

**ATTACHMENT 5
SAMPLE FINDINGS
PA-2019-028, PENINSULA HEIGHTS PRE-APP**

2655 CAMPUS DR 100, SAN MATEO, CA 94403-2520; 2800 CAMPUS DR, SAN MATEO, CA 94403-2552
PARCEL # 041522020, 041521010, 041521020, 041522010

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

The application shall be approved if the Commission 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.

SPECIAL USE PERMIT (SUP) – FINDINGS (SMMC 27.74.020):

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

- 1) Granting of the Special Permit will not adversely affect the general health, safety and/or welfare of the community nor will it cause injury or disturbance to adjacent property by traffic or by excessive noise, smoke, odor, noxious gas, dust, glare, heat, fumes or industrial waste in that

SITE DEVELOPMENT PLANNING APPLICATION (SDPA) – FINDINGS (SMMC 23.40.040):

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

- 1) 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
- 2) 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.
- 3) All concerns regarding surface grading, structure foundations, drainage, subsurface conditions, erosion, and landscaping have been addressed as follows:
 - a.
 - b.
- 4) All storm runoff drainage will be directed to storm water drainage systems as constructed by the applicant. Provision of landscaped areas will minimize storm runoff, and no overloading of drainage facilities will occur as a result of the project.
- 5) Construction related impacts will also be reduced by standard conditions of approval related to construction activities including watering of the site during grading operations, dust control, and scheduling of paving and other construction activities as soon as possible upon completion of grading activities.

TENTATIVE MAP – FINDINGS (SMMC 26.48.060)

The Commission shall deny approval of tentative map if it makes any of the following findings:

- 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

HOUSING ACCOUNTABILITY ACT – FINDINGS (CA GOVERNMENT CODE 65589.5)

If the project complies with applicable, objective General Plan, Zoning, and Subdivision standards and criteria, the City's grounds for denial would be:

- 1) The development would have a specific adverse impact on public health or safety and there is no feasible method to mitigate or avoid the adverse impact other than disapproval or approval at a lower density; or
- 2) The project is inconsistent with the City's zoning ordinance and general plan Designation.