



DEPARTMENT OF COMMUNITY DEVELOPMENT

330 West 20th Avenue
San Mateo, CA 94403-1388
Web Site: www.cityofsanmateo.org

Building Division
522-7172
Fax 522-7171

Civic Facilities
522-7280
Fax 522-7281

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522-7150
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Business Assistance
522-7240
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Improvement
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Planning Division
522-7202
Fax 522-7201

(Area Code '650'
for all numbers)

October 19, 2012

Robert Kent
50 Clark Dr.
San Mateo, CA 94401

RE: **PA 12-038, Kent Parcel Map, 50 Clark Dr.**
APN: 032-063-230

Dear Mr. Kent:

On October 19, 2012 the Zoning Administrator approved your application as referenced above. Enclosed is a copy of the Zoning Administrator's decision as well as any conditions that have been applied to your project.

This approval by the Zoning Administrator is final unless appealed within ten (10) calendar days. If you have any questions regarding your application, please call this office.

Sincerely,

Stephen Scott
Principal Planner

Enclosure

cc: Recording Secretary
Development Review Board Members (3)
City Council (Transmittal form with plan set)
Planning Commission (Decision page only) (5)
Chief of Planning (Decision page only)
Zoning Administrator (Decision page only)
Project Planner
Applicant
Interested Parties



DECISION OF THE ZONING ADMINISTRATOR

PA#: 12-038

ZONING: R1-A

PROJECT NAME: Kent Parcel Map

ADDRESS/APN: 50 Clark Drive (APN 032-063-230)

PROJECT DESCRIPTION: Lot split to create one new parcel

TYPE(S) OF CITY PERMIT APPROVAL(S) REQUESTED:

SITE PLAN AND ARCHITECTURAL REVIEW

SITE DEVELOPMENT PERMIT

VARIANCE

OTHER: Parcel Map

PROJECT PLANNER: Stephen Scott

APPROVAL DATE: October 19, 2012

ZONING ADMINISTRATOR FINDINGS:

I. CEQA CLEARANCE

The project is categorically exempt from environmental guidelines (*Class 15 §15315, Minor Land Divisions*) since it creates one new parcel in an urbanized area zoned for residential use and is consistent with the General Plan and R1-A zoning, does not require any variances or exceptions, all public services are available to serve the site, the parcel has not been involved with a division of a larger parcel within the last two years, and the parcel does not have an average slope greater than 20 percent.

II. PARCEL MAP (Section 26.56.060)

1. The proposed map is consistent with the General Plan in that the area is designated for single family residential uses and a conforming R1-A single family lot is being created, the “remainder” parcel does not have any resulting non-conformities that result from the lot split, and the use of the two properties will remain single family.
2. The design and improvement of the proposed subdivision is consistent with the General Plan in that while no improvements are proposed at this time, the new lot meets the minimum lot frontage requirement (75 feet) for an R1-A lot as it is proposed to be approximately 130 feet and it meets the minimum lot size requirement (10,000 sq. ft.) as it is proposed to be approximately 10,940 sq. ft.
3. The newly created lot is physically suitable for the future proposed development in that while no improvements are proposed at this time, it is a relatively flat lot that will accommodate a future single family dwelling.
4. The site is physically suitable for the proposed density of development in that the General Plan encourages low-density single family residential uses at this location.
5. The design of the subdivision will not cause substantial environmental impact nor injure fish or wildlife or their habitat in that it is located in an area already developed with single family dwellings and has no water courses or natural habitat areas.
6. The design of the subdivision and type of improvements will not cause serious public health problems in that adequate sanitary sewer and storm drain facilities will be required to be provided for the new lot, a new driveway for the “remainder” lot will be established prior to approval of the final map, and it will not otherwise constrain the delivery of public services.
7. The design of the subdivision will not conflict with any public easements granting access through or use of, the site in that no such easements exist.

III. GENERAL PLAN CONFORMITY

The project conforms to the following Land Use policies of the General Plan:

LU 1.9: **Single-Family and Duplex Preservation.** Protect established predominantly single-family areas by limiting new development in such areas to single-family uses, and protect predominantly duplex areas by limiting new development to low-density residential uses as delineated on the Land Use Map. Consider re-designating multi-family areas to single-family and low-density residential uses where such uses predominate and where the creation of additional legal non-conforming uses would be minimized.

LU 1.9a: **Single-Family Dwelling Projects.** Enhance the livability of San Mateo neighborhoods by reviewing Single-Family Dwelling Design Review planning applications for compatibility with neighborhood character, relationship to the neighborhood, and elements of design and site layout as described in the City's Single-Family Design Guidelines.

The project conforms to these policies in that the proposed lot split creates a conforming single-family parcel that meets the R1-A standards of the Zoning Code related to lot size and street frontage, and does not create any non-conformities with the "remainder" parcel. Therefore, the new parcel may accommodate a new single family structure, which when proposed, will be subject to the City's Single Family Dwelling Design Review process. In addition, a pool house on the existing parcel was inspected by the Code Enforcement division for its compliance with its original permit as a pool house and was found to be conforming, with no "living quarters". A condition of project approval has been added to this project that states that the pool house may not be used as a "secondary unit" or as "living quarters" of any kind, and this conditions of approval are required to be recorded as a deed restriction on the property.

ZONING ADMINISTRATOR DECISION:

 X APPROVED

CEQA CLEARANCE: §15315

 DENIED

CATEGORICAL EXEMPTION

CLASS 15 - Minor Land Divisions

CONDITIONS OF APPROVAL: See Attached.

SIGNATURE _____



Stephen Scott, Zoning Administrator

*DATE: October 19, 2012

* This decision is final unless appealed in writing within ten (10) calendar days of the above date.

EXHIBIT B
CONDITIONS OF APPROVAL
PA 12-038, KENT PARCEL MAP
50 Clark Dr.
APN 032-063-230
Approved September 10, 2012

A. THE FOLLOWING CONDITIONS SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS SUBMITTED FOR ANY DEMOLITION PERMIT, BUILDING PERMIT, AND/OR SITE DEVELOPMENT PERMIT, AND SHALL BE MET PRIOR TO THE ISSUANCE OF SAID PERMIT(S).

- Planning Conditions**
- A1.0 NOTICE OF PROJECT RESTRICTIONS – The property owner shall record a Notice of Project Restrictions in the official records of the County of San Mateo and provide proof of such recordation to the City prior to issuance of any City permit
 - A1.1 PAYMENT OF OUTSTANDING PLANNING APPLICATION FEES – The building permit applicant shall check with the Project Planner to determine whether any outstanding planning applications fees exist and those fees shall be paid prior to issuance of any building permits.

B. THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE APPROVAL OF THE FINAL MAP OR PARCEL MAP.

- Public Works Conditions**
- B1.0 ENCROACHMENT PERMITS, BONDS, AND INSURANCE - The applicant must obtain an encroachment permit, posting the required bonds and insurance, and provide a one (1) year warranty for all work to be done in the City's right-of-way. This encroachment permit shall be obtained prior to the issuance of a foundation building permit and prior to any work being done in the City's right-of-way. The applicant shall have street improvement plans prepared for all work in the public right-of-way by a licensed civil engineer, whose signed engineer's stamp shall appear on the plans. Prior to issuance of the encroachment permit, the applicant shall submit any applicable pedestrian or traffic detour plans for any lane or sidewalk closures. The detour plan shall comply with Part 6, Temporary Traffic Control, of the State of California Manual of Uniform Traffic Control Devices (MUTCD), 2003, and standard construction practices. Final construction plans and specifications shall be approved by the City Engineer, and released for construction, prior to the issuance of the encroachment permit. Right of way improvements shall include, at a minimum, the following items:
 - A. DRIVEWAY APPROACH - The applicant shall install one (1) City Standard Residential driveway approach a minimum of twelve (12) feet wide. The new residential driveway approach shall be constructed per City Standard Drawing 3-1-149.

B. DRIVEWAY REMOVAL - The applicant is to remove the existing driveway approach located on proposed Lot 1 and replace it with curb and gutter per City Standard Drawing 3-1-141A. Public Works estimates that approximately fifteen (15) lineal feet of curb and gutter will be necessary to replace the existing driveway approach. These amounts are in addition to the amount of sidewalk, curb and gutter that are required to be removed and replaced as defined by the separate Sidewalk, and Curb and Gutter conditions.

- B1.1 ADDRESS PLAN - The applicant shall submit to the Public Works Department a final address plan. The plan shall be substantially in conformance with the address plan approved with the planning application. Said submittal shall be approved by the City Engineer prior to the submittal of plans for the Foundation (or first) Building Permit.
- B1.2 PARCEL MAP - It shall be the applicant's responsibility to have a parcel map, prepared by a person authorized to practice land surveying in California, delineating all parcels created or deleted and all changes in lot lines in conformance with San Mateo Municipal Code Section 23.56. The parcel map shall be approved by the Department of Public Works and recorded with the County Recorder's Office prior to the issuance of any City permits. A parcel map guarantee shall be submitted to the City, by the applicant's title company, prior to release of the parcel map to the title company for recordation. Prior to the City's release of the parcel map to the title company, the applicant may, at the discretion of the City Engineer, be required to submit to the City an electronic copy of the map in either AutoCAD Version 14, 2000-2006 (.dwg or .dxf format). It is the applicant's responsibility to check with their title company and the County Recorder's Office to determine the time necessary to have the map recorded after City approval.
- B1.3 PARK IN-LIEU/IMPACT FEES: The applicant shall pay a park impact fee (SMMC Section 13.05.070) or a fee in-lieu of dedication of lands for park and recreation purposes (park in-lieu fee) (SMMC Chapter 26.64). The final fee shall be determined prior to approval of the final map. The park in-lieu fee shall be paid prior to the release of the final map for. If a project with an approved tentative map is issued a building permit prior to the approval of the final map, the applicant shall be subject to the payment of the park impact fee only upon the issuance of the building permit. (PARKS AND RECREATION, PUBLIC WORKS)

C. THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH AT ALL TIMES THAT THE USE PERMITTED BY THIS PLANNING APPLICATION OCCUPIES THE PREMISES.

- Planning Condition C1.0 USE OF POOL HOUSE** - The existing pool house on the existing parcel (APN 032-063-230) was approved with a building permit on 10/02/72 under Building Permit No. 55832. This structure is considered an accessory structure under Municipal Code section 27.04.010. It is located within the required setbacks for an R1-A zoned property and as such may not be utilized as a dwelling unit, including as a sleeping quarters or as a “secondary unit” as defined in Municipal Code section 27.19.040(c).
- City Attorney C2.0 PENALTY** – In accordance with San Mateo Municipal Code section 27.02.210-Violations of Planning Application Conditions, any violation of any of the conditions of approval is unlawful and will subject the property owner to the penalties set forth in Chapter 1.04-General Penalty of the San Mateo Municipal Code as well as any other available legal remedies.
- C2.1 INDEMNIFICATION** – Property owner will defend, indemnify, and hold harmless the City of San Mateo, its elected and appointed officials, employees, and agents from and against any costs, claims, or liabilities arising out of the approval of this planning application, including, without limitation, any award of attorney fees that might result from third party challenge. If property owner is required to defend the City, the City shall retain the right to select the counsel who shall defend the City.