

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

DATE: October 3, 2024

TO: Zoning Hearing Officer

FROM: Planning Staff

SUBJECT: Consideration of a Coastal Development Permit, pursuant to Section 6328.4 of the County Zoning Regulations; and a Certificate of Compliance (Type B) to legalize one lot of record as a single 4,750 sq. ft. net parcel, pursuant to Section 7134 of the County Subdivision Regulations, located on El Granada Boulevard in the unincorporated El Granada area of San Mateo County. This project is appealable to the California Coastal Commission.

County File Number: PLN2020-00329 (Immani)

PROPOSAL

The applicant has applied for a Coastal Development Permit (CDP) and a Certificate of Compliance (Type B) to legalize one lot of record as one 4,750 sq. ft. parcel (APN 047-182-550) on El Granada Boulevard in the unincorporated El Granada area.

RECOMMENDATION

That the Zoning Hearing Officer approve the Coastal Development Permit and Certificate of Compliance (Type B), County File Number PLN 2020-00329, by making the required findings and adopting the conditions of approval identified in Attachment A.

BACKGROUND

Report Prepared By: Sam Becker, Project Planner, Phone (650) 382-4493

Applicant/Owner: Venkat R. Immani

Public Notification: Ten (10) day advanced notification for the hearing was mailed to property owners within 300 feet of the project parcel and a notice for the hearing posted in a newspaper (San Mateo County Times) of general public circulation.

Location: Vacant, undeveloped parcel along El Granada Boulevard in unincorporated El Granada. The subject parcel abuts 454 El Granada Boulevard on its northern side.

APN: 047-182-550

Size: 5,000 sq. ft. gross. The subject property along with neighboring properties each provided a 5' easement to the County along the front of each property (Record of Survey LLS 85-90) resulting in a net parcel size of 4,750 sq. ft.

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

General Plan Designation/ Local Coastal Plan Designation: Medium Density Residential

Sphere-of-Influence: Half Moon Bay

Existing Land Use: Vacant

Water Supply: The parcel is located within the service boundaries of the Coastside County Water District. The district has confirmed that there are available connections to serve the subject parcel.

Sewage Disposal: The parcel is located within the service boundaries of the Granada Community Services District. The district has confirmed that there are available sewer line connections to serve the parcel.

Flood Zone: FEMA Flood Insurance Rate Map designation defines the parcel to be located within a Zone X. Areas of 0.2 percent Annual Chance of Flood, Community Panel No: 06081C-0140E, Dated October 16, 2012.

Environmental Evaluation: Categorically exempt under provisions of Class 15, Section 15315, of the California Environmental Quality Act Guidelines (Minor Land Divisions).

Setting: The subject parcel is an undeveloped parcel located within an urbanized single-family residential neighborhood. Majority of adjacent parcels to the north, south, and west are developed with single-family residential development, although there are some vacant, undeveloped parcels also in proximity.

Chronology:

<u>Date</u>	<u>Action</u>
October 5, 2020	- Application Filed
October 6, 2020	- Deemed Incomplete
July 11, 2024	- New owner/applicant submitted updated materials
August 19, 2024	- Application Deemed Complete
October 3, 2024	- Zoning Hearing Officer Meeting

DISCUSSION

A. KEY ISSUES

1. Compliance with the General Plan

The proposal conforms with General Plan (GP) Policy 8.14 (*Appropriate Land Use Designations and Locational Criteria for Urban Unincorporated Areas*) which utilizes defined designations and densities to achieve stated land use objectives within unincorporated urban areas.

The project parcel has a GP land use designation of Medium Density Residential (6.1 – 8.7 dwelling units/net acre) and the 4,750 sq. ft. parcel results in a maximum density of .87 dwelling units per acre, which conforms with the Medium Density Residential land use designation of the General Plan as it does not exceed the maximum.

The project parcel has a zoning designation of One-family Residential. Although the parcel meets the gross lot size of 5,000 sq. ft. and is 50 feet in width, which would meet both the minimum lot size and lot width requirements for the R-1/S-17 zoning district, the parcel has a net lot size of 4,750 sq. ft. due to a 5-foot x 50-foot (250 sq. ft.) easement granted to the County which runs along the frontage of property. This County right of way easement is operated and maintained by Department of Public Works and exists on adjacent parcels along El Granada Blvd.

2. Conformance with the Local Coastal Program (LCP)

Staff has reviewed the project and found it to be compliant with the policies of the Local Coastal Program. The applicable policies with specific discussion are detailed below:

Locating and Planning New Development

Policy 1.5 (*Land Uses and Development Densities in Urban Areas*) which incorporates the adopted Montara-Moss Beach-El Granada Community Plan into the Midcoast Land Use Plan and defines the land use densities for each land use designation.

The subject parcel is located in El Granada and has a Midcoast LCP land use designation of Medium Density Residential (6.1 – 8.0) dwelling units/acre). As discussed in Section A.1, the 4,750 sq. ft. parcel results in a maximum density of .87 dwelling units per acre, therefore conforms with the midcoast land use designation as it does not exceed the maximum.

Policy 1.29 (*Legalizing Parcels*) requires a Coastal Development Permit when issuing a Certificate of Compliance (Type B) to legalize parcels under Section 66499.35(b) of the California Government Code (i.e., parcels that were illegally created without benefit of government review and approval).

The County's first subdivision ordinance requiring a subdivision permit for parcel creation went into effect on July 20, 1945. Staff's review of the chain of title for the property shows that the subject parcel (Lot 3 of Block 14) was conveyed together with the adjacent lots in Block 14 until April 3rd, 1968. Therefore, pursuant to California Government Code 66499.35(b) and LCP Policy 1.29, a Certificate of Compliance (Type B) and Coastal Development Permit, respectively, are being sought under the subject application.

Policy 1.30.d. (*Coastal Development Permit Standards of Review for Legalizing Parcels*) allows on undeveloped parcels created before Proposition 20 (effective date January 1, 1973) or the Coastal Act of 1976, that a coastal permit shall be issued to legalize the parcel if the parcel configuration will not have any substantial adverse impacts on coastal resources, in conformance with the standards of review of the Coastal Development District regulations. Permits to legalize this type of parcel shall be conditioned to maximize consistency with LCP resource protection policies and a separate Coastal Development Permit, subject to all applicable LCP requirements, shall be required for any development of the parcel.

The subject parcel is a vacant parcel which is surrounded by mostly single-family residential development and some vacant single-family parcels on either side of El Granada Blvd, with the rear of property abutting County owned park land. There are no mapped sensitive habitats on the parcel and future development on the parcel is unlikely to impact coastal resources including public views or shoreline access due to the distance from public viewpoints and location of the parcel on the east side of Highway 1. Further, the property is within the Categorical Exclusion Area for single-family development. Based on Staff's review there is no evidence to suggest that legalizing the parcel's configuration will have any substantial adverse impacts on coastal resources.

3. Conformance with the Subdivision Regulations

Pursuant to Section 7134.2.b.(2) of the County's Subdivision Regulations, a parcel depicted as a lot on a subdivision map approved and recorded by the County prior to July 20, 1945 shall be issued a Certificate of Compliance (Type B) upon demonstrating that the current parcel boundaries match those depicted on the approved subdivision map and the parcel was first conveyed separately from adjoining lands on or after July 20, 1945. Furthermore, Section 7134.4.c requires such Certificate of Compliance (Type B) to be subject to conditions of legalization, if necessary, and a Coastal Development Permit if within the Coastal Zone. Pursuant to Section 7134.6.b. conditions of approval may include any conditions which would have been applicable to the division of the property at the time the applicant acquired their interest in the property except that compliance with the conditions are not required until the time at which a building permit or other grant of approval for development of the property is issued by the County and that the Director of Planning and Building may defer placing conditions which relate to future development of the property, such as access and utility improvements, to such time that specific development is proposed on the property.

The subject parcel (APN 047-182-550) was initially part of that certain map entitled "El Granada Highlands Subdivision No.3, San Mateo California", which was filed in the office of the recorder of the County of San Mateo, State of California on October 22, 1928, in Book 17 of Maps, at Page 27 and 28. The submitted legal descriptions describe and confirm that the subject parcel remains in its original configuration.

The first separate conveyance of the subject parcel in its individual configuration as the original 1928 subdivision map occurred via grant deed on April 3, 1968, and therefore meets the criteria for issuance of a Certificate of Compliance (Type B). Furthermore, because the parcel is located within the Coastal Zone, a Coastal Development Permit is also being sought as part of this application. Regarding conditions of approval, Section 7134.6(b) of the County Subdivision Regulations, states that the Director of Planning and Building may impose any conditions which would have been applicable to the division of property at the time the applicant acquired their interest in the property. However, since road access to the subject parcel exists, and water, power, and sanitary sewer services are available, there are no improvement conditions applicable to the division of the property that have not been met.

B. ENVIRONMENTAL REVIEW

The proposed parcel legalization is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15315, Class 15: Minor Land Divisions, which include the division of property (which a certificate of compliance establishing a parcel's legal status can be considered) in urbanized areas zoned for residential use into four or fewer parcels, when the division is in conformance with the General Plan and zoning (gross square footage meeting the parcel size 5,000 sq. ft. minimum, and net sq. ft. of 4,750), no variances are required, and all services and access to the parcel are available. The parcel is directly accessible from El Granada Blvd. Water and sanitary service lines exist to serve the parcel.

C. REVIEWING AGENCIES

County Attorney
Granada Sanitary District
Coastside County Water District
Midcoast Community Council
California Coastal Commission

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
- B. Current Assessor's Parcel Map
- C. Original Subdivision Map
- D. Boundary and Topographic Survey

County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN2020-00329

Hearing Date: October 3, 2024

Prepared By: Sam Becker
Project Planner

For Adoption By: Zoning Hearing Officer

RECOMMENDED FINDINGS

For the Environmental Review, Find:

1. That the project is categorically exempt from the California Environmental Quality Act Guidelines pursuant to Section 15315, Class 15, related to minor land divisions (which a Certificate of Compliance (Type B) establishing a parcel's legal status can be considered) in an urbanized area zoned for residential use that is in conformance with the General Plan and zoning, no variances are required, and all services and access to the parcel are available.

For the Coastal Development Permit, Find:

2. That the project, as described in the application and accompanying materials required by Section 6328.7 and as conditioned in accordance with Section 6328.14, conforms with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program (LCP), specifically with regard to Locating and Planning New Development Component of the Local Coastal Program.
3. That the project is not located between the nearest public road and the sea, or the shoreline of Pescadero Marsh, and therefore is not subject to conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Section 30200 of the Public Resources Code).
4. That the project conforms to specific findings required by policies of the San Mateo County LCP including Locating and Planning New Development and Sensitive Habitats Components as legalization of the parcel conforms with the Midcoast land use designation of Medium Density Residential, the requirement for a Coastal Development Permit to legalize the parcel is being pursued under the subject application, and as conditioned there is no evidence to suggest that legalization of the parcel's configuration will have any adverse impact on coastal resources.

For the Certificate of Compliance (Type B), Find:

5. That the processing of the Certificate of Compliance (Type B) is in full conformance with the County Subdivision Regulations Section 7134 (Legalization of Parcels; Certificate of Compliance).
6. That the processing of the Certificate of Compliance (Type B) is in full conformance with Government Code section 66499, et seq.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

1. This approval applies only to the proposal as described in the plans, supporting materials, and reports approved by the Zoning Hearing Officer on October 3, 2024. Minor revisions or modifications to the project may be made subject to the review and approval of the Director of Planning and Building if they are consistent with the intent of and in substantial conformance with this approval.
2. The subject Certificate of Compliance (Type B), which shall represent Lot 3 of Block 14, as a single legal parcel, shall be recorded prior to the issuance of any other permits related to any development on this property.
3. The applicant is advised that prior to recordation of the Certificate of Compliance, the owner/applicant shall provide the project planner with a check to cover recording fee costs, generally between \$50.00 and \$100.00. The project planner will confirm the amount prior to recordation.
4. The applicant is hereby informed that any future development on this parcel would be subject to compliance with the zoning regulations, all applicable policies of the County's Local Coastal Program and conformance with the California Environmental Quality Act guidelines for environmental review, at that time.

Coastside County Water District

5. At time of building permit submittal, the applicant shall submit a complete set of building plans to the District to evaluate and determine if the water service capacity available is adequate for this development and complies with all District regulations.

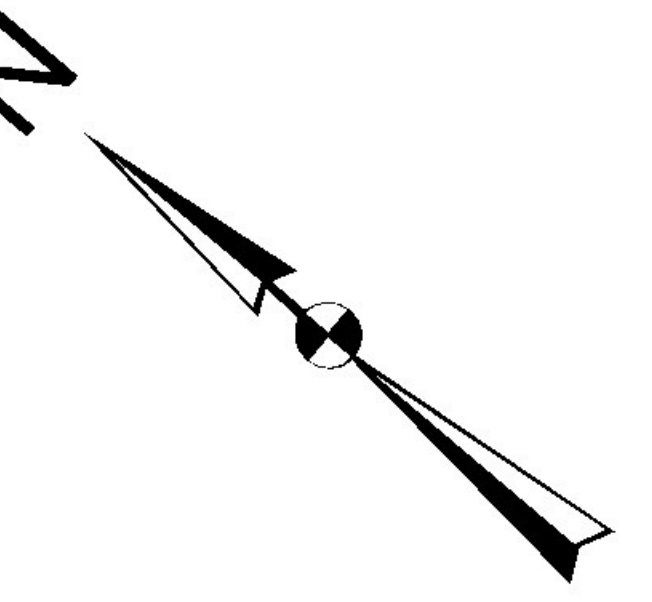
Granada Community Services District

6. At time of building permit submittal, the applicant shall apply for a Sewer Permit with the district. Applicant shall specify 5,000 sq ft gross parcel figure when applying for sewer service.



COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT B

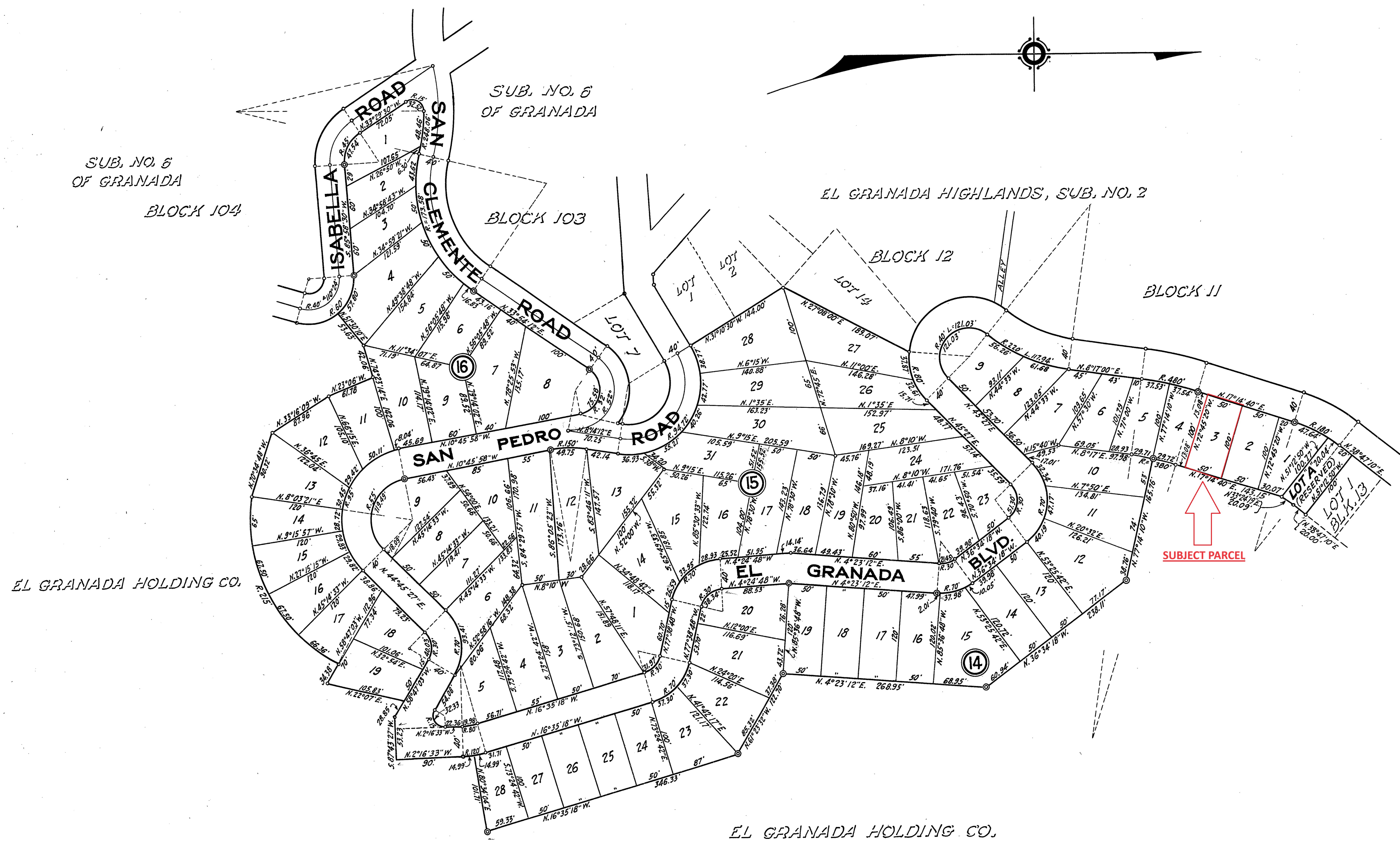


-  EL GRANADA HIGHLANDS SUB NO. 3 RSM 17/27-28
-  EL GRANADA HIGHLANDS SUB NO. 2 RSM 15/26-28



COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT C



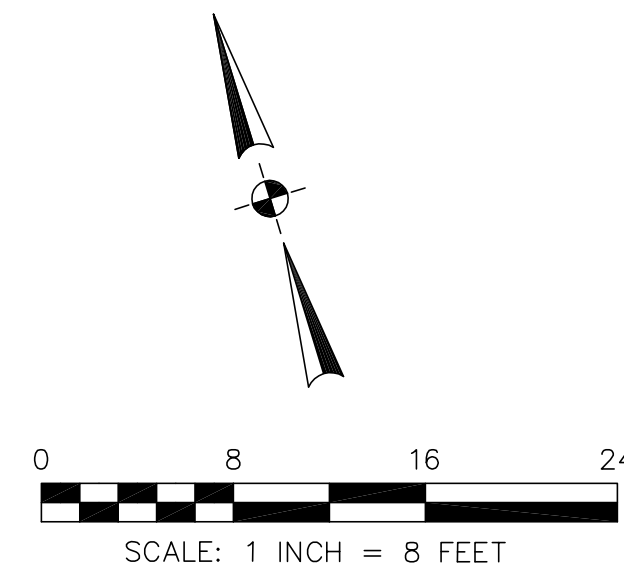
EL GRANADA HIGHLANDS
SUBDIVISION NO. 3

SCALE: 1" = 100'



COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT D



BASIS OF BEARINGS

BEARINGS SHOWN HEREON ARE BASED UPON THAT CERTAIN SUBDIVISION MAP ENTITLED "EL GRANADA HIGHLANDS, SUBDIVISION NO. 3" FILED ON OCTOBER 22, 1928, IN VOLUME 17 OF MAPS AT PAGES 27-28, SAN MATEO COUNTY RECORDS.

BENCHMARK

ELEVATIONS SHOWN HEREON ARE BASED UPON AN ASSUMED DATUM.

THE CUT CROSS SET ON TOP OF THE CONCRETE CURB IN FRONT OF THE SUBJECT PROPERTY ACTS AS THE SITE BENCHMARK WITH AN ASSUMED ELEVATION OF 297.04 FEET.

NOTES:

BGT RELIED UPON A FIRST AMERICAN TITLE INSURANCE COMPANY PRELIMINARY TITLE REPORT, ORDER NUMBER 4104-6630137, AS TITLE REFERENCE FOR ALL EASEMENTS OF RECORD PLOTTED HEREON.

UTILITIES SHOWN HEREON TAKEN FROM VISUAL SURFACE EVIDENCE AND SHOULD BE CONSIDERED AS APPROXIMATE ONLY. ACTUAL LOCATIONS OF UTILITIES MAY VARY. TRUE LOCATION OF UTILITIES CAN ONLY BE OBTAINED BY EXPOSING THE UTILITY.

TREE LOCATIONS SHOWN HEREON ARE SHOWN SYMBOLICALLY WITH SYMBOL SIZES BASED UPON TRUNK DIAMETER AT CHEST HEIGHT, AT THE LOCATION WHERE THE TREE ENTERS THE GROUND SURFACE. LOCATIONS AND SIZES OF TREE TRUNKS CAN ONLY BE CONSIDERED APPROXIMATE UNLESS OTHERWISE STATED ON THE MAP. TREES OF TRUNK DIAMETER SIZES OF 6 INCHES OR GREATER WERE LOCATED BY THE FIELD CREW.

SURVEY PERFORMED BY: BGT LAND SURVEYING
www.bgtssurveying.com

DATE OF FIELD SURVEY: JUNE 26, 2023
JOB NUMBER: 23-090

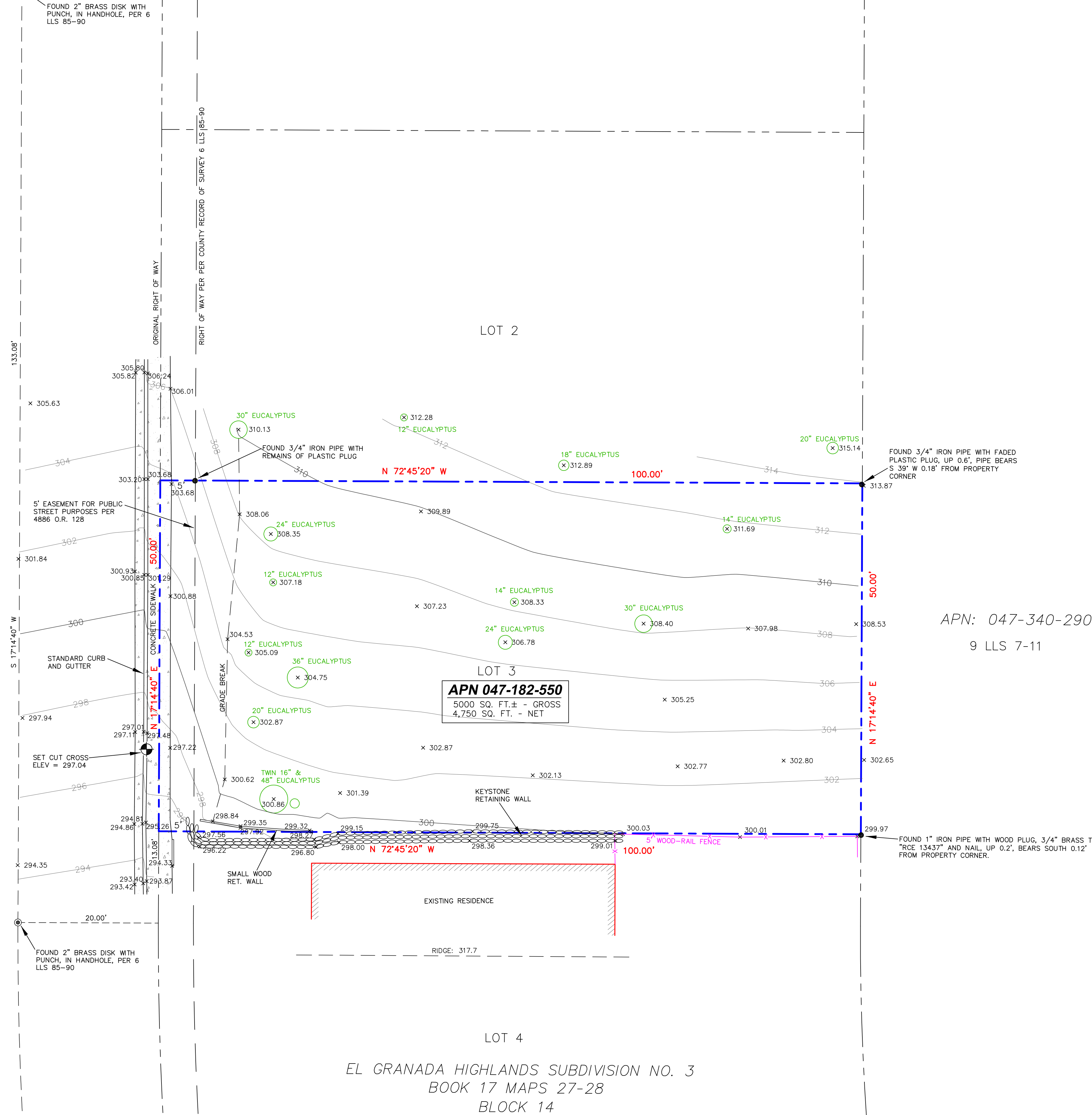
LEGEND

AC	ASPHALT CONCRETE
BW	BACK OF WALK
CB	CATCH BASIN
C/L	CENTERLINE
CMP	CORRUGATED METAL PIPE
CI	CAST IRON PIPE
CO	CLEAN OUT BOX
CP	SURVEY CONTROL POINT
CPP	CORRUGATED PLASTIC PIPE
CTV	CABLE TELEVISION VAULT
DI	DROP INLET
EM	ELECTRIC METER
EV	ELECTRIC VAULT
FF	FINISHED FLOOR
FL	FLOWLINE
FH	FIRE HYDRANT
GM	GAS METER
GRD	GROUND
GUY	GUY ANCHOR
GV	GAS VALVE
HCR	HANDICAP RAMP
HVE	HIGH-VOLT ELECTRIC
INV.	INVERT
IP	IRON PIPE
JP	JOINT POLE
KV	KILOVOLT
LAT.	LATERAL
LG	LIP OF GUTTER
MH	MH (TYPE UNKNOWN)
MON-MON	MONUMENT TO MONUMENT DISTANCE
PBV	PACBELL/SBC VAULT
PGE	P&E VAULT
PIV	POST INDICATOR VALVE
PP	POWER POLE
SDMH	STORM DRAIN MANHOLE
SSMH	SANITARY SEWER MANHOLE
SSV	SANITARY SEWER VAULT
TBC	TOP BACK OF CURB
TBM	TEMPORARY BENCHMARK
UNK	UNKNOWN TYPE
VCP	VITRIFIED CLAY PIPE
WBF	WATER BACK FLOW VALVE
WM	WATER METER BOX
WV	WATER VALVE
-CTV-	CABLE TELEVISION LINE
-E-	ELECTRICAL LINE
-G-	GAS LINE
-OH-	OVERHEAD LINE
-SD-	STORM DRAIN LINE
-SS-	SANITARY SEWER LINE
-T-	TELEPHONE LINE
-W-	WATER LINE

EL GRANADA BOULEVARD
[40'-50' WIDE]

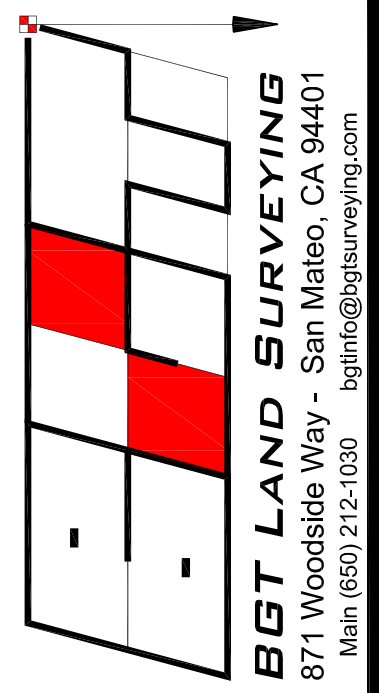
FOUND 2" BRASS DISK WITH PUNCH, IN HANDHOLE, PER 6 LLS 85-90

FOUND 2" BRASS DISK WITH PUNCH, IN HANDHOLE, PER 6 LLS 85-90



APN 047-182-550
5000 SQ. FT. ± - GROSS
4,750 SQ. FT. - NET

APN: 047-340-290
9 LLS 7-11



BOUNDARY AND TOPOGRAPHIC SURVEY
LOT 3, BLOCK 14, EL GRANADA HIGHLANDS, SUBDIVISION NO. 3, 17 MAPS 27-28
VACANT LOT, EL GRANADA BOULEVARD
EL GRANADA, SAN MATEO COUNTY, CALIFORNIA

Assessor Parcel Number:
047-182-550

Prepared For:
VENKAT RAO IMMANNI
970 COLUMBUS STREET
HALF MOON BAY, CA 94019

Date: JUN. 2023
Scale: 1" = 8'
Contour Interval: 2'
Drawn by: N.W.

Revisions:

SU-1

Job No. 23-090