

ATTACHMENT 9
SAMPLE FINDINGS OF APPROVAL
PA-2023-026 1218 MONTE DIABLO AVE., PRE-APPLICATION

1218 MONTE DIABLO AVE.
SAN MATEO, CA 94401
PARCEL # 033-171-180, 033-171-060

SITE PLAN AND ARCHITECTURAL REVIEW (SPAR) – FINDINGS (SMMC 27.08.030):

The application shall be approved if the City Council finds all of the following to exist:

- 1) The structures, site plan, and landscaping are in scale and harmonious with the character of the neighborhood;
- 2) The development will not be detrimental to the harmonious and orderly growth of the City;
- 3) The development will not impair the desirability of investment or occupation in the vicinity, and otherwise is in the best interests of the public health, safety, or welfare;
- 4) The development meets all applicable standards as adopted by the Planning Commission and City Council, conforms with the General Plan, and will correct any violations of the zoning ordinance, building code, or other municipal codes that exist on the site;
- 5) The development will not adversely affect matters regarding police protection, crime prevention, and security.

SITE DEVELOPMENT PLANNING APPLICATION (SDPA) FOR GRADING AND TREE REMOVAL – FINDINGS (SMMC 23.40.040):

The application shall be approved if the City Council finds all of the following to exist:

- 1) All concerns regarding surface grading, structure foundations, drainage, subsurface conditions, erosion, and landscaping have been addressed as follows:
- 2) The project will result in the removal of ___ trees, ___ of which are considered Heritage Trees. The removal of these trees is necessary to accommodate the development of the proposed project. The project's arborist report states that ___.
- 3) All concerns regarding tree removal and protection of remaining trees on the site have been addressed as conditions of approval requiring conformance to the City's landscape regulations, through the provision of extensive on-site landscaping as shown on the project plans, and/or through the payment of a fee to the City's tree planting fund.

TENTATIVE PARCEL MAP – FINDINGS (SMMC 26.56)

The tentative parcel map shall be approved unless the City Council finds any one of the following to exist:

- 1) That the proposed map is not consistent with applicable general and specific plans.
- 2) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- 3) That the site is not physically suitable for the type of development.
- 4) That the site is not physically suitable for the proposed density of development.
- 5) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- 6) That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- 7) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision