design Exceptions, Section 7020.2.k of the County Subdivision Regulations) will be better incorporated into the upcoming extensive overhaul of the County Subdivision Regulations, scheduled for no later than July 2015. At that time, it can be implemented with other complementary measures designed to work together to accomplish these goals. That project will be initiated by the Planning Department and can make widespread changes to the document and study those changes' environmental impacts.

Staff appreciates these proposals and the intent to improve the County's regulations. However, staff believes these proposals are outside the scope of this project. The subject proposal was submitted by a private party for a specific, targeted change to the Subdivision Regulations. It proposes a specific change, and staff believes that it will not have a significant impact on the environment. It will not allow development in excess of the maximum densities allowed by the General Plan and Zoning Regulations. It will not exempt any subdivision application from review by the Zoning Hearing Officer or appeal to the Planning Commission and Board of Supervisors. It will eliminate an arbitrary regulation that hinders the implementation of the General Plan.

Staff believes that there is no nexus between the applicant's lot in a flat, developed, urban area and creek banks, cliffs, bluffs, lakes, or streams; neither is there one between the proposal to amend the regulations to allow shallower, wider lots and the changes suggested by Ms. Roberts and Ms. Sloan (Attachment E).

d. Comments Received from Margaret Sloan (Attachment E)

Comment One:

These regulations assure proportionality of lots and guarantee an appropriate amount of open space, air, light, and privacy between structures. With a lessening of these regulations, the result is not just

an increase in the number of structures as analyzed by staff, but, even more importantly, a decrease in the space between structures. Furthermore, with a change in the depth of a lot, it is more likely the developer of the lot will seek variances to setbacks and daylight plane requirements in order to fit their “ideal” house into a disproportionate lot.

Staff’s Response: The applicant’s proposal will not decrease the amount of open space between homes. It does not propose any change to the setback, daylight plane, or any other requirements in the Zoning Regulations. Whether the lot is narrow or square, the structures on it must maintain the same distance (setbacks) to the property lines. In most urban districts, this setback is 20 feet to the front property line, 5 feet to the sides, and 20 feet in the rear property line. This would result in a wider, “square” lot providing more open space than a typical deep “rectangle” lot, given that the 20-foot front and rear yard areas would be wider while the 5-foot side yard areas would be shorter. With regard to variances, it is important to keep in mind the required findings for the granting of such exceptions. For a variance, the three most important findings are:

- (1) The parcel’s location, size, shape, topography and/or other physical conditions vary substantially from those of other parcels in the same zoning district or vicinity.
- (2) Without the variance, the landowner would be denied the rights and privileges that are enjoyed by other landowners in the same zoning district or vicinity.
- (3) The variance does not grant the landowner a special privilege which is inconsistent with the restrictions placed on other parcels in the same zoning district or vicinity.

As stated previously, any proposed parcel has to show that there is a buildable envelope within the bounds established by the zoning district’s setbacks. The question of whether a viable building envelope that does not require an exception to develop is inherent to the subdivision process¹.

Comment Two:

... perhaps the depth of a lot could be reduced only by 10% or less without a finding of hardship.

¹ See Section 7013.3.b – “Findings for Approval of a Tentative Map.” “That the site is physically suitable for the type of development.”

Staff's Response: This solution would not allow the applicant to subdivide his lot because the proposed depth is 76.70 feet. A requirement to show hardship would either prevent anyone from creating a lot of less than 90 feet in depth or have no effect at all. In the first instance, it would prevent the creation of any lot of less than 90 feet deep because the remedy to a hardship in a subdivision application would be to forgo subdivision. Alternatively, if "hardship" is defined in this case as the very fact that a lot cannot be subdivided without creating a lot less than 90 feet in depth, then requiring this finding will have no effect. All such proposals would have a hardship.

e. Comments Received from Janet Davis (Attachment D)

Comment One:

While it is true that altering the text itself has no direct environmental consequences, it is NOT true to assert that any subsequent project will have a full individual CEQA review. Once the text is altered the chances are, based on prior experience, any subsequent project will be automatically approved as being in compliance with the new text.

Staff's Response: All discretionary projects undergo environmental review pursuant to the California Environmental Quality Act (CEQA). All decisions are made at public hearings by the Zoning Hearing Officer (and potentially the Planning Commission and Board of Supervisors, if on appeal). Findings must be made by the decision maker that the project conforms to the General Plan and Zoning Regulations, as well as the standards of the Subdivision Ordinance.

Comment Two:

This is a typical "canned" ND where the County checks off all the boxes as "no impact" without giving any thought whatsoever as to what those impacts could and will be. Each item in this application has the same boilerplate language stating that is merely a "text amendment."

Staff's Response: Impacts that could have feasibly been analyzed were analyzed. Impacts that can only be analyzed upon submittal of a development application will be reviewed upon application.

Comment Three:

The Initial Study states that identifying these parcels is not applicable. However, the Table at the back of the ND lists specific (unidentified) sites by GIS. Paragraph 2 subsections refer to "List of Parcels with

New Subdivision Potential and Zoning Maps.” Therefore, it should be shown exactly where those sites are alleged to be, and at the very least, those nearby residents should be noticed of this proposal.

Staff’s Response: This refers to the first page of the Initial Study, which reads:

5. Project Location: Unincorporated areas of San Mateo County outside of the Coastal Zone
6. Assessor’s Parcel Number and Size of Parcel: Not applicable

This is acceptable for a plan level analysis. At the Planning Commission’s request, a hearing notice was sent to the owners of every lot within 300 feet of the 77 affected parcels. The Planning Department performs environmental analysis pursuant to CEQA for all discretionary projects, including subdivisions. As stated previously, CEQA analysis would be performed at the time of an actual application.

Comment Four:

West Menlo Park is immediately adjacent to the City of Menlo Park and is a prime candidate for annexation. The proposed regulations will not comport with their subdivision regulations and could cause problems and added expense down the road.

Staff’s Response: Below are the Menlo Park Lot Dimension requirements:

15.16.070 Lot Dimensions.

The size and shape of lots shall conform to any zoning regulations affecting the land to be subdivided. The lot depth shall not be greater than three times the average width, in a single-family residential zoning district. Width at front property line in residential subdivisions may be reduced to 35 feet where the frontage abuts the outside of a curve with a radius of 100 feet or less. Lot size may be reduced through the Sections 15.16.210 through 15.16.230 if authorized (Ordinance 615 Section 1 (part), 1977: Prior Code Section 24.6(6)).

They do not have a minimum lot depth at all. Approval of this proposal would make the County’s Subdivision Regulations conform better to the City of Menlo Park’s. The maximum lot depth is not applicable to any subdividable parcels in Menlo Park’s sphere of influence.

Comment Five:

Any developer has the option of requesting exceptions. Apparently that idea has been rejected by staff.

Staff's Response: The Subdivision Regulations do not have any mechanism to allow an exception to accommodate the applicant's proposed subdivision. As discussed in the supplemental staff report, the only exceptions are for commercial and industrial developments, planned unit developments or condominiums, and sites with steep slopes, watercourses, or other sensitive features.

Comment Six:

This one developer is planning to have the subdivision regulations changed for the entire unincorporated County, just because he wants to subdivide an already developed, substandard lot at the corner of Alameda and Sharon Roads in West Menlo Park.

Staff's Response: Planning regulations provide the public the opportunity to submit an application and pay applicable fees to propose an amendment to the County's Government Code. Mr. Zomorodi's lot is 12,902 square feet where 5,000 square feet is the minimum lot size. The proposed lots measure 81.03 feet wide by 76.70 feet deep (5,801 sq. ft.) and 86.96 feet wide by 76.70 feet deep (7,099 sq. ft.). Both proposed lots exceed the minimum lot size and have adequate building envelopes.

Comment Seven:

This is an outrageous proposal that contemplates altering County regulations for the economic benefit of one developer. That is the very definition of SPOT ZONING which is unconstitutional.

Staff's Response: This proposal is neither spot nor zoning. This proposal applies generally to all unincorporated areas outside the Coastal Zone, and does not change the Zoning Regulations at all. Spot zoning is applying a zoning district to a single parcel within another zoning district. The applicant's lot is zoned R-1/S-72, the same as its surroundings.

Comment Eight:

At the last County Planning Commission hearing in December, staff were instructed to notify the affected communities of the changes proposed and more information was to be provided as to the specific sites. As far as I know absolutely nothing has happened and no one that I know of has received any such notice.

Staff's Response: The County sent public notices to the owners of all lots within 300 feet of the identified parcels and to the homeowners associations of all areas outside the Coastal Zone. This is discussed in the supplemental staff report.

Comment Nine:

I have made a CPR request for the data on proposed sites in Stanford Weekend Acres, North Fair Oaks, and Emerald Hills.

Staff's Response: Staff has responded to the California Public Records Act request. Ms. Davis received a list of all parcels that may gain the potential to be subdivided.

f. Other Comments Received

Patricia McBrayer

Ms. Patricia McBrayer submitted a comment opposing the ordinance amendment (Attachment G). She encourages the County to change ordinances in a considered, thorough, and comprehensive manner to ensure growth is guided to best address the long-term needs and goals of the County and all its residents, and not in piece-meal reaction to the desires of individual applicants. She notes that many other projects are granted exceptions by the County, and asks why this cannot. She also encouraged expanded notification.

Staff's Response: This project cannot qualify for an exception because none exists. The ordinance amendment is to eliminate an arbitrary regulation that inhibits implementing the General Plan. It is being processed at this time at the request of the applicant to have it changed prior to the comprehensive update. The notification was greatly broadened for this public hearing. A comprehensive update of the Subdivision Regulations is scheduled for July 2015.

Steve Epstein

Mr. Steve Epstein, President of the Burlingame Hills Improvement Association, submitted a comment (Attachment H) opposing the amendment on the grounds that the change is a drastic one made for the benefit of only one applicant, and includes the belief that the project can be accommodated in some other way.

Staff's Response: The Planning Department believes that the proposal is a minor, targeted change that will not significantly affect the communities of San Mateo County but will eliminate an arbitrary regulation. The current County Subdivision Regulations do not provide an exception or other way to accommodate the applicant's proposed subdivision.

Rick Priola

Mr. Rick Priola, President of the Highland Community Association, wrote to ask the Commission to request an explanation as to how such a broad change has come to be proposed with regard to a single application in one neighborhood and he urged the Commission to continue this item so representatives can meet with staff and the applicant's representative to discuss the possibilities for less sweeping changes to the Subdivision Regulations. This letter is in Attachment F.

Staff's Response: The Planning Department believes it has addressed this question in the Staff Report and Addendum.

ATTACHMENTS

- A. Recommended Findings
- B. E-mail Correspondence Received after the December 11, 2013 Hearing
- C. Committee for Green Foothills' December 5, 2013 Correspondence
- D1. Janet Davis' November 25, 2013 Correspondence
- D2. Janet Davis' November 28, 2013 Correspondence
- D3. Janet Davis' January 31, 2014 Correspondence
- E. Margaret Sloan's December 10, 2013 Correspondence
- F. Rick Priola's December 10, 2013 Correspondence
- G. Patricia McBrayer's December 10, 2013 Correspondence
- H. Steve Epstein's December 10, 2013 Correspondence
- I. Published Advertisement of Negative Declaration
- J. December 11, 2013 Executive Summary, Staff Report, and Attachments

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County of San Mateo - Planning and Building Department

ATTACHMENT A

County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS

Permit or Project File Number: PLN 2013-00221 Hearing Date: February 12, 2014

Prepared By: Steven Rosen
Planning Staff

For Adoption By: Planning Commission

RECOMMENDED FINDINGS TO THE BOARD OF SUPERVISORS

Regarding the Negative Declaration, Find:

1. That the Board of Supervisors does hereby find that this Negative Declaration reflects the independent judgment of San Mateo County.
2. That the Negative Declaration is complete, correct, and adequate and prepared in accordance with the California Environmental Quality Act (CEQA) and applicable State and County Guidelines.
3. That, on the basis of the Initial Study, comments received hereto, and testimony presented and considered at the public hearing, there is no substantial evidence that the project will have a significant effect on the environment.

Regarding the Subdivision Ordinance Amendment, Find:

4. That the proposed Subdivision Ordinance amendment will conform to the General Plan Land Use designations in that the proposal will not create the potential for any unincorporated community or neighborhood to exceed the maximum density for its designation.
5. That the proposed Subdivision Ordinance amendment will enact policies of the Visual Quality, Urban Land Use, and Housing Elements of the County Master Plan (i.e., 1986 General Plan) in that: (1) It will allow more flexibility in the division of lots to create attractive building sites that are harmonious with existing development; (2) It will eliminate a requirement that hinders the development of the unincorporated areas of the County to the density envisioned in the Land Use Element; and (3) It will increase the supply of housing in the unincorporated areas of the County.

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County of San Mateo - Planning and Building Department

ATTACHMENT B

On Dec 16, 2013, at 12:20 PM, J.R. Rodine <jrrodine@sbcglobal.net> wrote:

Jim and Steve:

I am following up in regard to my presentation at last Wednesday's commission hearing, and Lennie's letter dated December 5, 2013 on the above matter. Her letter addressed procedural notice and various environmental considerations, and my testimony was focused upon a remedy to see that incidents like the Shahidi project never occur again while allowing a reasonable expansion of findings for lot depth exceptions. I suggest that relatively minor changes will accomplish the technical objectives without revisiting the Initial Study/Negative Declaration as follows:

Article 2 Subdivision Layout and Design

Delete the following codified exception provision from Section 7020 - 2-K (1) that reads "The parcels are located on or adjacent to steep hillsides, rivers, or creeks".

By doing this we eliminate the potential for applicants to seek an exception that may allow using portions of land that have an existing depth deficiency from applying unbuildable and/or hazardous area as a means to subdivide. This speaks to the technical heart of Lennie's letter and my testimony. This section that was perhaps well meaning in 1992 is no longer a proper consideration as the regulatory process has evolved. Many local jurisdiction have adopted more stringent setback provisions governing streams, creeks, or steep slopes to assure that any residual land subject to division will provide for suitable building areas.

Substitute the above deleted language with the following "All subsequent dwelling(s) or accessory structure(s) proposed for placement on any parcel created by a lot depth exception shall meet the codified front, side, and rear yard setback requirements of the underlying zone district".

If this appears redundant to zoning provisions, another mechanism to notify property owners of such setback regulations would be to require the above statement be placed upon the certificate and acknowledgement sheet(s) of the final parcel or subdivision map. This constitutes actual and constructive notice to future lot buyers. I have seen this method of disclosure used via the escrow and title process. My objective is to avoid variance applications that could constitute a proposed change in the character of an existing neighborhood. It essentially should discourage the consideration of structures that are too large for the lot and impact adjoining properties.

I hope this all makes sense, I am happy to discuss any questions or associated considerations.

Regards,

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Fax: 775-853-0461
Cell: 415-385-8365
E-mail: jrrodine@sbcglobal.net

From: Lennie Roberts [mailto:lennie@darwin.ptvy.ca.us]
Sent: Monday, December 16, 2013 9:08 PM
To: J.R. Rodine
Cc: Jim Eggemeyer; Steven Rosen; Mike Schaller
Subject: Re: PLN 2012--00361 Subdivision Text Amendment

Thanks, J.R., This is a good approach. I like the requirement that subsequent structures on parcels that do not meet the depth requirement shall meet the front, side, and rear yard setbacks. To adequately address the problem of subdivision of parcels that include creeks and/or cliffs/bluffs, I would like to also include language that states "for purposes of subdivision, the area of a parcel that is within the banks of a river, creek, cliff, bluff, or similar geologic feature shall not be included in the calculation of overall parcel area".

Lennie

>>> "J.R. Rodine" <jrrodine@sbcglobal.net> 12/17/2013 10:12 AM >>>

Hi Lennie:

My setback recommendation pertains to creation of lots with potential depths containing less than the minimum zoning requirement. I see what you are getting at, however, it is a different matter than the lot depth exception and should not complicate the current request.

As an example, Redwood City's Stormwater Ordinance adopted in 2009 allows for inclusion of the area within creeks to meet the lot area but requires a 25' setback from top of bank as a safety mandate. For the purpose of subdividing, any possible encroachment into this 25' setback may only occur via a concurrent CUP application viewed on a case by case basis. Specific definitions and their application would need to be included that define measurement points such as top of bank, grade break, and toe of slope, and % of slopes in general so it is clear to the staff and public what is and what is not in play. There should be some consideration for very large properties containing a creek or steep slope that may be safely subdivided with functional building areas subject to the 25' safety setback. In addition, general plan and zoning regulations would need to be looked at to avoid internal conflicts with any subdivision ordinance amendment.

Again, for smaller urban refill lots such as Shahn's that are not impacted by creeks, bluffs, or steep slopes etc., meeting the codified setbacks to establish a building envelope should be the test. Overall, I am in general agreement with your idea, however, it will take a lot more study, work, and time beyond the simple scope of the present proposal. My thought is to move Shahn's focused request forward while we jointly support inclusion of your concept in a larger overall ordinance update. In the meanwhile, the request at hand is not likely to trigger any stampede to subdivide.

I am happy to discuss this further with you and/or staff to see what we can reasonably achieve without overly complicating the current amendment.

Thanks,
J. R.



County of San Mateo - Planning and Building Department

ATTACHMENT C



December 5, 2013

Chris Ranken, Chair and
Planning Commissioners
455 County Center, 2nd Floor
Redwood City, CA 94063

Re: Item 5 on the December 11, 2013 Agenda: Proposed Amendment to the County Subdivision Ordinance to eliminate the minimum and maximum lot depth standards in areas outside the County Coastal Zone (PLN2013-00221)

Dear Chair Ranken and Commissioners,

On behalf of Committee for Green Foothills (CGF), I am writing to strongly oppose the proposed Amendment to the County Subdivision Regulations, as drafted. These particular regulations have been in place for many years and have served the County well.

Communities in the unincorporated urban areas of the county are essentially built out. Homeowners have relied upon the stability of their neighborhoods, based upon the adopted County Subdivision Regulations and applicable zoning codes. Allowing additional parcels to be created by relaxing the Standard Subdivision Design Requirements (Section 7020 of the Subdivision Regulations) creates the potential to upset the neighborhood character that newcomers and older residents alike have cherished.

This proposal will potentially affect a much greater number of parcels than analyzed in the Initial Study/Negative Declaration (IS/ ND), which nonetheless shows a potential increase of 105 lots scattered throughout the urban unincorporated areas of Broadmoor, Devonshire, Ladera, Los Trancos Woods, North Fair Oaks, Palomar Park, San Mateo Highlands, Sequoia Tract, Stanford Weekend Acres, and West Menlo Park.

The proposed Amendment is also applicable in the following unincorporated areas in the Skyline Area:

1. Skyline Rural Residential Subdivisions, as designated in the General Plan: Quail Lane, Sierra Morena Woods, Redwood Park, Kings Mountain Park, Sky Ranch Estates, Skylonda, La Honda Vista, Heacox Road, Middleton Tract, and Bear Gulch Road - East.
2. La Honda/Loma Mar Rural Residential Subdivisions, as designated in the General Plan: Alpine Creek Tract, La Honda/Redwood Properties, Redwood Terrace, Loma Mar, Pescadero Creek Park Subdivision, and Guthrie Subdivision.
3. La Honda, which is designated as a Rural Service Center in the General Plan, and which has many small lots.

CGF understands and appreciates that most, if not all, of these unincorporated areas currently have other constraints, including lack of safe and adequate water supply systems, sewage

disposal systems, and other public services. However, Environmental Health standards may well change in the future in response to new technologies, and County requirements of adequate lot size for treatment of on-site individual sewage systems may be relaxed. The potential for new subdivisions in these areas should be included in the analysis of potential impacts under the IS/MD.

Have Community Associations or neighborhood organizations in all of the affected communities been notified of this proposed Amendment?

While it is technically true that an Amendment to the Subdivision Regulations would not *per se* result in additional development, this Amendment would nonetheless allow the subdivision of land that is currently not subdividable. Certainly there are potential impacts to aesthetics, biological resources, geology and soils, hydrology and water quality, land use and planning, and public services from development on some of the potential 105 new parcels. Once subdivided, the resulting parcels would be deemed developable, per the Subdivision Regulations. These impacts may well be site specific, but if staff has identified the parcels within each geographic area that could be subdivided under the Amendment, the specific impacts of possible subdivisions are reasonably foreseeable and should be analyzed as such, at least at a general level.

The Planning Commission and Board of Supervisors have already seen the impact that one subdivision proposal recently had upon the community of Stanford Weekend Acres, where an Applicant (Ramin Shahidi) proposed to subdivide an already developed parcel into two, despite the fact that a significant area of his parcel was within the banks of San Francisquito Creek, and was therefore undevelopable. After a long, contentious, divisive battle, Mr. Shahidi was allowed to subdivide his parcel and has now built two houses there. The houses are for sale for \$2.2 and \$2.25 million.

If anything, the Shahidi experience cries out for an Amendment to the County Subdivision Regulations that would disallow areas of a parcel that are within the banks of a creek, stream, lake, or other waterbody, and/or areas comprised of cliffs, bluffs, or similar geologic/geophysical hazards to be included in the minimum square footage required for a developable parcel.

According to the IS/ND, the Project Sponsor has purchased an already developed lot at the corner of Alameda de las Pulgas and Sharon Road in unincorporated Menlo Park. Mr. Zomorodi would like to subdivide this 12,902 square foot lot, demolish the existing house, and replace it with two new houses (see PLN 2012-00361). Clearly Mr. Zomorodi already has the ability to build one new home, as anyone else can do. His desire for two lots instead of one is just a desire, and certainly not a mandate for such major changes to the Subdivision Regulations.

CGF is open to alternatives to the current proposal that would have a less significant impact on the non-Coastal unincorporated areas of the County.

We urge the Commission to continue this item so we can meet with staff and the Applicant's representative to discuss the possibilities for less sweeping changes to the Subdivision Regulations.

Sincerely,



Lennie Roberts
San Mateo County Legislative Advocate
Committee for Green Foothills

Cc: Steven Rosen, Project Planner
Jim Eggemeyer, Community Development Director
Board of Supervisors
J.R. Rodine



County of San Mateo - Planning and Building Department

ATTACHMENT D1

Steven Rosen - Fw: SHAHIDI ALL OVER AGAIN

From: Janet Davis <jadjad@sbglobal.net>
To: San Mateo planning-commission <planning-commission@co.sanmateo.ca.us>
Date: 11/25/2013 9:40 AM
Subject: Fw: SHAHIDI ALL OVER AGAIN

----- Forwarded Message -----

From: Janet Davis <jadjad@sbglobal.net>
To: Jim Eggemeyer <JEggemeyer@smcgv.org>; John Nibbelin <jnibbelin@co.sanmateo.ca.us>; warren slocum <wslocum@smcgv.org>; Don Horsley <DHorsley@smcgv.org>; carol groom <cgroom@co.sanmateo.ca.us>; dave pine <dpine@co.sanmateo.ca.us>; "atissier@co.sanmateo.ca.us" <atissier@co.sanmateo.ca.us>
Cc: margaret williams <margaretwilliams2010@gmail.com>; Lennie Roberts <Lennie@darwin.ptvy.ca.us>; Diana Gerba <dgerba@mac.com>; Sidney Overland <sidneyoverland@yahoo.com>
Sent: Sunday, November 24, 2013 2:37 PM
Subject: SHAHIDI ALL OVER AGAIN

Planning Commission Meeting 12/11/13
Item 5 Shahram Zomorodi PLN 2013-0021 regarding 2099 Sharon Road Menlo Park.

Once more someone is trying to play the County for fools!

This is an **outrageous** request if I understand what is going on. Just because this developer acquired a parcel that is not of sufficient dimensions to allow a subdivision, he wants to change the regulations for the **entire county** to accommodate his overreaching by reducing the length measurements required. Just so you know what you are getting, the architect is **ATELIER** – the same outfit that ran circles around everyone in the county to push through the Shahidi project. The owner tried the same maneuver in the City of Menlo Park, where the basic lot size is 7,000 sq. ft.

The ramifications of such a change could wreak havoc in many of the unincorporated areas of the county: especially along San Francisco Creek in Stanford Weekend Acres.

Please put a stop to this before you get sucked into another Shahidi debacle.



County of San Mateo - Planning and Building Department

ATTACHMENT D2

Steven Rosen - OBJECTION: PROPOSED CHANGE TO SUBDIV. RULES

From: Janet Davis <jadjad@sbglobal.net>
To: "srosen@smcgov.org" <srosen@smcgov.org>, Jim Eggemeyer <JEggemeyer@smcgo...>
Date: 11/28/2013 2:48 PM
Subject: OBJECTION: PROPOSED CHANGE TO SUBDIV. RULES
CC: margaret williams <margaretwilliams2010@gmail.com>, Diana Gerba <dgerba@...>

RESPONSE/OBJECTION TO NEGATIVE DECLARATION PLN 2013-00221 Planning Commission Hearing December 11, 2013

NOTICE:

Notice of this ND is completely inadequate. While those in the immediate vicinity of Alameda/Sharon Roads *might* know of the proposal to reduce the dimensions of lots to be subdivided, no one else in the entire county has notice. Since there was no copy of any advertisement included with the ND, there is nothing to indicate that this **was** even published in the San Mateo Times: an insignificant paper that is not even available in most areas of the county, and costs \$1/issue in the few areas where it can be purchased. Nobody but lawyers read the "Legal Section" of papers. All the other jurisdictions, school districts, fire districts and other entities publish large ads in **each and every** readily available, free paper available throughout the Bay counties.

ODOR OF CORRUPTION:

There has been no public outpouring of support for altering the Subdivision regulations, in fact the reverse is true. That **one** over-reaching developer can trigger **a wholesale revamping** of long standing neighborhood protections for the entire county, is beyond belief and suggests (at the very least) undue influence.

BASIC ASSUMPTION:

While it is true that altering the **text** itself has no direct environmental consequences, it is NOT true to assert that any subsequent project will have a full individual CEQA review. Once the text is altered the chances are, based on prior experience, any subsequent project will be automatically approved as being in compliance with the new text. In the past, projects have been approved even where they were in direct conflict with subdivision, grading, heritage tree protections, Exception rules, Fish and Game laws, and the General Plan policies. A prime example of virtually all of these violations is the Shahidi project on Bishop Lane. The present applicant **also** uses **Atelier**, the firm that ran rings around the county with respect to the Shahidi project that cost the county and taxpayers thousands of dollars.

This is a typical "canned" ND where the county checks off all the boxes as "no impact" without giving any thought whatsoever as to what those impacts could and will be. Each item in this application has the same boiler plate language stating that is merely a "text amendment."

LACK OF NECESSITY FOR CHANGE:

The County Housing Element indicates **no lack** of available existing sites for development within the county. To alter a long standing provision to ensure consistency and stability of neighborhoods for a possible (at most a 2.9% in one area) increase in sites that are not needed is ridiculous.

PROJECT LOCATION/PARCEL NOS:

The Initial Study states that identifying these parcels is not applicable. However, the Table at the back of the ND lists specific (unidentified) sites by GIS. Paragraph 2 subsections refer to "List of Parcels with New Subdivision Potential and Zoning Maps." Therefore it should be shown exactly **where** those sites are alleged to be, and at the very least, **those** nearby residents should be noticed of this proposal. I am familiar with Ladera, West Menlo Park, Los Trancos Woods, North Fair Oaks, and **certainly** Stanford Weekend Acres. In all but the NFO locations and some areas of WMP, there are many environmental factors that would make a reduction in dimensions extremely foolhardy, and in the case of Stanford Weekend Acres, possibly life threatening. One of the unnumbered sheets at the back of the package containing a table has no legend at the top of the table.

FINDINGS AND BASIS FOR A NEGATIVE DECLARATION:

It is **totally false** to assert that there is "**Substantial evidence in the record to find. . .**"

Each subsection (a) – (d) is false. The section states that the project's impact "as mitigated" will not be significant. However, there are no mitigations listed.

FLAWED LOGIC THROUGHOUT THE ND

People do not choose their place of residence *merely* to be close to their work. If that were so, nobody would be living in Atherton, Woodside or Portola Valley. Furthermore, shorter commutes do not necessarily equal less traffic. There is no direct correlation between a residents' work/ home locations and reduction in any environmental factor. Indeed there could not be since people change both work and residence. People choose

homes on the basis of cost, environment and school districts. Six extra households in SWA combined with 9 in WMP and 1 in Ladera would create a significant impact on the Los Lomas School District which has already enacted a \$60 million dollar bond issue because the school facilities are already at bursting point.

OBJECTIONS SPECIFIC TO STANFORD WEEKEND ACRES (SWA):

Several of the areas that could be affected by this change are located in seismically active zones, flood zones, topographically challenging sites etc. One area where such a change would create hazardous conditions is Stanford Weekend Acres. Many of the SWA lots comprise a good proportion of creek bed that is underwater! This is a small community squeezed between an arterial road (designated as scenic) and a dangerous creek that frequently floods or experiences significant bank collapse, and which is habitat for several protected or endangered species. SWA is designated in the General Plan as an area of inundation, and on the USGS maps as a Liquefaction and Slide Zone. It is also an urban/wildlife fire hazard area, and immediately contiguous to Stanford's proposed Habitat Conservation Area. The County flood protection resolution, heritage tree ordinances, Specific "Conditions" and U.S. and State Wildlife protections **have all been virtually ignored** to accommodate excessive and inappropriate development. (Refer to Sections 9c,d,e,f,g; 10 b,c,f) This area has several cul de sacs (one of which is only 11 ft. wide in places) and inadequate driveways that have been already overdeveloped to the extent that should an emergency occur, many people would be trapped with no escape (Refer to Items 8g, h, i, j). Added to the problems in this particular vicinity is the highly dangerous and over utilized Alpine Road (Refer to Section 16). Traffic is so dangerous along Alpine that The City of Menlo Park (with owner Stanford University's concurrence) removed the Rural Lane site (half of which is within City Limits, the other half within County jurisdiction) from their list of potential housing development sites. There is also a very noticeable lack of parking in SWA (Refer to Item 16h) Many of the parcels in SWA abut and include the creek. It is the height of folly to ignore the past history of flooding, bank collapse, and lack of appropriate access, by issuing a blanket imprimatur to permit shallower lot dimensions (Refer to Sections 7f, g). Given past history it is totally inadequate to rely on some alleged future CEQA procedure that has not occurred in the past. SWA Planning records are replete with flawed and inappropriate developments that have put people and property at risk and that have caused damage to downstream locations. (Refer to Item 18)

The County recently enacted new Zoning Ordinances in SWA in an attempt to curb inappropriate and excessive development. Previously similar actions were taken with respect to West Menlo Park and Ladera. There have been protests in the University Heights area of unincorporated Menlo Park because of intense development in a zone with insufficient access. Now the County is about to vastly exacerbate the very problems they have been trying to rectify! This totally boggles the mind.

CONCLUSION:

This is an absolutely outrageous, self-serving, hubristic, proposal by ONE applicant who was refused an Exemption to subdivide ONE small and inadequate parcel on the corner of Alameda and Sharon Roads, so now he is trying to alter the Subdivision Regulations for the entire non coastal county! The Zoning Ordinances and the Grading regulations for the county are filled with inconsistencies and inappropriate language that have been crying out for revision for decades. The Subdivision Regulations at least make some sense. They conform basically to those in nearby jurisdictions. The specific parcel is within the sphere of influence of Menlo Park and it is possible that it will be annexed sometime in the near future. It would be foolhardy to create nonconforming parcels for the City to deal with in the future.

To change the rules for ONE rapacious person without even sufficiently noticing all those potentially affected is fundamentally unfair and certainly smacks of undue influence. This is NOT GOOD GOVERNMENT! Nor is it even intelligently thought out.

The ND response period ended November 22. Obviously there will be few, if any, responses within that period because no one knew of the N.D. The Planning Dept. will typically argue that this shows that the public accepts this proposed revision. NOT SO! It proves only that the process was subverted and perverted.

Janet Davis

November 27, 2013



County of San Mateo - Planning and Building Department

ATTACHMENT D3

Steven Rosen - Item 2 on 1/12/14 Agenda

From: Janet Davis <jadjad@sbglobal.net>
To: Steven Rosen <srosen@smcgov.org>
Date: 1/31/2014 9:00 AM
Subject: Item 2 on 1/12/14 Agenda
CC: Don Horsley <DHorsley@smcgov.org>, warren slocum <wslocum@smcgov.org>, m...

At the last County Planning Commission hearing in December, staff were instructed to notify the affected communities of the changes proposed and more information was to be provided as to the specific sites. As far as I know absolutely nothing has happened and no one that I know of has received any such notice. This one developer is planning to have the subdivision regulations changed for the entire unincorporated county, just because he wants to subdivide an already developed, substandard lot at the corner of Alameda and Sharon Roads in W. Menlo Park. I have made a CPR request for the data on proposed sites in Stanford Weekend Acres, N. Fair Oaks, and Emerald Hills. This is an outrageous proposal that contemplates altering county regulations for the economic benefit of one developer. **That is the very definition of SPOT ZONING which is unconstitutional.** Any developer has the option of requesting exceptions. Apparently that idea has been rejected by staff. W. Menlo Park is immediately adjacent to the city of Menlo Park and is a prime candidate for annexation. The proposed regulations will not comport with their subdivision regulations and could cause problems and added expense down the road.



County of San Mateo - Planning and Building Department

ATTACHMENT E

MARGARET A. SLOAN
321 Stanford Avenue
Menlo Park, CA 94025
(650) 854-7573

December 10, 2013

Chris Ranken, Chair and
Planning Commissioners
455 County Center, 2nd Floor
Redwood City, CA 94063

Re: Item 5 on the December 11, 2013 Agenda: Proposed Amendment to the County Subdivision Ordinance to eliminate the minimum and maximum lot depth standards in areas outside the County Coastal Zone (PLN2013-00221)

Dear Chair Ranken and Commissioners:

I am writing to urge the Commission to deny the proposed amendment and, instead, have the staff and interested parties look at alternatives that have a lesser negative impact on the unincorporated properties in the County. I have lived in the unincorporated west Menlo Park area for 38 years and practiced land use and municipal law for 33 years, representing both private parties and government entities.

Basic subdivision regulations in all areas of the state require new lots to have a minimum lot size, a minimum width and a minimum depth. There are valid reasons for these standard requirements. These regulations assure the proportionality of lots and guarantee an appropriate amount of open space, air, light and privacy between structures. With a lessening of these regulations, the result is not just an increase in the number of structures as analyzed by staff, but, even more importantly, a decrease in the space between structures. Furthermore, with a change in the depth of a lot, it is more likely the developer of the lot will seek variances to setbacks and daylight plane requirements in order to fit their "ideal" house into a disproportionate lot.

It appears that this proposed amendment was designed to assist one property and that no thought was given to making a lesser change with lesser impacts. For example, perhaps the depth of a lot could be reduced only by 10% or less without a finding of hardship. Also, the proposal liberalizes regulations without looking at appropriate ways to tighten regulations that have come to the attention of the staff and Commission lately, such as not including in lot size calculations the area required to be dedicated as ROW or area within an easement or creek bank.

A broad brush change in subdivision regulations is not appropriate without more study. The letter from the Committee for Green Foothills points out that this amendment would

Chris Ranken, Chair and
Planning Commissioners
December 10, 2013 – Page 2

affect more areas in the County than mentioned in the staff report and that no community associations were notified.

It is not good planning to make a wholesale change in regulations to address one developer's concerns. More time and study is needed.

Thank you for your consideration.

Sincerely,


Margaret A. Sloan

cc: Steven Rosen, Project Planner
Jim Eggenmeyer, Community Development Director
Board of Supervisors



County of San Mateo - Planning and Building Department

ATTACHMENT F

Steven Rosen - Item 5 on the December 11, 2013 Agenda: Proposed Amendment to the County Subdivision Ordinance

From: "HCApres@gmail.com" <hcapres@gmail.com>
To: <hhardy@smcgov.org>
Date: 12/10/2013 12:13 PM
Subject: Item 5 on the December 11, 2013 Agenda: Proposed Amendment to the County Subdivision Ordinance
CC: Gerard Ozanne <jerryozanne@earthlink.net>, Steve Epstein <steve@epsteinc...>

Chris Ranken, Chair and Planning Commissioners
455 County Center, 2nd Floor
Redwood City, CA 94063
Re: Item 5 on the December 11, 2013 Agenda: Proposed Amendment to the County Subdivision Ordinance to eliminate the minimum and maximum lot depth standards in areas outside the County Coastal Zone (PLN2013-00221)

Dear Chair Ranken and Commissioners, Community associations of CSA1 and Burlingame Hills Improvement Association join with Committee For Green Foothills in its letter dated December 5th addressing significant concerns regarding this proposed regulation.

We ask the commission to request an explanation as to how such a broad change has come to be proposed with regard to a single application in one neighborhood and we urge the Commission to continue this item so representatives can meet with staff and the Applicant's representative to discuss the possibilities for less sweeping changes to the Subdivision Regulations

--

Thank you,

Rick Priola
HCA President

*****PLEASE NOTE *****

This E-Mail message and any documents accompanying this transmission may contain confidential information and is intended solely for the confidential information and is intended solely for the addressee(s) named above. If you are not the intended addressee/recipient, you are hereby notified that any use of, disclosure, copying, distribution, or reliance on the contents of this E-Mail information is strictly prohibited and may result in legal action against you. Please reply to the sender advising of the error in transmission and immediately delete/destroy the message and any accompanying documents. Thank you.



County of San Mateo - Planning and Building Department

ATTACHMENT G

December 10, 2013

Chris Ranken, Chair and Planning Commissioners
455 County Center, 2nd Floor
Redwood City, CA 94063

Re: Item 5 on the December 11, 2013 Agenda: Proposed Amendment to the County Subdivision Ordinance to eliminate the minimum and maximum lot depth standards in areas outside the County Coastal Zone (PLN2013-00221)

Dear Chair Ranken and Commissioners,

I am writing to strongly oppose the proposed Amendment to the County Subdivision Ordinance, as drafted.

In general, I am not opposed to updating County ordinances, quite the contrary. San Mateo County is growing in leaps and bounds and becoming increasingly more urban. It is time for County ordinances to be evaluated and revised to address the current and projected needs of the community. **However, such change to the ordinances should be done in a considered, thorough, and comprehensive manner to ensure growth is guided to best address the long term needs and goals of the County and all its residents, and not in piece-meal reaction to the desires of individual applicants.**

In the past year and a half or so, three projects located in my neighborhood alone have been submitted to the planning department for review, each requiring a significant exception or exceptions to an ordinance, or in this case an amendment to an ordinance. In each case, planning staff has recommended approval. County ordinances are already written with a high degree of flexibility provided by exception, exemption, and variance procedures. In the case of the proposed project requiring the amendment, conditions for an exception cannot be met. Where should the line of reasonability be drawn? **Staff should not be effecting changes to ordinances on a per project basis.**

I urge you to be proactive and take the time to make considered, thorough, and comprehensive changes to the County Subdivision Ordinance for long term growth, through an inclusive public process, that notifies all County residents, particularly those potentially impacted by the proposed change. **Either continue the agenda item for further study and expanded notification, or vote no on the amendment as written and put in motion the process to comprehensively revise the ordinance to address the long term growth of San Mateo County.**

Sincerely,



Patricia McBrayer
Architect

Cc: Steven Rosen, Project Planner
Jim Eggemeyer, Community Dvp. Director
Board of Supervisors
Editor, The Almanac



County of San Mateo - Planning and Building Department

ATTACHMENT H



Burlingame Hills Improvement Association

Serving the Hills since 1959

PRESIDENT

Steve Epstein
120 Tiptoe Lane
Burlingame, CA 94010
(650) 777-7899
steve@burlingamehills.org

VICE PRESIDENT

Charles Forrester
142 La Mesa Drive

TREASURER

John Keller
96 Tiptoe Lane

RECORDING SECRETARY

Szonja Ivester
124 Fey Drive

CORRESPONDING SECRETARY

Michelle Moreno
2897 Adeline Drive

DIRECTORS

Art LaBrie
2839 Adeline Drive

Beth Bhatnagar
173 Los Robles Drive

Don Dains
2889 Adeline Drive

Joyce Badertscher
125 Glen Aulin Lane

Kay Small
187 Valdeflores Drive

Pam Zaragoza
2871 Hillside Drive

PRESIDENTS EMERITUS

Gus Petropoulos
2872 Adeline Drive

John Spreitz
3035 Canyon Road

WEBSITE

www.burlingamehills.org

BHIA is a California nonprofit
mutual benefit corporation

December 10, 2013

Members of the County Planning Commission

Chris Ranken, Chair

455 County Center

Redwood City, CA 94063

RE: Item 5 on the December 11, 2013 Planning Commission agenda (Proposed Amendment to the County Subdivision Ordinance to eliminate the minimum and maximum lot depth standards in areas outside the County Coastal Zone)

Dear commissioners:

I am writing to you as the representative of the 1,250 residents of unincorporated Burlingame Hills. Although none of the developable parcels are in my community, we are opposed to any amendment to the County Subdivision Ordinance that is solely intended to accommodate one applicant.

We feel there must be a vehicle that can achieve the goal of the applicant without such a drastic change to the Standard Subdivision Design Requirements and hope that you will continue this discussion to allow time for the parties to find such a vehicle.

Sincerely,

Steve Epstein, President



County of San Mateo - Planning and Building Department

ATTACHMENT I

San Mateo County Times

c/o Bay Area News Group
1730 S. El Camino Real, Suite 450
San Mateo, CA 94402
Legal Advertising
(408) 920-5332

SAN MATEO, COUNTY OF
PLANNING & BLDG DEV/ACCOUNTS PAYABLE,455
COUNTY CTR., 2ND FL.
REDWOOD CITY CA 94063

PROOF OF PUBLICATION

FILE NO. H.Heather

In the matter of

San Mateo County Times

The undersigned deposes that he/she is the Public Notice Advertising Clerk of the SAN MATEO COUNTY TIMES, a newspaper of general circulation as defined by Government Code Section 6000, adjudicated as such by the Superior Court of the State of California, County of San Mateo (Order Nos. 55795 on September 21, 1951), which is published and circulated in said county and state daily (Sunday excepted).

The PUBLIC NOTICE

was published in every issue of the SAN MATEO COUNTY TIMES on the following date(s):

10/23/2013

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated: October 23, 2013



Public Notice Advertising Clerk

Legal No. 0005003990

NOTICE OF NEGATIVE DECLARATION

Notice is hereby given that the San Mateo County Planning and Building Department has determined that the following project will not have a significant effect on the environment and has, therefore, prepared a Negative Declaration:

FILE NO.: PLN 2013-00221

PROJECT DESCRIPTION: Amendment to the Subdivision Ordinance to modify the lot dimension requirements by eliminating the minimum and maximum lot depth standards in areas outside of the Coastal Zone. No new physical development is proposed at this time.

PROJECT LOCATION: Unincorporated areas of San Mateo County outside of the Coastal Zone

REVIEW PERIOD: October 23, 2013 - November 22, 2013

PROJECT PLANNER: Steven Rosen, 650/363-1814

The project file is located at the office of the County Planning and Building Department, 455 County Center, Second Floor, Redwood City, California. For further information on the date and time of public hearings for this project, contact the project planner.

SBR:fc - SBRX0724_WFP.DOC
CPD FORM A-ENV-50
PRM00033.DOC (2/24/11)
SMCT#5003990

October 23, 2013

RECEIVED

2013 OCT 25 P 4: 12

SAN MATEO COUNTY
PLANNING AND BUILDING
DEPARTMENT



County of San Mateo - Planning and Building Department

ATTACHMENT J

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

DATE: December 11, 2013

TO: Planning Commission

FROM: Planning Staff

SUBJECT: EXECUTIVE SUMMARY: Consideration of an amendment to the County Subdivision Ordinance, pursuant to Section 66411 of the California Government Code, and certification of a Negative Declaration, to modify the lot dimension requirements by eliminating the minimum and maximum lot depth standards in areas outside of the Coastal Zone.

County File Number: PLN 2013-00221 (Zomorodi)

PROPOSAL

The project is an amendment to the County Subdivision Ordinance that only applies to areas outside of the Coastal Zone. The proposed change to the text will modify Section 7020: Standard Subdivision Design Requirements. Subsection 2.c of Section 7020 currently requires a minimum lot width of 50 feet, a minimum lot depth of 100 feet, and a maximum lot depth of no more than three times the lot width.

For areas outside of the Coastal Zone, the project will strike the minimum and maximum lot depth requirement for areas outside of the Coastal Zone. The minimum lot width will remain 50 feet, with a depth sufficient to meet the minimum parcel size for the zoning district.

For areas within the Coastal Zone, Section 7020.2.c will remain unchanged.

This amendment would not change the minimum lot size required by the applicable zoning districts, and it would not reduce the minimum lot size of 5,000 square feet required by Subsection 7020.2.b of the Subdivision Regulations. In no case would a subdivision be allowed that exceeds the site's density designation on the General Plan Land Use Map.

An example of a lot that could be subdivided if this ordinance amendment is adopted is shown in Attachment C. It is large enough to be divided into lots that meet all standards except lot depth. The resulting lots exceed the minimum parcel size, exceed the minimum parcel width, meet lot frontage requirements, and have a useful building envelope.

RECOMMENDATION

That the Planning Commission recommend that the Board of Supervisors approve the proposed Subdivision Ordinance Amendment and certify the Negative Declaration, County File Number PLN 2012-00221, by adopting the required findings as contained in Attachment A.

SUMMARY

This proposal will affect parcels throughout the portion of the County outside of the Coastal Zone. An analysis of R-1 (Single-Family Residential) and R-2 (Two-Family Residential) parcels throughout the Bayside determined that this proposal would result in the potential to create 103 lots that could not have been created before. Of these 103 lots, 101 lots are zoned for single-family residences, and two lots are zoned for two-family residences. The greatest potential for change is in Devonshire, where the new potential to create 24 lots increases the potential build-out of single-family residences by 2.9%. Countywide, this proposal would create the potential to build 105 new dwelling units—101 single-family dwelling units and four two-family dwelling units in two duplexes.

The proposal conforms to the General Plan Lands Use Element's designations. In no place would the increase in potential development result in a community exceeding the density limit assigned to it by the General Plan. Therefore, the County has already planned to accommodate the development that could result from this proposal.

Subdivisions are subject to review by the agencies providing services to the parcel, such as sewer districts, or to an analysis of the developer to provide the services on-site, such as with a septic system. No subdivision can be approved if its developer cannot prove that it will have adequate water, sewer, and access.

The proposal conforms to the General Plan's policies that promote infill development, increasing the housing supply, and maintaining neighborhood character. The affected lots are within existing residential neighborhoods with adequate services and infrastructure. All applications for subdivision must conform to the lot width, size, and access standards as indicated in the Subdivision Ordinance and conform to the Zoning Regulations' standards regarding lot size, setbacks, size of structures, etc.

The proposal will not have any significant impact on the natural or built environment. In all unincorporated areas, the level of development made possible by this project will not exceed that studied and anticipated in the General Plan, and any site-specific impacts resulting from individual subdivisions will be analyzed during environmental review of those applications.

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

DATE: December 11, 2013

TO: Planning Commission

FROM: Planning Staff

SUBJECT: Consideration of an amendment to the County Subdivision Ordinance, pursuant to Section 66411 of the California Government Code, and certification of a Negative Declaration, to modify the lot dimension requirements by eliminating the minimum and maximum lot depth standards in areas outside of the Coastal Zone.

County File Number: PLN 2013-00221 (Zomorodi)

PROPOSAL

The project is an amendment to the County Subdivision Ordinance that only applies to areas outside of the Coastal Zone. The amendment will eliminate the 100-foot minimum lot depth requirement. The proposed change to the text will modify Section 7020: Standard Subdivision Design Requirements within Article 2: Subdivision Design and Layout. Subsection 2.c of Section 7020 currently reads:

The minimum width of each parcel shall conform to the requirements of the Zoning Regulations, but in no case shall be less than 50 feet, exclusive of rights-of-way or easements for road purposes. The minimum depth shall be as necessary to provide the minimum parcel size for the zoning district, but in no case shall be less than 100 feet, nor greater than three times the width, exclusive of rights-of-way or easements necessary for road purposes.

The project will strike the minimum and maximum lot depth requirement for areas outside of the Coastal Zone. For areas outside of the Coastal Zone, Section 7020.2.c will read:

*For areas **outside** of the Coastal Zone, the minimum width of each parcel shall conform to the requirements of the Zoning Regulations, but in no case shall be less than 50 feet, exclusive of rights-of-way or easements for road purposes. The minimum depth shall be as necessary to provide the minimum parcel size for the zoning district, exclusive of rights-of-way or easements necessary for road purposes.*

For areas within the Coastal Zone, Section 7020.2.c will read:

*For areas **within** the Coastal Zone, the minimum width of each parcel shall conform to the requirements of the Zoning Regulations, but in no case shall be less than 50 feet, exclusive of rights-of-way or easements for road purposes. The minimum depth shall be as necessary to provide the minimum parcel size for the zoning district, but in no case shall be less than 100 feet, nor greater than three times the width, exclusive of rights-of-way or easements necessary for road purposes.*

This amendment would not change the minimum lot size required by the applicable zoning districts, and it would not reduce the minimum lot size of 5,000 square feet required by Subsection 7020.2.b of the Subdivision Regulations. In no case would a subdivision be allowed to exceed the density designations on the General Plan Land Use Map.

An example of a lot that could be subdivided if this ordinance amendment is adopted is shown in Attachment C. It is large enough to be divided into lots that meet all standards except lot depth. The resulting lots exceed the minimum parcel size, exceed the minimum parcel width, and meet lot frontage requirements.

RECOMMENDATION

That the Planning Commission recommend that the Board of Supervisors approve the proposed Subdivision Ordinance Amendment and certify the Negative Declaration, County File Number PLN 2012-00221, by adopting the required findings as contained in Attachment A.

BACKGROUND

Report Prepared By: Steven Rosen, Project Planner, Telephone 650/363-1814

Applicant: Shahram Zomorodi

Location: Unincorporated areas of San Mateo County outside of the Coastal Zone

Existing Zoning: Various

General Plan Designation: Various

Williamson Act: No parcel affected by this ordinance amendment is under a Williamson Act Contract

Environmental Evaluation: An Initial Study and Negative Declaration were prepared for this project and circulated from October 23, 2013 to November 22, 2013.

Setting: Sites are scattered throughout the unincorporated communities of the Bayside.

DISCUSSION

A. KEY ISSUES

1. Conformance with General Plan Land Use Designations

Staff reviewed the project for conformance with the General Plan Land Use Element. The Land Use Element sets a target range of density for every unincorporated residential area, with the high end of the range serving as a maximum enforced by the Zoning Regulations. Staff analyzed lots with the potential to be affected by this ordinance amendment and identified which of them could be divided into lots that would have a lot depth of less than 100 feet while meeting all other requirements for size, access, and dimensions, and then determined how many new lots could potentially be created only if this ordinance amendment is adopted. Existing density, current potential density, and the potential density that would result if this ordinance amendment is adopted were then determined for each unincorporated community on the Bayside. In communities with more than one land use designation, such as the Medium-Low Density Residential and Medium Density Residential areas of West Menlo Park, each designation was analyzed separately. The results of this analysis are found in Attachment B.

In no case would the new development potential allow the density of any area within an unincorporated community to exceed the maximum density assigned it in the Land Use Element.

2. Conformance with General Plan Policies

Staff has reviewed the project for conformance with all applicable General Plan Policies. The policies applicable to this project include the following:

Policy 4.14.b (*Appearance of New Development*) directs the County to regulate land divisions to promote visually attractive development. This ordinance amendment will allow the County and developers more flexibility in creating lots that are better suited for their environs.

Policy 4.35.b (*Urban Area Design Concept*) directs the County to ensure that new development in urban areas is designed and constructed to contribute to the orderly and harmonious development of the locality. This proposal will allow the division of remainder lots that stand out in their communities for being unusually large.

Policy 8.2.d (*Land Use Objectives for Urban Communities*) directs the County to provide a mix and an amount of residential land uses which will

provide a substantial amount of housing opportunities in unincorporated areas. For example, this project would create the potential to build three new single-family units and four new two-family units in North Fair Oaks, the Bayside’s only Urban Community as defined by the General Plan Land Use Element. (The other affected areas are defined as Urban Neighborhoods and are discussed below with Policy 8.3.) Attachment B shows the existing and new potential density for the communities at build-out. The table below summarizes the potential number of new lots that could be created if the amendment is adopted:

AREAS IN THE URBAN BAYSIDE IN ZONING DISTRICTS WHERE A SINGLE- OR TWO-FAMILY DWELLING IS A PRINCIPALLY-PERMITTED USE			
Unincorporated Community/ Neighborhood	Current Total of Existing and Potential Lots	New Lots Only Possible If Project Approved	Percentage Increase in Number of Lots
Broadmoor	1,462	2	0.13%
Burlingame Hills	485	0	0.00%
Country Club Park	58	0	0.00%
Devonshire	834	24	2.88%
Emerald Lake Hills	1,888	0	0.00%
Kensington Square	71	0	0.00%
Ladera	553	1	0.18%
Los Trancos Woods	425	9	2.12%
Menlo Oaks	277	0	0.00%
North Fair Oaks MFR	841	2	0.24%
North Fair Oaks SFR	1,987	3	0.15%
Palomar Park	302	4	1.32%
San Mateo Highlands	1,755	22	1.25%
Sequoia Tract	1,314	21	1.60%
Unincorporated Colma	31	0	0.00%
Weekend Acres	299	6	2.01%
West Menlo Park	1,497	9	0.60%
Total	14,079	103	0.01%

Policy 8.3 (*Land Use Objectives for Urban Neighborhoods*) directs the County to plan Urban Neighborhoods to be primarily, though not exclusively, single-family residential areas which appear and function as residential neighborhoods of contiguous cities. This was accomplished by establishing target densities for each neighborhood in the General Plan Land Use Element. Attachment B shows the build-out densities, and the above table shows the number of new lots that could be created in each neighborhood.

Policy 8.14.a (*Land Use Compatibility*) directs the County to protect and enhance the character of existing single-family areas. This would allow these areas to be built to a uniform density by allowing the division of conspicuously large lots whose dimensions render them currently indivisible. This will enhance the character of single-family areas by developing more parcels to the uniform densities stipulated by the Zoning Regulations, which were identified as the ideal density for each area by the Board of Supervisors when it created the Zoning Districts.

Policy 8.29 (*Infilling*) directs the County to encourage the infilling of urban areas where infrastructure and services are available. The lots that would be affected by this ordinance amendment are all in existing neighborhoods with existing infrastructure. The creation of new building sites in these areas would allow infill development, subject to the constraints discussed in Part 4 of this report below.

Policy 8.37 (*Parcel Sizes*) directs the County to regulate minimum parcel sizes in zoning districts in an attempt to: (1) ensure that parcels are usable and developable, (2) establish orderly and compatible development patterns, (3) protect public health and safety, and (4) minimize significant losses of property values. This proposal does not alter the minimum parcel sizes for each area required by the Zoning Regulations or the parcel size minimum of 5,000 square feet required by the Subdivision Ordinance. The subdivision review process and the developer's economic interest will ensure that new parcels are developable. The review process will ensure that the development is not detrimental to the neighborhood.

3. Conformance with the Housing Element of the General Plan

Staff has reviewed the project for conformance with all applicable Housing Element Policies. The policies applicable to this project include the following:

Policy HE 18 (*Promote Housing on Small or Irregular Lots in Existing Urban Areas with Adequate Infrastructure*) directs the County to allow and promote development of small and/or irregular lots in appropriate areas in order to encourage greater diversity of housing choices and increase affordability. This proposal will allow the subdivision of irregularly shaped lots that meet development standards and are approved at a public hearing through the subdivision review process. Increasing housing supply increases affordability throughout the County. Reducing lot size increases the affordability of each unit. (See Attachment C.)

4. Utility Capacity

All subdivision tentative maps are subject to review by the agencies providing utility services such as water supply and sewers. No subdivision can be approved or recorded unless the applicant provides proof that the principally permitted use can be adequately served by the water supply system and sewer system or that they are able to supply themselves with well water and septic system capacity. Several of the areas with lots that will be affected by this proposal lack capacity or have special restrictions on new connections to their systems. These constraints will be addressed during review of each subdivision project. If the proposed new lots cannot be served, the application will be denied. Therefore, this project does not affect utility capacity in any way.

B. ENVIRONMENTAL REVIEW

An Initial Study and Negative Declaration were prepared for this project and circulated from October 23, 2013 to November 22, 2013. As of the publication of this staff report, no comments have been received.

ATTACHMENTS

- A. Recommended Findings
- B. Density Table
- C. Example Lot
- D. Initial Study/Negative Declaration
- E. Proposed Ordinance Amending Section 7020 of the Subdivision Ordinance

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County of San Mateo - Planning and Building Department

ATTACHMENT A

County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS

Permit or Project File Number: PLN 2013-00221 Hearing Date: December 11, 2013

Prepared By: Steven Rosen
Project Planner

For Adoption By: Planning Commission

RECOMMENDED FINDINGS TO THE BOARD OF SUPERVISORS

Regarding the Negative Declaration, Find:

1. That the Board of Supervisors does hereby find that this Negative Declaration reflects the independent judgment of San Mateo County.
2. That the Negative Declaration is complete, correct, and adequate and prepared in accordance with the California Environmental Quality Act (CEQA) and applicable State and County Guidelines.
3. That, on the basis of the Initial Study, comments received hereto, and testimony presented and considered at the public hearing, there is no substantial evidence that the project will have a significant effect on the environment.

Regarding the Subdivision Ordinance Amendment, Find:

4. That the proposed Subdivision Ordinance amendment will conform to the General Plan Land Use designations in that the proposal will not create the potential for any unincorporated community or neighborhood to exceed the maximum density for its designation.
5. That the proposed Subdivision Ordinance amendment will enact policies of the Visual Quality, Urban Land Use, and Housing Elements of the County Master Plan (i.e., 1986 General Plan) in that: (1) It will allow more flexibility in the division of lots to create attractive building sites that are harmonious with existing development; (2) It will eliminate a requirement that hinders the development of the unincorporated areas of the County to the density envisioned in the Land Use Element; and (3) It will increase the supply of housing in the unincorporated areas of the County.

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County of San Mateo - Planning and Building Department

ATTACHMENT B

Unincorporated Community or Neighborhood	General Plan Land Use Designation	General Plan Density	Current Density if All Existing Lots Were Developed with a Single-Family Residence (Two-Family Residence in R-2 Zones)	Potential Density if All Currently Subdividable Lots Were Divided and Developed	Potential Density if All Currently and Newly Subdividable Lots Were Divided and Developed	Current Total of Existing and Potential Lots	New Lots Possible if Project Approved	% Increase in Number of Lots	New Dwelling Units Possible if Project Approved
Los Trancos Woods	Low Density Residential	0.3-2.3 dwelling units/acre	0.87	1.16	1.18	425	9	2.12%	9
San Mateo Highlands	Low Density Residential	0.3-2.3 dwelling units/acre	1.23	1.84	1.89	42	1	2.38%	1
Devonshire	Medium-Low Density Residential	2.4-6.0 dwelling units/acre	0.56	1.74	1.80	31	1	3.23%	1
Ladera	Medium-Low Density Residential	2.4-6.0 dwelling units/acre	2.27	2.30	2.30	553	1	0.18%	1
Palomar Park	Medium-Low Density Residential	2.4-6.0 dwelling units/acre	2.03	3.40	3.45	302	4	1.32%	4
San Mateo Highlands	Medium-Low Density Residential	2.4-6.0 dwelling units/acre	3.34	3.88	3.93	1713	21	1.23%	21
West Menlo Park	Medium-Low Density Residential	2.4-6.0 dwelling units/acre	2.99	3.50	3.51	328	1	0.30%	1
Broadmoor	Medium Density Residential	6.1-8.7 dwelling units/acre	4.94	5.41	5.42	1462	2	0.14%	2
Devonshire	Medium Density Residential	6.1-8.7 dwelling units/acre	2.77	5.51	5.67	803	23	2.86%	23
Sequoia Tract	Medium Density Residential	6.1-8.7 dwelling units/acre	4.78	4.85	4.92	1314	21	1.60%	21
Weekend Acres	Medium Density Residential	6.1-8.7 dwelling units/acre	2.26	4.93	5.02	299	6	2.01%	6
West Menlo Park	Medium Density Residential	6.1-8.7 dwelling units/acre	5.15	5.33	5.37	1169	8	0.68%	8
North Fair Oaks	Single Family Residential (15du/ac to 24du/ac)	15-24 dwelling units/acre	5.50	5.67	5.68	1987	3	0.15%	3
North Fair Oaks	Multi Family Residential (24du/ac - 60du/ac)	24-60 dwelling units/acre	13.09	13.36	13.39	841	2	0.24%	4
TOTAL							103		105

San Mateo County Planning Commission Meeting

Applicant: _____

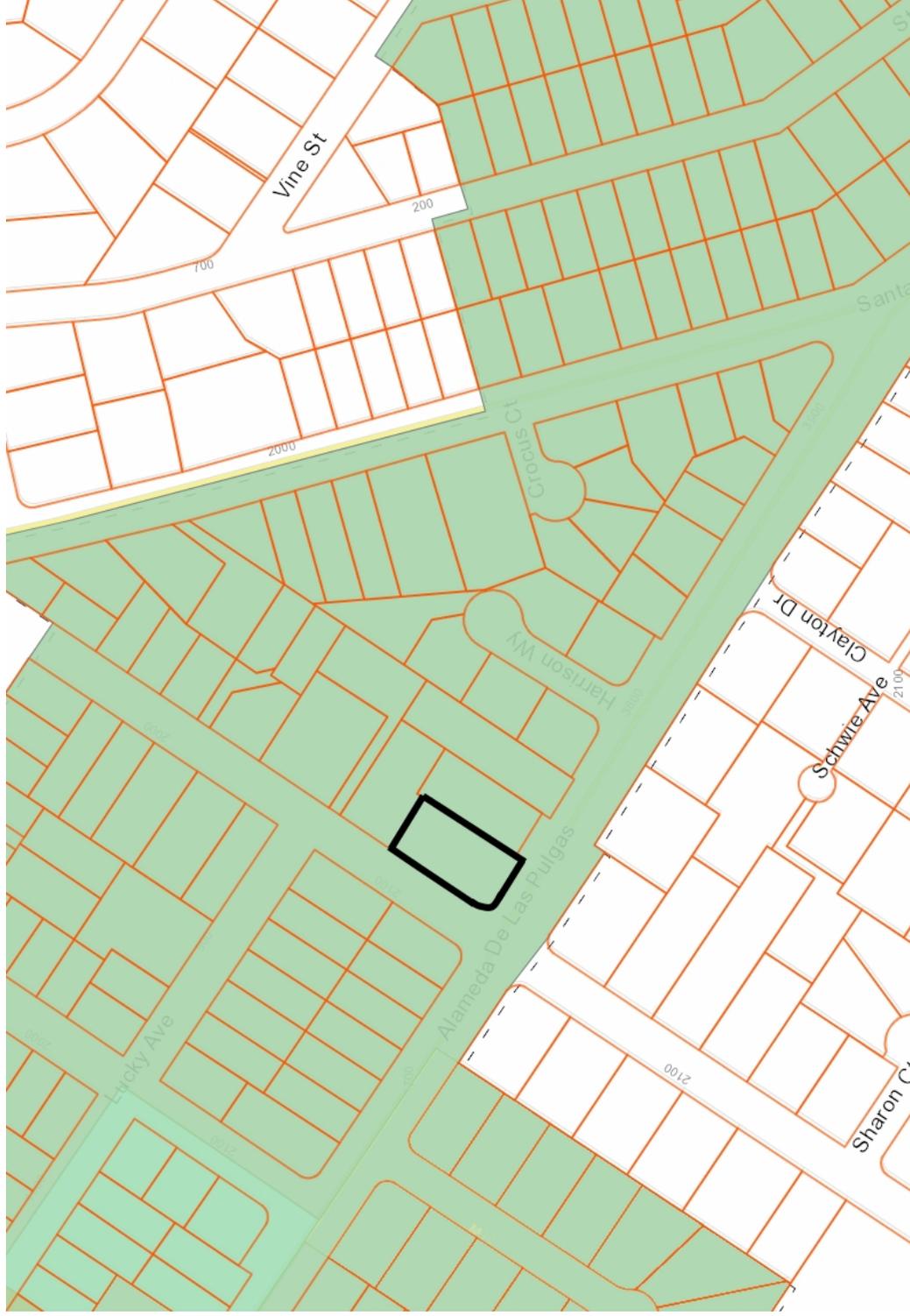
Attachment: _____

File Number: _____



County of San Mateo - Planning and Building Department

ATTACHMENT C



West Menlo Park Parcels



Menlo Park Parcels

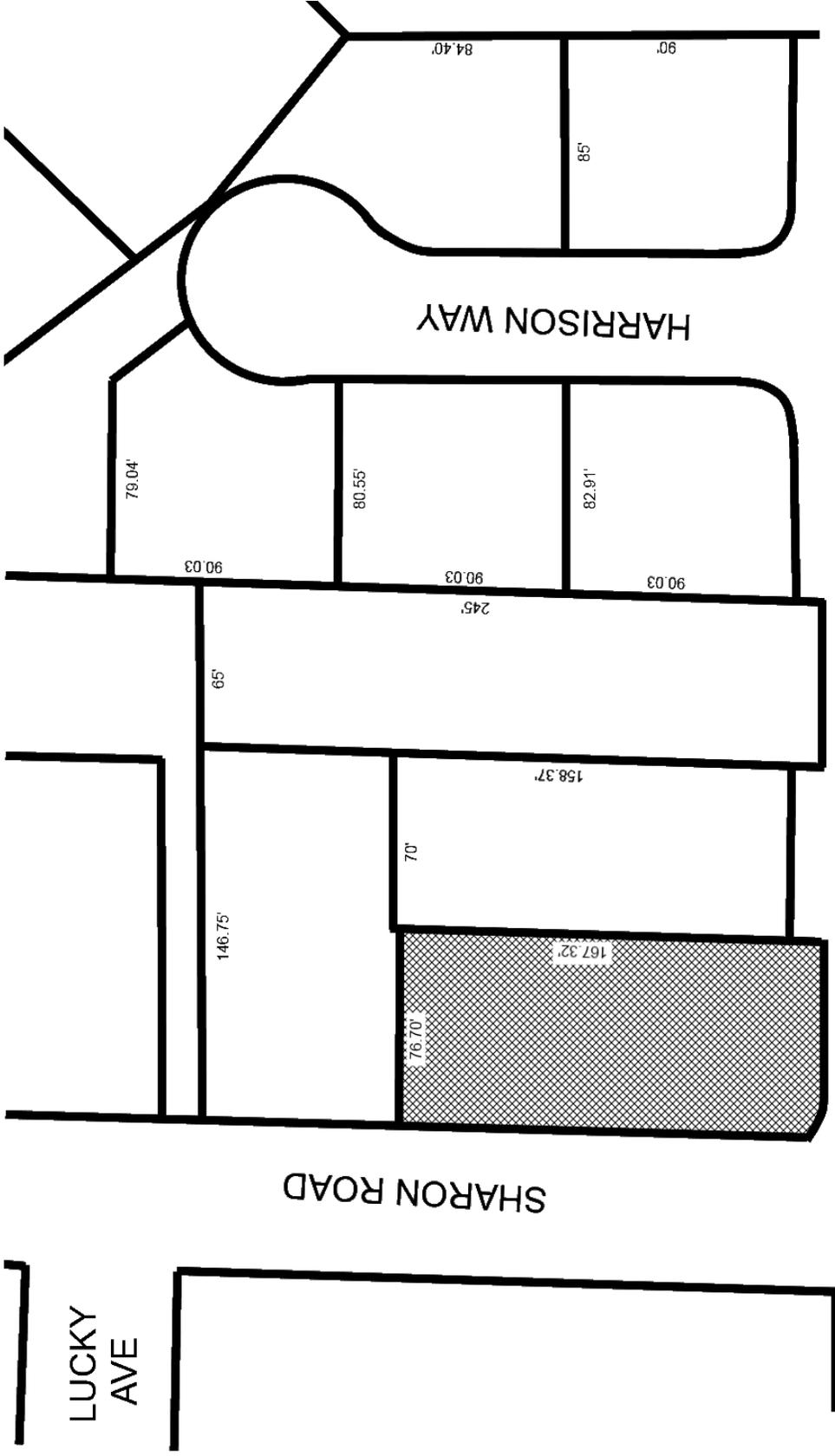


San Mateo County Planning Commission Meeting

Applicant: _____

Attachment: _____

File Number: _____



ALAMEDA DE LAS PULGAS

This area in the R-1/S-72 District has a minimum lot size of 5,000 square feet. The shaded lot is over twice that size, but cannot currently be subdivided because no configuration of new lots could meet the lot dimension requirements, despite the fact that a division of the land into two lots would result in lots approximately 6,416.7' in size.

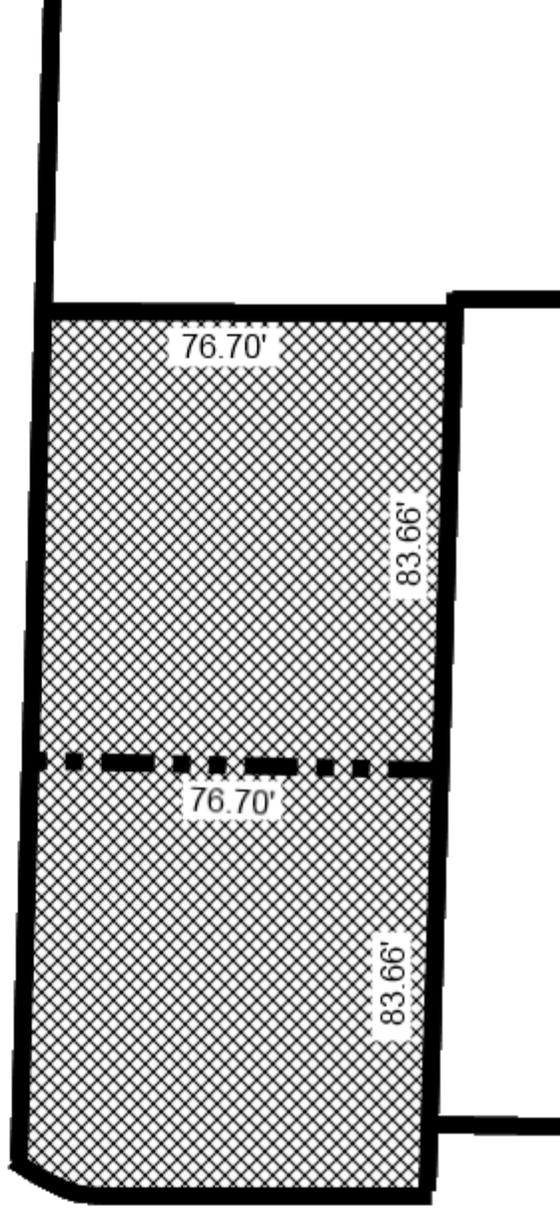
San Mateo County Planning Commission Meeting

Applicant: _____

Attachment: _____

File Number: _____

SHARON ROAD



ALAMED

Here, the lot has been divided into two lots approximately equal in size. This would be possible after the elimination of the lot depth requirements. The lots provide adequate building areas. Removing the lot depth requirement allows lots that are shorter and wider than the 50'x100' lots traditional for the area, with the resulting difference in the building envelope.

San Mateo County Planning Commission Meeting

Applicant: _____

Attachment: _____

File Number: _____



County of San Mateo - Planning and Building Department

ATTACHMENT D

COUNTY OF SAN MATEO, PLANNING AND BUILDING DEPARTMENT

**NOTICE OF INTENT TO ADOPT
NEGATIVE DECLARATION**

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et seq.), that the following project: Amendment to the Subdivision Ordinance to modify the lot dimension requirements by eliminating the minimum and maximum lot depth standards in areas outside of the Coastal Zone, when adopted and implemented, will not have a significant impact on the environment.

FILE NO.: PLN 2013-00221

OWNERS: Not Applicable

APPLICANT: Shahram Zomorodi

ASSESSOR'S PARCEL NO.: Not Applicable

PROJECT LOCATION: Unincorporated areas of San Mateo County outside of the Coastal Zone

PROJECT DESCRIPTION

The project is an amendment to the Subdivision Regulations that only applies to areas outside of the Coastal Zone. The proposed change to the text will modify Section 7020: *Standard Subdivision Design Requirements* within Article 2: *Subdivision Design and Layout*. Subsection 2.c of Section 7020 currently reads:

The minimum width of each parcel shall conform to the requirements of the Zoning Regulations, but in no case shall be less than 50 feet, exclusive of rights-of-way or easements for road purposes. The minimum depth shall be as necessary to provide the minimum parcel size for the zoning district, but in no case shall be less than 100 feet, nor greater than three times the width, exclusive of rights-of-way or easements necessary for road purposes.

The project will strike the minimum and maximum lot depth requirement for areas outside of the Coastal Zone. It will read:

For areas outside of the Coastal Zone, the minimum width of each parcel shall conform to the requirements of the Zoning Regulations, but in no case shall be less than 50 feet, exclusive of rights-of-way or easements for road purposes. The minimum depth shall be as necessary to provide the minimum parcel size for the zoning district, exclusive of rights-of-way or easements necessary for road purposes.

For areas within the Coastal Zone, the minimum width of each parcel shall conform to the requirements of the Zoning Regulations, but in no case shall be less than 50 feet, exclusive of rights-of-way or easements for road purposes. The minimum depth shall be as necessary to provide the minimum parcel size for the zoning district, but in no case shall be

FILED ENDORSED
IN THE OFFICE OF THE
COUNTY CLERK/RECORDER OF
SAN MATEO COUNTY, CALIF

OCT 18 2013

By MARK CHURCH County Clerk
VERONICA MADRIGAL
DEPUTY CLERK

less than 100 feet, nor greater than three times the width, exclusive of rights-of-way or easements necessary for road purposes.

This amendment would not change the minimum lot size required by the applicable zoning districts, and it would not reduce the minimum lot size of 5,000 square feet required by Subsection 7020(2.b) of the Subdivision Regulations. In no case would a subdivision be allowed that exceeds the site's designation on the General Plan Land Use Map.

FINDINGS AND BASIS FOR A NEGATIVE DECLARATION

The Current Planning Section has prepared the initial study for the above project and, based upon substantial evidence in the record, finds that:

1. The project will not adversely affect water or air quality or increase noise levels substantially.
2. The project will not have adverse impacts on the flora or fauna of the area.
3. The project will not degrade the aesthetic quality of the area.
4. The project will not have adverse impacts on traffic or land use.
5. In addition, the project will not:
 - a. Create impacts which have the potential to degrade the quality of the environment.
 - b. Create impacts which achieve short-term environmental goals to the disadvantage of long-term environmental goals.
 - c. Create impacts for a project which are individually limited, but cumulatively considerable.
 - d. Create environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

The County of San Mateo has, therefore, determined that the environmental impact of the project, as mitigated, is not significant.

MITIGATION MEASURES included in the project to avoid potentially significant effects:

No significant effects were identified. No mitigation measures are proposed.

RESPONSIBLE AGENCY CONSULTATION

Referrals sent to: None

INITIAL STUDY

The San Mateo County Current Planning Section has prepared the Environmental Evaluation of this project and has found that probable environmental impacts, as mitigated, are not significant. A copy of the initial study is attached.

REVIEW PERIOD: October ²³~~21~~, 2013 – November ²²~~19~~, 2013.

All comments regarding the correctness, completeness, or adequacy of this Negative Declaration must be received by the County Planning Department, 455 County Center, Second Floor, Redwood City, no later than **5:00 p.m., November ²²~~19~~, 2013.**

CONTACT PERSON

Steven Rosen, Project Planner
650/363-1814
srosen@smcgov.org



Steven Rosen, Project Planner

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(1/11/07)

County of San Mateo
Planning and Building Department

**INITIAL STUDY
ENVIRONMENTAL EVALUATION CHECKLIST**
(To Be Completed by Planning Department)

1. **Project Title:** Subdivision Ordinance Amendment
2. **County File Number:** PLN 2013-00221
3. **Lead Agency Name and Address:** San Mateo County, 455 County Center, Second Floor, Redwood City, CA 94063
4. **Contact Person and Phone Number:** Steven Rosen, 650/363-1814
5. **Project Location:** Unincorporated areas of San Mateo County outside of the Coastal Zone
6. **Assessor's Parcel Number and Size of Parcel:** Not applicable
7. **Project Sponsor's Name and Address:** Shahram Zomorodi, 5636 Stevens Creek Boulevard, #376, Cupertino, CA 95014
8. **General Plan Designation:** Not applicable
9. **Zoning:** Not applicable
10. **Description of the Project:** The project is an amendment to the Subdivision Regulations that only applies to areas outside of the Coastal Zone. The proposed change to the text will modify Section 7020: *Standard Subdivision Design Requirements* within Article 2: *Subdivision Design and Layout*. Subsection 2.c of Section 7020 currently reads:

The minimum width of each parcel shall conform to the requirements of the Zoning Regulations, but in no case shall be less than 50 feet, exclusive of rights-of-way or easements for road purposes. The minimum depth shall be as necessary to provide the minimum parcel size for the zoning district, but in no case shall be less than 100 feet, nor greater than three times the width, exclusive of rights-of-way or easements necessary for road purposes.

The project will strike the minimum and maximum lot depth requirement for areas outside of the Coastal Zone. It will read:

For areas outside of the Coastal Zone, the minimum width of each parcel shall conform to the requirements of the Zoning Regulations, but in no case shall be less than 50 feet, exclusive of rights-of-way or easements for road purposes. The minimum depth shall be as necessary to provide the minimum parcel size for the zoning district, exclusive of rights-of-way or easements necessary for road purposes.

For areas within the Coastal Zone, the minimum width of each parcel shall conform to the requirements of the Zoning Regulations, but in no case shall be less than 50 feet, exclusive of rights-of-way or easements for road purposes. The minimum depth shall be as necessary to

provide the minimum parcel size for the zoning district, but in no case shall be less than 100 feet, nor greater than three times the width, exclusive of rights-of-way or easements necessary for road purposes.

This amendment would not change the minimum lot size required by the applicable zoning districts, and it would not reduce the minimum lot size of 5,000 square feet required by Subsection 7020(2.b) of the Subdivision Regulations. In no case would a subdivision be allowed that exceeds the site’s designation on the General Plan Land Use Map.

- 11. **Surrounding Land Uses and Setting:** Not applicable
- 12. **Other Public Agencies Whose Approval is Required:** None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

	Aesthetics		Climate Change		Population/Housing
	Agricultural and Forest Resources		Hazards and Hazardous Materials		Public Services
	Air Quality		Hydrology/Water Quality		Recreation
	Biological Resources		Land Use/Planning		Transportation/Traffic
	Cultural Resources		Mineral Resources		Utilities/Service Systems
	Geology/Soils		Noise		Mandatory Findings of Significance

EVALUATION OF ENVIRONMENTAL IMPACTS

- 1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appro-

ropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.

4. “Negative Declaration: Less Than Significant with Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in 5. below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063(c)(3)(D)). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are “Less Than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources. Sources used or individuals contacted should be cited in the discussion.

1. AESTHETICS. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
1.a. Have a significant adverse effect on a scenic vista, views from existing residential areas, public lands, water bodies, or roads?				X
<p>Discussion: The proposed project is a Subdivision Text Amendment. No physical development is proposed. There will be no aesthetic impacts associated with this project. Every subdivision is a project pursuant to CEQA and will be analyzed upon application.</p> <p>Source: Not applicable.</p>				

1.b.	Significantly damage or destroy scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
<p>Discussion: See discussion under Question 1.a. Source: Not applicable.</p>					
1.c.	Significantly degrade the existing visual character or quality of the site and its surroundings, including significant change in topography or ground surface relief features, and/or development on a ridgeline?				X
<p>Discussion: See discussion under Question 1.a. Source: Not applicable.</p>					
1.d.	Create a new source of significant light or glare that would adversely affect day or nighttime views in the area?				X
<p>Discussion: See discussion under Question 1.a. Source: Not applicable.</p>					
1.e.	Be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor?				X
<p>Discussion: See discussion under Question 1.a. Source: Zoning and Parcel Maps.</p>					
1.f.	If within a Design Review District, conflict with applicable General Plan or Zoning Ordinance provisions?				X
<p>Discussion: This project does not exempt subdivisions from conforming to the Zoning Ordinance, General Plan, Design Review Guidelines, or any other regulations. Source: Project description.</p>					
1.g.	Visually intrude into an area having natural scenic qualities?				X
<p>Discussion: See discussion under Question 1.a. Source: Not applicable.</p>					

<p>2. AGRICULTURAL AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State's inventory of forestland, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</p>					
		<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
2.a.	For lands outside the Coastal Zone, convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
<p>Discussion: The parcels which will gain the potential to be subdivided are not on farmland. The methodology described in the California Agricultural Land Evaluation and Site Assessment Model precludes these sites from being deemed agricultural resources. The Farmland Mapping and Monitoring Program Map lists all sites as Urban Land and Other Land.</p> <p>Source: California Agricultural Land Evaluation and Site Assessment Model and Farmland Mapping and Monitoring Program Map.</p>					
2.b.	Conflict with existing zoning for agricultural use, an existing Open Space Easement, or a Williamson Act contract?				X
<p>Discussion: The proposed Subdivision Text Amendment applies to urban parcels, which would not be under Williamson Act contracts. San Mateo County Williamson Act contracts are in PAD, RM, and RM-CZ zones only.</p> <p>Source: Zoning Maps and List of Parcels with New Subdivision Potential.</p>					
2.c.	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forestland to non-forest use?				X
<p>Discussion: The proposed project is applicable to urban lands on the Bayside only, as such it will not result in the conversion of timberland or farmland.</p> <p>Source: List of Parcels with New Subdivision Potential.</p>					

2.d. For lands within the Coastal Zone, convert or divide lands identified as Class I or Class II Agriculture Soils and Class III Soils rated good or very good for artichokes or Brussels sprouts?				X
<p>Discussion: This project excludes the Coastal Zone.</p> <p>Source: Project scope.</p>				
2.e. Result in damage to soil capability or loss of agricultural land?				X
<p>Discussion: The parcels with new potential for subdivision are not agricultural land.</p> <p>Source: List of Parcels with New Subdivision Potential.</p>				
<p>2.f. Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?</p> <p><i>Note to reader: This question seeks to address the economic impact of converting forestland to a non-timber harvesting use.</i></p>				X
<p>Discussion: The parcels with new potential for subdivision are in developed urban areas, not timberland. None are in or near the TPZ District.</p> <p>Source: List of Parcels with New Subdivision Potential and Zoning Maps.</p>				

<p>3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</p>				
	Potentially Significant Impacts	Significant Unless Mitigated	Less Than Significant Impact	No Impact
3.a. Conflict with or obstruct implementation of the applicable air quality plan?				X
<p>Discussion: BAAQMD's guidelines say that, in order to make the required determination for plan-level impacts, lead agencies could consider the following questions.</p> <p>1. <i>Does the project support the primary goals of the Air Quality Plan (AQP)?</i> <i>The primary goals of the 2010 Bay Area Clean Air Plan (CAP), the current AQP to date, are to:</i></p> <ul style="list-style-type: none"> • <i>Attain air quality standards;</i> 				

- Reduce population exposure and protecting public health in the Bay Area; and
- Reduce greenhouse gas emissions and protect the climate.

The project will allow the creation of 103 new building sites for 101 single-family residences and 2 two-family residences in areas already developed with similar housing. These areas are within a region that suffers a housing shortage and to which people commute. The new housing units provide opportunities to people employed in the region to live in the region, reducing vehicle miles travelled and making the use of alternative modes of transportation more likely. Vehicle Miles Traveled (VMT) reduction supports the primary goals of the CAP.

2. Does the project include applicable control measures from the AQP?

Agencies approving projects should require that they include all of the 55 air pollution control measures listed in the CAP that can feasibly be incorporated into the project design or applied as mitigation, or justify the reasons, supported by substantial evidence, why a measure or measures are not incorporated into the project. Projects that incorporate all feasible air quality plan control measures may be considered consistent with the 2010 CAP.

This project implements BAAQMD’s Transportation Control Measure D-3: Local Land Use Strategies. It states, “Local governments are encouraged to update general plans and area plans to promote infill development and support land use that allows residents and workers to walk, bicycle, and take transit to reach destinations, instead of relying on private automobiles.” The limited scope of this project will result in limited benefits when compared to a general plan update, but it will provide the tangible reductions in air pollutants discussed above. Other control measures do not apply to this minor amendment to the Subdivision Regulations.

3. Does the project disrupt or hinder implementation of any AQP control measures?

If approval of a project would not cause the disruption, delay or otherwise hinder the implementation of any air quality plan control measure, it may be considered consistent with the 2010 CAP. Examples of how a project may cause the disruption or delay of control measures include a project that precludes an extension of a transit line or bike path, or proposes excessive parking beyond parking requirements.

This project does not hinder the implementation of any other AQP control measures. Regarding land use: It will not change the character of the neighborhoods in which the new subdivisions would be, and it would not change the uses allowed on the sites. Regarding construction impacts: The unincorporated communities that will be affected by this project already have many dividable lots, so the project would not be introducing the potential for new construction projects into places where there was none.

Source: BAAQMD CEQA Guidelines.

3.b. Violate any air quality standard or contribute significantly to an existing or projected air quality violation?				X
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Discussion: This project will not increase VMT. It will not cause population growth, but will accommodate it in areas closer to employment centers than far-flung exurbs. It will not introduce the potential for new construction projects in areas where there was no potential before. Construction-level impacts will be assessed during the project level environmental review.

Source: Project scope.

3.c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				X
<p>Discussion: The resulting increase in potential density in the region is negligible. There are 2,097,834 housing units in the San Francisco Bay Area Air Basin. This project creates the potential to develop 105 new housing units. Housing units are not significant emitters of ozone precursors or particulate emissions.</p> <p>Source: Census, GIS Analysis.</p>				
3.d. Expose sensitive receptors to significant pollutant concentrations, as defined by BAAQMD?				X
<p>Discussion: This is a site-specific impact. It is impossible to study the impact of individual subdivisions at this time. Each subdivision will be a project subject to CEQA.</p> <p>Source: Project scope.</p>				
3.e. Create objectionable odors affecting a significant number of people?				X
<p>Discussion: See discussion under Question 3.d.</p> <p>Source: Project scope.</p>				
3.f. Generate pollutants (hydrocarbon, thermal odor, dust or smoke particulates, radiation, etc.) that will violate existing standards of air quality on-site or in the surrounding area?				X
<p>Discussion: See discussion under Question 3.d.</p> <p>Source: Project scope.</p>				

4. BIOLOGICAL RESOURCES. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
4.a. Have a significant adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in				X

local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				
<p>Discussion: The proposed project is a Subdivision Text Amendment. No physical development is proposed. There will be no impacts to wildlife or habitat associated with this project. Every subdivision is a project pursuant to CEQA and will be analyzed upon application.</p> <p>Source: Not applicable.</p>				
4.b. Have a significant adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				X
<p>Discussion: See discussion under Question 4.a.</p> <p>Source: Project scope.</p>				
4.c. Have a significant adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
<p>Discussion: See discussion under Question 4.a.</p> <p>Source: Project scope.</p>				
4.d. Interfere significantly with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
<p>Discussion: See discussion under Question 4.a.</p> <p>Source: Project scope.</p>				
4.e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (including the County Heritage and Significant Tree Ordinances)?				X

Discussion: See discussion under Question 4.a.					
Source: Project scope.					
4.f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or State habitat conservation plan?				X
Discussion: See discussion under Question 4.a.					
Source: Project scope.					
4.g.	Be located inside or within 200 feet of a marine or wildlife reserve?				X
Discussion: See discussion under Question 4.a.					
Source: Project scope.					
4.h.	Result in loss of oak woodlands or other non-timber woodlands?				X
Discussion: See discussion under Question 4.a.					
Source: Project scope.					

5. CULTURAL RESOURCES. Would the project:					
		<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
5.a.	Cause a significant adverse change in the significance of a historical resource as defined in CEQA Section 15064.5?				X
Discussion: The proposed project is a Subdivision Text Amendment. No physical development is proposed. There will be no impacts to cultural, historical, or archaeological resources associated with this project. Every subdivision is a project pursuant to CEQA and will be analyzed upon application.					
Source: Not applicable.					
5.b.	Cause a significant adverse change in the significance of an archaeological resource pursuant to CEQA Section 15064.5?				X

Discussion: See discussion under Question 5.a.					
Source: Project scope.					
5.c.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
Discussion: See discussion under Question 5.a.					
Source: Project scope.					
5.d.	Disturb any human remains, including those interred outside of formal cemeteries?				X
Discussion: See discussion under Question 5.a.					
Source: Project scope.					

6. GEOLOGY AND SOILS. Would the project:					
		Potentially Significant Impacts	Significant Unless Mitigated	Less Than Significant Impact	No Impact
6.a.	Expose people or structures to potential significant adverse effects, including the risk of loss, injury, or death involving the following, or create a situation that results in:				X
	i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other significant evidence of a known fault? <i>Note: Refer to Division of Mines and Geology Special Publication 42 and the County Geotechnical Hazards Synthesis Map.</i>				X
Discussion: The proposed project is a Subdivision Text Amendment. No physical development is proposed. There will be no increase in exposure of people or structures to geological hazards associated with this project. Every subdivision is a project pursuant to CEQA and will be analyzed upon application.					
Source: Not applicable.					

ii. Strong seismic ground shaking?				X
Discussion: See discussion under Question 6.a.i. Source: Project scope.				
iii. Seismic-related ground failure, including liquefaction and differential settling?				X
Discussion: See discussion under Question 6.a.i. Source: Project scope.				
iv. Landslides?				X
Discussion: See discussion under Question 6.a.i. Source: Project scope.				
v. Coastal cliff/bluff instability or erosion? <i>Note to reader: This question is looking at instability under current conditions. Future, potential instability is looked at in Section 7 (Climate Change).</i>				X
Discussion: See discussion under Question 6.a.i. Source: Project scope.				
6.b. Result in significant soil erosion or the loss of topsoil?				X
Discussion: The proposed project is a Subdivision Text Amendment. No physical development is proposed. There will be no change to landforms that will result in adverse effects resulting from this project. Every subdivision is a project pursuant to CEQA and will be analyzed upon application. Source: Not applicable.				
6.c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, severe erosion, liquefaction or collapse?				X
Discussion: See discussion under Question 6.a.i. Source: Project scope.				
6.d. Be located on expansive soil, as noted in the 2010 California Building Code, creating significant risks to life or property?				X

Discussion: See discussion under Question 6.a.i.					
Source: Project scope.					
6.e.	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X
Discussion: The proposed project is a Subdivision Text Amendment. No physical development is proposed. There will be development resulting from this project. Every subdivision is a project pursuant to CEQA and will be analyzed upon application.					
Source: Not applicable.					

7. CLIMATE CHANGE. Would the project:					
		<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
7.a.	Generate greenhouse gas (GHG) emissions (including methane), either directly or indirectly, that may have a significant impact on the environment?				X
<p>Discussion: The County of San Mateo Energy Efficiency and Climate Action Plan and the Energy and Climate Change Element of the General Plan were developed based on the land use designations in the Land Use Element of the General Plan. Because this project will not result in development that exceeds the density limits in the Land Use Element, the analysis of and mitigation for greenhouse gas emissions have already been completed.</p> <p>This project may result in a reduction of greenhouse gas emissions. It will allow this region to accommodate more of the people who work here. This would reduce commute distances, reducing VMT and increasing the likelihood of the use of alternative means of transportation.</p> <p>Source: Project scope.</p>					
7.b.	Conflict with an applicable plan (including a local climate action plan), policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X
<p>Discussion: This project does not conflict with the County of San Mateo Energy Efficiency Climate Action Plan.</p> <p>Source: CSMEECAP.</p>					

7.c. Result in the loss of forestland or conversion of forestland to non-forest use, such that it would release significant amounts of GHG emissions, or significantly reduce GHG sequestering?				X
<p>Discussion: The proposed project is a Subdivision Text Amendment. No physical development is proposed. There will be conversion of forestland, GHG release, or reduction of GHG sequestering, associated with this project. Every subdivision is a project pursuant to CEQA and will be analyzed upon application.</p> <p>Source: Not applicable.</p>				
7.d. Expose new or existing structures and/or infrastructure (e.g., leach fields) to accelerated coastal cliff/bluff erosion due to rising sea levels?				X
<p>Discussion: The proposed project is a Subdivision Text Amendment. No physical development is proposed. This project will not result in increased exposure to sea level rise or flooding associated with global warming. Every subdivision is a project pursuant to CEQA and will be analyzed upon application.</p> <p>Source: Not applicable.</p>				
7.e. Expose people or structures to a significant risk of loss, injury or death involving sea level rise?				X
<p>Discussion: See discussion under Question 7.d.</p> <p>Source: Project scope.</p>				
7.f. Place structures within an anticipated 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
<p>Discussion: See discussion under Question 7.d.</p> <p>Source: Project scope.</p>				
7.g. Place within an anticipated 100-year flood hazard area structures that would impede or redirect flood flows?				X
<p>Discussion: See discussion under Question 7.d.</p> <p>Source: Project scope.</p>				

8. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
8.a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials (e.g., pesticides, herbicides, other toxic substances, or radioactive material)?				X
<p>Discussion: The proposed project is a Subdivision Text Amendment. No physical development is proposed. This project will not impact public safety by creating or increasing exposure to hazards or hazardous materials. Every subdivision is a project pursuant to CEQA and will be analyzed upon application.</p> <p>Source: Not applicable.</p>				
8.b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
<p>Discussion: See discussion under Question 8.a.</p> <p>Source: Project scope.</p>				
8.c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
<p>Discussion: See discussion under Question 8.a.</p> <p>Source: Project scope.</p>				
8.d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
<p>Discussion: See discussion under Question 8.a.</p> <p>Source: Project scope.</p>				

8.e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area?				X
<p>Discussion: See discussion under Question 8.a. Source: Project scope.</p>				
8.f. For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area?				X
<p>Discussion: See discussion under Question 8.a. Source: Project scope.</p>				
8.g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
<p>Discussion: See discussion under Question 8.a. Source: Project scope.</p>				
8.h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X
<p>Discussion: See discussion under Question 8.a. Source: Project scope.</p>				
8.i. Place housing within an existing 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
<p>Discussion: See discussion under Question 8.a. Source: Project scope.</p>				

8.j.	Place within an existing 100-year flood hazard area structures that would impede or redirect flood flows?				X
<p>Discussion: See discussion under Question 8.a. Source: Project scope.</p>					
8.k.	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
<p>Discussion: See discussion under Question 8.a. Source: Project scope.</p>					
8.l.	Inundation by seiche, tsunami, or mudflow?				X
<p>Discussion: See discussion under Question 8.a. Source: Project scope.</p>					

9. HYDROLOGY AND WATER QUALITY. Would the project:					
		<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
9.a.	Violate any water quality standards or waste discharge requirements (consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g., heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash))?				X
<p>Discussion: The proposed project is a Subdivision Text Amendment. No physical development is proposed. This project will not impact hydrology or water quality. Every subdivision is a project pursuant to CEQA and will be analyzed upon application. Source: Not applicable.</p>					

<p>9.b. Significantly deplete groundwater supplies or interfere significantly with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?</p>			X	
<p>Discussion: The project would not significantly deplete groundwater supplies. It would create the potential to develop 101 new single-family residences and two new duplexes on the entire Bayside of the County. These 103 parcels would result in a 0.9% increase over the 9,902 existing and 1,382 potential lots that currently exist in the areas studied, and an insignificant increase over the tens of thousands of parcels Countywide. This increase in impervious rooftops and driveways will have an insignificant effect on groundwater recharge. The 105 new housing units that could be built will not exceed the water usage expected in the General Plan.</p> <p>Source: General Plan Land Use Element, GIS Analysis.</p>				
<p>9.c. Significantly alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in significant erosion or siltation on- or off-site?</p>				X
<p>Discussion: See discussion under Question 9.a. Source: Project scope.</p>				
<p>9.d. Significantly alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or significantly increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?</p>				X
<p>Discussion: See discussion under Question 9.a. Source: Project scope.</p>				
<p>9.e. Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide significant additional sources of polluted runoff?</p>				X
<p>Discussion: See discussion under Question 9.a. Source: Project scope.</p>				

9.f.	Significantly degrade surface or ground-water water quality?				X
<p>Discussion: See discussion under Question 9.a. Source: Project scope.</p>					
9.g.	Result in increased impervious surfaces and associated increased runoff?				X
<p>Discussion: See discussion under Question 9.a. Source: Project scope.</p>					

10. LAND USE AND PLANNING. Would the project:					
		<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
10.a.	Physically divide an established community?				X
<p>Discussion: The proposed project is a Subdivision Text Amendment. No physical development is proposed. This project will not impact circulation or communication within any established community. Every subdivision is a project pursuant to CEQA and will be analyzed upon application. Source: Not applicable.</p>					
10.b.	Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
<p>Discussion: The project will increase the development potential very slightly in certain unincorporated communities. The Planning Department used GIS to make a list of all parcels equal to or greater than twice the minimum parcel size and checked the dimensions of each parcel to determine how many would be divisible only if the ordinance amendment is approved. In no case would the new potential density of any unincorporated community exceed the density limits in the General Plan Land Use Element. In many cases, the existing and current potential densities allowed by the Zoning Regulations are less than the minimum density described in the General Plan. The slight increases in potential density created by this project would allow development to inch closer to attaining the minimum density. Source: General Plan, Density Analysis.</p>					

10.c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				X
<p>Discussion: The proposed project is a Subdivision Text Amendment. No physical development is proposed. This project will not conflict with any habitat conservation plan or natural community conservation plan. Every subdivision is a project pursuant to CEQA and will be analyzed upon application.</p> <p>Source: Not applicable.</p>				
10.d. Result in the congregating of more than 50 people on a regular basis?				X
<p>Discussion: The proposed project is a Subdivision Text Amendment. No physical development is proposed. This project will not result in the congregating of more than 50 people on a regular basis. Every subdivision is a project pursuant to CEQA and will be analyzed upon application.</p> <p>Source: Not applicable.</p>				
10.e. Result in the introduction of activities not currently found within the community?				X
<p>Discussion: This project will not change the zoning of any parcel. The uses allowed on each parcel with increased potential for subdivision will remain the same.</p> <p>Source: Project scope, List of Parcels with Increased Potential for Subdivision.</p>				
10.f. Serve to encourage off-site development of presently undeveloped areas or increase development intensity of already developed areas (examples include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)?			X	
<p>Discussion: The parcels with new development potential are all within developed areas. In the affected areas, the mean increase in potential density is 0.05 dwelling units per acre. The density permitted would in all cases be less than the maximum allowed by the General Plan Land Use Element, and in some cases would be below the minimum allowed by the General Plan Land Use Element. Public facilities are sized to accommodate the maximum intensity allowed by the General Plan. Therefore, the increase in density is not significant.</p> <p>Source: Density Analysis.</p>				
10.g. Create a significant new demand for housing?				X
<p>Discussion: The project only affects residentially zoned parcels. It would create housing.</p> <p>Source: Project scope.</p>				

11. MINERAL RESOURCES. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
11.a. Result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State?				X
<p>Discussion: The proposed project is a Subdivision Text Amendment. No physical development is proposed. This project will not impact mineral resources. Every subdivision is a project pursuant to CEQA and will be analyzed upon application.</p> <p>Source: Not applicable.</p>				
11.b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
<p>Discussion: See discussion under Question 11.a.</p> <p>Source: Project scope.</p>				

12. NOISE. Would the project result in:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
12.a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
<p>Discussion: The proposed project is a Subdivision Text Amendment. No physical development is proposed. This project will not result in noise impacts. Every subdivision is a project pursuant to CEQA and will be analyzed upon application.</p> <p>Source: Not applicable.</p>				
12.b. Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?				X
<p>Discussion: See discussion under Question 12.a.</p> <p>Source: Project scope.</p>				

12.c.	A significant permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
<p>Discussion: See discussion under Question 12.a. Source: Project scope.</p>					
12.d.	A significant temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X
<p>Discussion: See discussion under Question 12.a. Source: Project scope.</p>					
12.e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, exposure to people residing or working in the project area to excessive noise levels?				X
<p>Discussion: See discussion under Question 12.a. Source: Project scope.</p>					
12.f.	For a project within the vicinity of a private airstrip, exposure to people residing or working in the project area to excessive noise levels?				X
<p>Discussion: See discussion under Question 12.a. Source: Project scope.</p>					

13. POPULATION AND HOUSING. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
13.a.	Induce significant population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?		X	

Discussion: The project will not result in any unincorporated community exceeding the density limits in the General Plan Land Use Element. A maximum of 105 new housing units could be created as a result of this project. San Mateo County currently has 271,031 housing units. This increase is less than 0.04%.

Source: 2010 Census, GIS Analysis.

13.b. Displace existing housing (including low- or moderate-income housing), in an area that is substantially deficient in housing, necessitating the construction of replacement housing elsewhere?				X
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Discussion: The project will allow the subdivision of 105 small lots that were not able to be divided before. In many cases, division of land requires that the existing housing unit be removed. However, the land would then be developed with a greater density of housing units, so the removal of the original unit would not necessitate the construction of replacement housing elsewhere.

Source: Project scope.

14. PUBLIC SERVICES. Would the project result in significant adverse physical impacts associated with the provision of new or physically altered government facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
14.a. Fire protection?			X	
14.b. Police protection?			X	
14.c. Schools?			X	
14.d. Parks?			X	
14.e. Other public facilities or utilities (e.g., hospitals, or electrical/natural gas supply systems)?			X	

Discussion: The greatest increase in the number of lots in any of the unincorporated communities affected by this ordinance amendment would be a maximum of 2.9% in Devonshire. In no place would the General Plan Land Use Element density limit be exceeded. There is no evidence to suggest that the potential modest increase in the total number of housing units would significantly impact public services.

Source: GIS Analysis.

15. RECREATION. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
15.a. Increase the use of existing neighborhood or regional parks or other recreational facilities such that significant physical deterioration of the facility would occur or be accelerated?			X	
<p>Discussion: The project will allow the construction of new housing units, which will bring new park users into the unincorporated communities. The increase will be less than significant. If deterioration of park facilities is directly correlated with the number of users, then Devonshire, the unincorporated community with the greatest increase in the number of lots over the existing number of lots, will see a 2.9% increase in the deterioration of its recreational facilities. The other affected communities will see a lower increase in the rate of deterioration.</p> <p>Source: GIS Analysis.</p>				
15.b. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
<p>Discussion: The project will not require the construction or expansion of recreation facilities. The growth will be within the levels planned for in the General Plan and the development will be within existing communities served by existing facilities.</p> <p>Source: GIS Analysis, General Plan.</p>				

16. TRANSPORTATION/TRAFFIC. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
16.a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including, but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?				X

<p>Discussion: The project will not allow development beyond that planned to be accommodated by the General Plan Transportation Element.</p> <p>Source: GIS Analysis.</p>				
16.b. Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the County congestion management agency for designated roads or highways?				X
<p>Discussion: The project does not conflict with these standards. It allows the creation of a small number of lots scattered throughout the Bayside of the County that continue the existing pattern of development and allow the communities to be developed up to the density called for in the Land Use Element of the General Plan. The Transportation Element was developed alongside the Land Use Element to accommodate the transportation demand generated by the development envisioned in the Land Use Element. Therefore, the effect on level of service (LOS) will not conflict with the plan. The project does not entail any construction near roads named in the Transportation Element as congestion areas.</p> <p>Source: Transportation Element.</p>				
16.c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in significant safety risks?				X
<p>Discussion: This project does not entail changes to the air transportation system.</p> <p>Source: Project scope.</p>				
16.d. Significantly increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
<p>Discussion: The proposed project is a Subdivision Text Amendment. No physical development is proposed. This project will not result in changes to the circulation system. Each subdivision is a project pursuant to CEQA and will be analyzed upon application.</p> <p>Source: Not applicable.</p>				
16.e. Result in inadequate emergency access?				X
<p>Discussion: See discussion under Question 16.d.</p> <p>Source: Project scope.</p>				

16.f.	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X
<p>Discussion: Subdivisions are an opportunity for the County to demand dedications and improvements to the right-of-way and to transportation systems. Potential for improvements will be analyzed for each subdivision application.</p> <p>Source: Project description.</p>					
16.g.	Cause noticeable increase in pedestrian traffic or a change in pedestrian patterns?				X
<p>Discussion: See discussion under Question 16.d.</p> <p>Source: Project scope.</p>					
16.h.	Result in inadequate parking capacity?				X
<p>Discussion: This change to the code will not allow development that does not conform to the Zoning Regulations parking requirements.</p> <p>Source: Project scope.</p>					

17. UTILITIES AND SERVICE SYSTEMS. Would the project:					
		<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
17.a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
<p>Discussion: The sites with new potential for subdivision are found in different utility and service districts. It is impossible to study the impact of individual subdivisions at this time. Each subdivision will be a project subject to CEQA.</p> <p>Source: Project scope.</p>					
17.b.	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
<p>Discussion: See discussion under Question 17.a.</p> <p>Source: Project scope.</p>					

17.c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
<p>Discussion: The sites are in various locations with varying topography. It is impossible to study the impact of individual subdivisions at this time. Each subdivision will be a project subject to CEQA.</p> <p>Source: Project scope.</p>				
17.d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
<p>Discussion: See discussion under Question 17.a.</p> <p>Source: Project scope.</p>				
17.e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
<p>Discussion: See discussion under Question 17.a.</p> <p>Source: Project scope.</p>				
17.f. Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
<p>Discussion: See discussion under Question 17.a.</p> <p>Source: Project scope.</p>				
17.g. Comply with Federal, State, and local statutes and regulations related to solid waste?				X
<p>Discussion: This is a site-specific impact. It is impossible to study the impact of individual subdivisions at this time. Each subdivision will be a project subject to CEQA.</p> <p>Source: Project scope.</p>				
17.h. Be sited, oriented, and/or designed to minimize energy consumption, including transportation energy; incorporate water conservation and solid waste reduction measures; and incorporate solar or other alternative energy sources?				X

<p>Discussion: Each subdivision will be a project subject to CEQA. The orientation, siting, and design of each subdivision will be analyzed when submitted.</p> <p>Source: Project scope.</p>					
17.i.	Generate any demands that will cause a public facility or utility to reach or exceed its capacity?				X
<p>Discussion: See discussion under Question 17.a.</p> <p>Source: Project scope.</p>					

18. MANDATORY FINDINGS OF SIGNIFICANCE.					
		<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
18.a.	Does the project have the potential to degrade the quality of the environment, significantly reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
<p>Discussion: The proposed project is a Subdivision Text Amendment. No physical development is proposed. This project will not result in environmental degradation, destruction of habitat, threats to the wild animal and plant life in the region, or the destruction of artifacts of California history. Every subdivision is a project pursuant to CEQA and will be analyzed upon application.</p> <p>Source: Not applicable.</p>					
18.b.	Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)				X
<p>Discussion: This project makes a small change to the lot dimension standards in the Subdivision Ordinance. An analysis of all lots over twice the minimum lot size determined that the result would be that 101 single-family residence lots and 2 two-family residence lots could be created that could</p>					

not be created before. These lots would be in communities already categorized by these types of development. The analysis concluded that, if every subdividable lot in these communities were divided to create as many lots as possible, including both the lots affected by this ordinance and the lots currently subdividable, the resulting density would be below maximum densities allowed by the General Plan in each of these communities. Therefore, the cumulative effect would not be considerable, and the effect has already been studied and mitigated for in the Environmental Impact Report prepared for the General Plan.

Source: GIS Analysis, General Plan, General Plan EIR.

18.c. Does the project have environmental effects which will cause significant adverse effects on human beings, either directly or indirectly?			X	
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Discussion: The project will change the lot dimension requirements in the Subdivision Regulations, resulting in the potential to develop 103 sites scattered throughout the Bayside’s unincorporated communities to the potential density allowed by the General Plan Land Use Element and Zoning Code. These sites are within existing neighborhoods developed with lots of a similar size to the lots that would result from the newly allowed subdivisions. The effect of single-family houses or duplexes built in neighborhoods composed of other single-family houses or duplexes at the resulting density is less than significant. The effect of construction on the people nearby can be studied and mitigated better during the environmental review for each individual project based on each site’s specific setting.

Source: Project scope, GIS Analysis.

RESPONSIBLE AGENCIES. Check what agency has permit authority or other approval for the project.

AGENCY	YES	NO	TYPE OF APPROVAL
U.S. Army Corps of Engineers (CE)		X	
State Water Resources Control Board		X	
Regional Water Quality Control Board		X	
State Department of Public Health		X	
San Francisco Bay Conservation and Development Commission (BCDC)		X	
U.S. Environmental Protection Agency (EPA)		X	
County Airport Land Use Commission (ALUC)		X	
CalTrans		X	
Bay Area Air Quality Management District		X	
U.S. Fish and Wildlife Service		X	
Coastal Commission		X	

AGENCY	YES	NO	TYPE OF APPROVAL
City		X	
Sewer/Water District:		X	
Other:			

MITIGATION MEASURES		
	<u>Yes</u>	<u>No</u>
Mitigation measures have been proposed in project application.		X
Other mitigation measures are needed.		X
The following measures are included in the project plans or proposals pursuant to Section 15070(b)(1) of the State CEQA Guidelines:		

DETERMINATION (to be completed by the Lead Agency).

On the basis of this initial evaluation:

 X I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared by the Planning Department.

 I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because of the mitigation measures in the discussion have been included as part of the proposed project. A NEGATIVE DECLARATION will be prepared.

 I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.



(Signature) Steven Rosen

Planner

(Title)

10/10/13

Date

New Dwelling Units Possible if Project Approved	9	1	1	1	1	4	21
Percentage Increase in Number of Lots	2.1%	2.4%	3.2%	0.2%	1.3%	1.2%	
New Lots Possible If Project Approved	9	1	1	1	4	21	
Current Total of Existing and Potential Lots	425	42	31	553	302	1713	
Potential Density if All Currently and Newly Subdividable Lots Were Divided and Developed	1.18 du/ac	1.89 du/ac	1.80 du/ac	2.30 du/ac	3.45 du/ac	3.93 du/ac	
Potential Density if All Currently Subdividable Lots Were Divided and Developed	1.16 du/ac	1.84 du/ac	1.74 du/ac	2.30 du/ac	3.40 du/ac	3.88 du/ac	
Current Density if All Lots Were Developed with a Single-Family Residence (Two-Family Residence in R-2 Zones)	0.87 du/ac	1.23 du/ac	0.56 du/ac	2.27 du/ac	2.03 du/ac	3.34 du/ac	
General Plan Density	0.3-2.3 dwelling units/acre	0.3-2.3 dwelling units/acre	2.4-6.0 dwelling units/acre	2.4-6.0 dwelling units/acre	2.4-6.0 dwelling units/acre	2.4-6.0 dwelling units/acre	
General Plan Land Use Designation	Low Density Residential	Low Density Residential	Medium-Low Density Residential	Medium-Low Density Residential	Medium-Low Density Residential	Medium-Low Density Residential	
Unincorporated Community	Los Trancos Woods	San Mateo Highlands	Devonshire	Ladera	Palomar Park	San Mateo Highlands	

West Menlo Park	Medium-Low Density Residential	2.4-6.0 dwelling units/acre	2.99 du/ac	3.50 du/ac	3.51 du/ac	328	1	0.3%	1
Broadmoor	Medium Density Residential	6.1-8.7 dwelling units/acre	4.94 du/ac	5.41 du/ac	5.42 du/ac	1462	2	0.1%	2
Devonshire	Medium Density Residential	6.1-8.7 dwelling units/acre	2.77 du/ac	5.51 du/ac	5.67 du/ac	803	23	2.9%	23
Sequoia Tract	Medium Density Residential	6.1-8.7 dwelling units/acre	4.78 du/ac	4.85 du/ac	4.92 du/ac	1314	21	1.6%	21
Weekend Acres	Medium Density Residential	6.1-8.7 dwelling units/acre	2.26 du/ac	4.93 du/ac	5.02 du/ac	299	6	2.0%	6
West Menlo Park	Medium Density Residential	6.1-8.7 dwelling units/acre	5.15 du/ac	5.33 du/ac	5.37 du/ac	1169	8	0.7%	8
North Fair Oaks	Single Family Residential (15du/ac to 24du/ac)	15-24 dwelling units/acre	5.00 du/ac	5.67 du/ac	5.68 du/ac	1987	3	0.2%	3
North Fair Oaks	Multi Family Residential (24du/ac - 60du/ac)	24-60 dwelling units/acre	13.09 du/ac	13.36 du/ac	13.39 du/ac	841	2	0.2%	4
Totals							103		105

Unincorporated Community	Current Total of Existing and Potential Lots	New Lots Possible If Project Approved	Percentage Increase in Number of Lots
Broadmoor	1462	2	0.13%
Devonshire	834	24	2.88%
Ladera	553	1	0.18%
Los Trancos Woods	425	9	2.12%
North Fair Oaks MFR	841	2	0.24%
North Fair Oaks SFR	1987	3	0.15%
Palomar Park	302	4	1.32%
San Mateo Highlands	1755	22	1.25%
Sequoia Tract	1314	21	1.60%
Weekend Acres	299	6	2.01%
West Menlo Park	1497	9	0.60%



County of San Mateo - Planning and Building Department

ATTACHMENT E

DRAFT

ORDINANCE NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * *

AN ORDINANCE AMENDING THE SAN MATEO COUNTY SUBDIVISION REGULATIONS TO ELIMINATE LOT DEPTH REQUIREMENTS IN UNINCORPORATED AREAS OUTSIDE OF THE COASTAL ZONE

The Board of Supervisors of the County of San Mateo, State of California,

ORDAINS as follows:

SECTION 1. The San Mateo County Ordinance Code (Subdivision Regulations), Division VI, Part Two, Chapter 3, Article 2 (Subdivision Design and Layout), Section 7020.2.c is hereby amended to read as follows:

c. Dimensions

*For areas **outside** of the Coastal Zone, the minimum width of each parcel shall conform to the requirements of the Zoning Regulations, but in no case shall be less than 50 feet, exclusive of rights-of-way or easements for road purposes. The minimum depth shall be as necessary to provide the minimum parcel size for the zoning district, exclusive of rights-of-way or easements necessary for road purposes.*

*For areas **within** the Coastal Zone, the minimum width of each parcel shall conform to the requirements of the Zoning Regulations, but in no case shall be less than 50 feet, exclusive of rights-of-way or easements*

for road purposes. The minimum depth shall be as necessary to provide the minimum parcel size for the zoning district, but in no case shall be less than 100 feet, nor greater than three times the width, exclusive of rights-of-way or easements necessary for road purposes.

SECTION 2. This Ordinance shall be effective thirty (30) days from the passage date thereof.

* * * * *

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