

# Approval Recommended

Because the proposed map is consistent with Palo Alto's Comprehensive Plan and all the reverse findings are met, the PTC should grant Mr. Dunlap's Preliminary Parcel Map application.

## **Recommendation:**

Pursuant to the statutory framework outlined in Gov. Code section 66474 and PAMC 21.12.090, the PTC should grant the Dunlap's Preliminary Parcel Map.

## **Reasoning:**

- Consistent with Palo Alto's Comprehensive Plan
- Satisfies the findings necessary
- Suits the neighborhood, and
- Brings the Dunlaps' home up to the City's modern standards

**Authority:** Gov. Code section 66474 and PAMC 21.12.090.

# SUMMARY OF ARGUMENTS: RECOMMEND APPROVAL OF PRELIMINARY PARCEL MAP APPLICATION

**Rule:** If Gov. Code Section 66474 (“Reverse”/”Negative”) Findings Satisfied, the PTC should approve Dunlap’s Preliminary Parcel Map

## **Seven Findings Satisfied:**

1. Proposed map falls outside of Specific Planned areas and is consistent with Comprehensive Plan (66474(a).)
2. Design/Improvement consistent with General Plan. (66474(b).)
3. Physically Suitable for Type of Development (66474(c).)
4. Physically Suitable for Proposed Density (66474(d).)
5. No Wildlife Damage (66474(e).)
6. No Public Health Problems (66474(f).)
7. No Public Easements (66474(g).)

Gov. Code  
Section 66474  
Explained:  
“Negative”  
Findings

According to Gov. Code section 66473.5, for a city to approve a subdivision map, it must make a finding that a proposed subdivision is consistent with its general plan.

You must deny approval only if you make one of the seven “negative” findings pursuant to 66474.

# Finding #1: Consistent with General & Specific Plans

Site is not a specific plan area and is consistent with Comprehensive Plan.

## **Finding #1:**

“That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.”

## **Reasoning:**

- The site does not lie within a specific plan area, and
- The proposal is consistent with the provisions of the Comprehensive Plan (next slide).

**Authority:** Gov. Code section 66474(a) and PAMC 21.12.090.

# Finding #2: Consistent with General & Specific Plans

Encourages Land Use

Promotes new development  
and livability

Compatible with  
neighborhood and adjacent  
structures

## **Finding #2:**

“That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.”

**Reasoning:** Consistent with the Comprehensive Plan:

- a. L-1.6: Encourage land uses addressing needs of community and manage change and development to benefit community.
- b. L-1.11: Hold new development to the highest development standards in order to maintain Palo Alto’s livability and achieve the highest quality development with the least impacts.
- c. L-3.1: Ensure that new or remodeled structures are compatible with the neighborhood and adjacent structures.
- d. L-6.1: Promote high quality, creative design and site planning ...compatible with surrounding development and public spaces.

**Authority:** Gov. Code section 66474(b) and PAMC 21.12.090.

# Finding #3: Physically suitable for Type of Development

Physically Suitable for the  
Type of Development:  
(1) R-1 neighborhood;  
(2) already limits the height  
of homes;  
(3) this brings it into parity  
with the neighbors.

## Finding #3:

“That the site is not physically suitable for the proposed density of development.”

## Reasoning:

- The site is well suited for, and currently developed as a single-family home;
- The site is within an urbanized area of the city
- Parity with Neighbors: Neighbored by single-family use as well as other two-story homes.

Authority: Gov. Code section 66474(c) and PAMC 21.12.090.

# Finding #4: Physically Suitable for Density

A Two-Story Home is Physically Suitable for the R-1 neighborhood that: (1) has a tailored “Individual Review” process; and (2) this brings it into parity with the neighbors.

## **Finding #4:**

“That the site is not physically suitable for the proposed density of development.”

## **Reasoning:**

- The subdivision does not modify the physical conditions of the parcels already established in 1980, and is consistent with all zoning regulations allowed by the City at the time.
- Parity with neighborhood.

**Authority:** Gov. Code section 66474(d) and PAMC 21.12.090.

# Finding #5: No Wildlife Damage

The Application poses no threat to wildlife.

## **Finding #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:”

## **Reasoning:**

- The subdivision will not cause environmental damage or injure fish, wildlife, or their habitat.
- The project site has been fully urbanized and developed and is located within an area of the City where there is no recognized sensitive wildlife or habitat in the project vicinity.

**Authority:** Gov. Code section 66474(e) and PAMC 21.12.090.



# Finding #6: No Public Health Problems

The Subdivision poses no threat to public health.

## **Finding #6:**

“That the design of the subdivision or type of improvements is likely to cause serious public health problems.”

## **Reasoning:**

- Application does not seek to further subdivide an existing lot.
- The existing parcel will not cause cognizable public health problems and does not pose a threat to public health.

**Authority:** Gov. Code section 66474(f) and PAMC 21.12.090.

# Finding #7: No Public Easements on Property

The Property has no recorded public easements, and therefore this is a non-factor.

## **Finding #7:**

“That the design of the subdivision or the type of improvements will conflict with [public] easements...”

## **Reasoning:**

The property does not have any public easements recorded on site and the proposed map does not establish any going forward. As a result, the application does not create any conflicts with any public easements.

**Authority:** Gov. Code section 66474(g) and PAMC 21.12.090.

# Conclusion: Approval Recommended

Because all reverse findings are met, the PTC should grant Mr. Dunlap's Preliminary Parcel Map application.

## Recommendation:

Pursuant to the statutory framework outlined in Gov. Code section 66474 and PAMC 21.12.090, the PTC should grant the Dunlap's Preliminary Parcel Map.

## Reasoning:

- Consistent with Palo Alto's Comprehensive Plan
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