

## Summary of Housing Element Implimentation Actions and Zoning Code Amendments

Policy Number	Policy Description	Program Measure(s)	Implementation Action(s)	Staff Recommendation	Summary/Discussion of Proposed Code Modifications
Policy H1.3	Increase Affordable Housing Production	Update the City's Inclusionary Housing requirements for ownership and rental residential developments to allow for alternative compliance options other than on-site construction and to establish an updated Density Bonus/Community Benefits program that incentivizes production of additional affordable units.	a) Amend the Affordable Housing Ordinance (SMMC Chapter 27.16.050) and Inclusionary Housing Policy to allow for alternative compliance options to onsite inclusionary unit development within one year of Housing Element adoption.	Future Study Session	This item will be brought to Planning Commission with a comprehensive update to the City's Inclusionary Housing Policy in 2025.
Policy H1.6	Streamline Housing Application Review	Reduce the development review timeline for housing projects by streamlining the development review process and simplifying design review and submittal requirements.	b) Amend the Zoning Code to allow residential projects with up to 25 units to be approved administratively.  d) Develop Zoning Code amendments to align City requirements with SB 330 and make a recommendation to the City Council.	Staff recommendation          Staff recommendation based on State Law	Staff also recommends modifying the Powers and Duties of the Zoning Administrator (ZA) (Section 27.06.020(h)(1)(A) to review and take final action on proposed residential development projects that are consistent with objective design standards by increasing the project size threshold from 25 to 50 units and similarly the Planning Commission Jurisdiction's (Section 27.06.040(a)(3)(A) approval authority for residential development projects that meet objective design standards from 26 to 51 units . This recommendation is in response to Council's November 20, 2023 request for staff to investigate the possibility of increasing the ZA's authority further, after increasing the unit threshold from six to 25 units to streamline approval processes. Please see additional information contained in the agenda report.   It is anticipated that work efforts under the comprehensive zoning code update will inform potential zoning code amendments that will be introduced at a future Planning Commission meeting.
Policy H1.7	Update Zoning Code Standards to Support Housing Production	Update Zoning Code development standards that apply to multi-family residential projects to reduce or eliminate constraints, incentivize production of additional housing units and support development of a variety of housing types.	a) Evaluate the standards and requirements in all zone districts that allow for multi-family residential and amend the Zoning Code as needed to reduce or eliminate constraints to housing construction. Specifically: 1) exclude covered parking and other elements as needed from Floor Area Ratio (FAR) calculation for housing projects with affordable units, 2) specify where Single-Room Occupancy (SRO) units are permitted consistent with government Code 65583(c)(1), and 3) specify that Manufactured Homes that are built on a permanent foundation are subject to the same zoning requirements and development standards as single-family homes.	Future Study Session          Staff recommendation based on State Law          Staff recommendation implementing action item.          Staff recommendation implementing action item.	1) Parking Standards and FAR - The City was awarded a grant from the Metropolitan Transportation Commission's (MTC) Transit-Oriented Communities & Climate Program Implementation Grant (TOC Grant) to evaluate the City's parking programs and development standards. Additionally, as part of the comprehensive zoning code update the City will extensively evaluate parking and development standards as it relates to housing development projects. It is anticipated that work efforts under the grant program and comprehensive zoning code update will inform potential zoning code amendments that will be introduced at a future Planning Commission meeting.  2) Single-Room Occupancy (SROs) - The current zoning code doesn't have a definition for SRO. Staff researched for a State defintion for SRO, but did not find a formal defintion under State Law. A SRO definition is proposed under Section 27.04.165 DWELLING that is similar to other jurisdictions, such as the City of Burbank. The term hotel, apartment (Section 27.04.250) was removed and added to definition of SRO.  Government Code Section 65583(c)(1) states that the City needs to affirmatively further fair housing and to facilitate and encourage the development of a variety of types of housing for all income levels, including single-room occupancy units. To those ends, staff recommends SROs as a permitted use in the R4 District (Section 27.24.010 Permitted Uses) which is also enumerated in R5, R6, and DOWNTOWN (CDB) Districts with R overlays. These zoning districts are the areas with higher allowable densities and are limited to areas along public transit routes and in close proximity to public services that serves lower income households that typically would live in SROs.  3) Manufactured Homes - Chapter 27.17 contains provisions in the current zoning code regarding the regulations of manufactured homes. Since this implementation action simplifies the development standards for manufactured homes to be the same as single-family residences, Chapter 27.17 is proposed to be eliminated. The definition of Manufactured home is proposed to be transferred to Section 27.04.308 of the Definitions chapter. This recommendation has also been reviewed by the Chief Building Official. Staff also recommends modifications to Section 27.18.020 Permitted Uses (R1 District) to allow manufactured homes on permanent foundations subject to the same development standards as similar type of housing in the zoning district.  In addition to the specific implementation actions, staff recommends changes to various sections of the zoning code to eliminate the prohibition of secondary units (i.e., accessory dwelling units) or requirements for a special use permit consistent with state law. Also, all reference to the term "secondary unit" were updated to "accessory dwelling unit" throughout zoning code.
			b) Amend the Zoning Code to reduce off-street parking requirements for residential units (SMMC Chapter 27.64) as follows: Studio and 1 Bedroom units to 1 space, 2 Bedrooms and above to 1.5 spaces; and for projects within ½ mile of transit, consistent with AB2097, no off-street parking shall be required. As part of this amendment, staff will review all other parking related requirements and make recommendations to reduce or eliminate any other parking related requirements identified as a constraint.	Future Study Session State Law	The City was awarded a grant from the Metropolitan Transportation Commission's (MTC) Transit-Oriented Communities & Climate Program Implementation Grant (TOC Grant) to evaluate the City's parking programs and development standards as part of this project and additionally as part of the comprehensive zoning code update. It is anticipated that work efforts under that grant program will inform potential zoning code amendments that will be introduced at a future Planning Commission meeting. Regardless of existing code requirements, staff has implemented the parking provisions under AB 2097 through the review of Planning Applications and have not required off-street parking for projects within 1/2 mile of the Caltain stops, consistent with the City's AB 2097 implementation policy.  Staff aniticipates modifications to the City's AB 2097 implementation policy consistent with SB 2553, further eliminating parking requirements within 1/2 mile of all transit stops with service every 20 minutes.

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			c) Amend the Zoning Code to make residential uses, which currently require a special use permit, a permitted use in the C1, C2, C3, E1 and E2 districts for non-R Overlay areas.	Staff recommendation implementing action item.	<p>The following sections of the zoning code were revised to complete this implementation action adding residential uses as a permitted use and removing residential uses requiring a special use permit in each zoning district :</p> <p>C1 District - Sections 27.30.010 &amp; 27.30.020 C2 District - Sections 27.32.010 &amp; 27.32.020 C3 District - Sections 27.34.010 &amp; 27.34.020 E1 District - Sections 27.44.020 &amp; 27.44.030 E2 District - Sections 27.48.020 &amp; 27.48.030</p>
			N/A - This amendment is not specified as an Implementation Action item, but increases housing production consistent with this policy.	Staff recommendation implementing action item.	Staff recommends modifying Sections 27.02.170 and 27.02.220 to be consistent with General Plan Ballot Measure T, approved by the voters on November 5, 2024. The proposed language updates existing sections of the zoning code relating to implementation of Measure T and general plan consistency. The revisions incorporate uses, densities, intensities, and heights specified in Land Use Element of the General Plan 2040 where the existing zoning code may conflict with, which is also in conformance with state law (Government Code Sections 65589.5 and 65860).
Policy H1.13	Update Special Needs Group Housing Requirements	Research current code requirement regarding special needs group homes for people with disabilities for consistency with Fair Housing Requirements. The City commits to revising procedural requirements to permit group homes for seven or more persons in all zones allowing residential uses based on objective criteria to facilitate approval certainty similar to other residential uses of the same form.	a) Review and amend the Zoning Code to allow group homes and residential care facilities for persons with special needs, including those who are ELI, in all residential zones, only subject to those objective standards that apply to other residential uses of the same type in the same zone in conformance with state law.	Staff recommendation based on State Law	<p>City staff consulted with Diana Elrod (Diana Elrod Consulting) and determined to add or modify the following zoning code sections as described below. These modifications are also in conformance with the Group Home Technical Advisory, CA Dept of Housing and Community Development (December 2022, <a href="https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/group-home-technical-advisory-2022.pdf">https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/group-home-technical-advisory-2022.pdf</a>):</p> <p>-Modification to Section 27.04.130 Community Care Facility - Minor modifications to update language and definition. -Added Section 27.04.22 Group Home definiton.</p> <p>Modified the following sections to allow certain community care facilities as a permitted use and/or special use and only subject to those objective standards that apply to other residential uses of the same type in the same zone. Be advised that other Districts (R2, R4, C2, etc) enumerate uses in lower intense districts. For instance, any use permitted under the 1 District is also permitted in the R2 District.</p> <p>- Section 27.18.020 Permitted Uses (R1 District) - Section 27.18.030 Special Uses (R1 DIstrict) - Section 27.22.020 Special Uses (R3 District) - Section 27.30.020 Special Uses (C1 District)</p> <p>Staff recommends repealing/removing Chapter 27.27 Residential Care Facilities that includes additional regulations, mandatory requirements, and criteria to make approval determination findings for special use permits for Residential Care Facilities. All of these provisions should be removed from the zoning code per the Technical Advisory document because they are impediments to establishing residential care facilities. Off-street parking for community care facilities are already provided for in Chapter 27.64 OFF-STREET PARKING AND LOADING.</p>
			b) Review and amend the Zoning Code definition for family, and other related regulations, to ensure consistency with State and Federal fair housing laws related to persons with disabilities. This effort may also include consideration of new definitions such as single-unit and multi-unit dwellings to accommodate various housing situations.	Staff recommendation based on State Law	Staff reviewed the definition for 'family' with Diana Elrod (Diana Elrod Consulting), and the definition was determined to comply with State Law. Other terms including 'community care facility', 'dwelling', 'dwelling unit' and specific dwelling types listed under dwelling were reviewed and updated (all in Chapter 27.04). The term 'group home' was added (Section 27.04.195).

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Policy H1.14	Update Supportive Housing Requirements	Review and amend zoning code regarding multi-family housing development.	Amend the Zoning Code to be consistent with AB 2162 to allow by-right 100% affordable housing that has 25% or 12 units of permanent supportive housing, where multi-family or mixed-use housing is permitted.	Staff recommendation based on State Law	<p>AB 2162 amends Government Code Section 65583 and adds Article 11 Supportive Housing to require local entities to streamline the approval of housing projects containing a minimum amount of Supportive Housing to be a use by right providing a ministerial approval process, removing the requirement for CEQA analysis, and removing the requirement for a special use permit or other similar discretionary entitlements granted by the Planning Commission. Government Code Section 65583(c)(3) requires transitional housing and supportive housing are permitted as a residential use and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone.</p> <p>Staff recommends adding a defintion for 'Supportive Housing' in Section 27.27.04.67 and Transitional Housing in Section 27.04.486. The definitions for Supportive Housing and Transitional Housing are consistent with Health and Safety Code Section 50675.2.</p> <p>Staff recommends adding supportive housing as a permitted use in the R1 and R3 Districts (Sections 27.18.020 and 27.22.010) per state law. R1 District permitted uses are enumerated in the R2 District and R3 District permitted uses are enumerated in all other multifamily and mixed use zones. Furthermore, consistent with AB 2162, housing projects that satisfies the requirements under Government Code Section 65651 shall be considered a use by right in the R3 District.</p>
Policy H1.15	Update Mobile Home Parks Requirements	Amend zoning code requirements regarding mobile home parks.	Amend the Zoning Code to allow mobile home parks as a special use in all residential zones to be consistent with Government Code Section 65852.7	Staff recommendation based on State Law	Staff recommends adding a defintion for mobilehome park (Section 27.04.313.1) and adding mobilehome park as a special use permit to the R2 District (Section 27.20.020). The R3 and R4 Districts enumerates all R2 District permitted uses. This is consistent with Government Code Section 65852.7.
Policy H1.16	Update Farmworker Housing Requirements	Amend zoning code requirements regarding farmworker housing.	Amend the Zoning Code to define and allow farmworker housing within the Agricultural District consistent with Government Code Section 17021.6. The City will comply with Health and Safety Code section 17021.5.	Staff recommendation based on State Law	Staff recommends adding a definiton section (27.060.020) in Chapter 27.60 Special Districts, Article I Agricultural Districts and adding the term 'farmworker housing' and include the definitions of farmworker housing from Health and Safety Code Sections 17021.5 and 17021.6. Section 17021.5 generally requires employee housing for six or fewer persons to be treated as a single-family structure and residential use. No conditional-use permit, zoning variance, or other zoning clearance shall be required for this type of employee housing that is not required of a family dwelling of the same type in the same zone. Section 17021.6 generally requires that employee housing consisting of no more than 36 beds in group quarters (or 12 units or less) designed for use by a single family or household to be treated as an agricultural use. No conditional-use permit, zoning variance, or other zoning clearance shall be required for this type of employee housing that is not required of any other agricultural activity in the same zone. Farmworker housing up to 36 beds in group quarters (or 12 units or less) was added as a permitted use under Section 27.60.030. Temporary farmworker housing consisting of more than 36 beds in a group quarters or more than 12 units or spaces designed for use by a single family or household was added as a special use under Section 27.60.040.
Policy H3.7	Evaluate Opportunities for Expanding Homeless Shelters	Examine best practices and policies to expand shelter capacity for individuals experiencing homelessness. Study feasibility of new shelter programs and collaborate with the County to end homelessness.	c) Review and amend the zoning code to allow emergency shelters in C2, C3, and other zones as needed to ensure there is sufficient capacity on available sites to accommodate the need for emergency shelter as identified in the most recent point-in-time count conducted before the start of the planning period, in compliance with Government Code 65583.	Staff recommendation based on State Law	<p>Staff recommends modifying the 'emergency shelter' definition in Section 27.04.177 and include use standards and development standards in the definition. This is not the ideal location for these provisions, however, the zoning code needs structural modifications that will be part of the comprehensive zoning code update. This will be reviewed during that update and addressed accordingly. Emergency shelters are already a permitted use in the C2 District, however, staff has removed the separation language as this has been moved to the emergency shelter definition section. Be aware that the C3 District enumerates all permitted uses in the C2 District.</p> <p>As part of its review, staff evaluated exisiting emergency shelters within the City of San Mateo. There are two permanent facilities that served unhoused individuals within the city.</p> <p>-325 Villa Terrace: First Step For Families provides interim shelter and services for homeless families serving up to 117 individuals per night with 39 family units.</p> <p>-El Camino House: A 2022 Homekey project run by Samaritan House. The El Camino House is a 44-room site where more than 100 individuals were housed last year.</p>
			d) Review and amend the zoning code as needed to comply with Government Code 65583 including to remove the 300 feet buffer from a single-family dwelling, clarify that emergency shelters are not required to be more than 300 feet apart and adopt objective development standards, such as parking for shelters in compliance with Government Code Section 65583(a)(4)(A)(ii).	Staff recommendation based on State Law	Staff reviewed the zoning code and modified requirements under the 'emergency shelter' definition in Section 27.04.177. As noted above, staff modified Section 27.32.010 by removing the separation requirement.

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			e) Review and amend the zoning code as needed to comply with requirements of AB 101 (2019) to allow Low Barrier Navigation Centers (LBNC) as a permitted use by right in areas zoned for mixed use and nonresidential zones permitting (by right or through a Special Use Permit) multifamily uses if it meets specific requirements in Government Code Sections 65660 – 65668.	Staff recommendation based on State Law	Staff recommends adding the term 'low-barrier navigation center' and defintion in Section 27.04.177. The defintion proposed was provided by guidance from the Association of Bay Area Governments (ABAG). Staff recommends modifying Section 27.30.010 (C1 District) to permit low-barrier navigation centers by right consistent with Government Code Sections 65660 - 65668. The C2 District enumerates permitted uses in the C1 District.