



# CITY OF SAN MATEO

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## Agenda Report

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**TO:** City Council  
**FROM:** Alex Khojikian, City Manager  
**PREPARED BY:** Community Development Department  
**MEETING DATE:** July 15, 2024

**SUBJECT:**

Update Preliminary Application Review and Design Review Requirements for New Development Projects

**RECOMMENDATION:**

Adopt Resolutions to (1) repeal Resolution No. 69 (2020) and adopt an Early Community Engagement Process for Development Projects, including changes to a mandatory Planning Commission study session requirement and simplification of the noticing and neighborhood meeting procedures for all planning applications, and (2) repeal Resolution No. 67 (1996) Design Review Process for Certain Development Projects; and find that the policy updates are exempt from the California Environmental Quality Act pursuant to Guidelines Section 15378(b)(2).

**BACKGROUND:**

The City's 2023-2031 Housing Element, which was adopted by the City Council on May 20, 2024, includes a policy that focuses on streamlining housing application review (Policy H 1.6) and it includes the following implementation actions to be completed by 2024:

- Update the City Council resolutions that establish the pre-application and development review processes to eliminate the pre-application requirement for housing projects and eliminate the third-party design review requirement for housing projects that meet objective standards.
- Amend the Zoning Code to allow residential projects with up to 25 units to be approved administratively. On December 4, 2023, the City Council adopted the zoning ordinance to amend Municipal Code Title 27, which grants the Zoning Administrator the authority to review and approve up to twenty-five (25) residential dwelling units that meet objective design standards.

In January 2022, the Planning Commission held a study session to provide input on improving the City's pre-application and design review processes. Overall, the planning commission expressed support for streamlining the pre-application process with more conceptual-level plans and documentation, and expressed support for maintaining third-party design review assistance as part of the development review process. In addition, the Planning Commission discussed the option of including the study sessions as part of the formal planning application review process to help reduce the amount of time that it takes for a project to complete the City's development review process. Following this study session, this effort was paused while the City completed the General Plan and Housing Element updates.

On May 28, 2024, the Planning Commission reviewed the proposed modifications to the pre-application and design review process at a duly noticed public meeting as separate items. This review included consideration of Policy H 1.6 in the City's Adopted Housing Element. The Planning Commission unanimously recommended that the City Council repeal Resolution No. 69 (2020) and adopt the proposed Early Community Engagement Process, with a change to the noticing requirement for homeowner associations as detailed in the Discussion section below. With a separate motion, the Planning Commission

recommended that the City Council repeal Resolution No. 67(1996) Design Review Process for Certain Development Projects by a vote of 4 to 1.

## **DISCUSSION:**

### Pre-Application Process

The City's current Preliminary Application (Pre-Application) Planning Process, which was established by Resolution No. 69 (2020) and is included as Attachment 3, has a two-tiered approach based on project size. The *Formal Pre-Application* starts with a neighborhood meeting with mandatory staff attendance, followed by the submission of conceptual plans for staff review and input, followed by a Planning Commission study session. The notice radius for both meetings is 1,000 feet from the boundary of the project site. The *Informal Pre-Application* requires a neighborhood meeting with notices sent to property owners within a 500-foot radius of the project site, but no City submission or Planning Commission study session requirement.

The Pre-Application Process was designed to foster early public awareness of new development proposals by sharing project details with the community, gathering feedback, and resolving potential issues before formal planning application submission. However, some of the required elements of the pre-application process add unnecessary time and costs to the project review process, particularly for certain housing projects that have a different standard of review based on state statutes.

To achieve the Housing Element objectives and City Council priorities for streamlining development review while maintaining appropriate community engagement and notification, staff proposes the following modifications in four different areas of the current pre-application process.

- Simplification of the Formal and Informal Pre-Application Processes

The current Formal and Informal pre-application processes each involve distinct requirements for noticing and neighborhood meetings. The proposed policy (Attachment 1) streamlines this process by replacing the two-tiered approach with a consolidated framework consisting of three main components: noticing, neighborhood meetings, and Planning Commission study sessions.

- Modifications to Noticing Requirement

The current noticing radius differs between Informal Pre-Application (500 feet) and Formal Pre-Application (1,000 feet), measured from the project site boundary. The proposed policy maintains this noticing radius for regular planning applications (as defined in Section 1(b)) and large planning applications (as defined in Section 1(c)). Furthermore, a new category of minor projects (defined in Section 1(a)) has been introduced, including single-family homes, which only requires notice to adjacent neighbors upon application submission.

The proposed notification procedures incorporated the Planning Commission's recommendation to replace the mailed notices to the areas' Homeowner Association and United Homeowners Association with email notice to subscribed lists based on interest. This change would maintain mailed notices to the proscribed notification areas, but all other notices to interested parties would now be sent electronically via email.

- Modifications to Neighborhood Meetings

The proposed policy simplifies the neighborhood meeting requirements for all planning applications. Staff participation in these meetings would become optional, but the applicants are required to record the meeting and share the recorded video with the City. Apart from the noticing radius, which varies based on the project size, other requirements, such as meeting content, would be standardized.

- Modifications to the Planning Commission Study Sessions

Currently, residential projects with over 20 units require a Planning Commission study session. The Zoning Ordinance, however, was amended to allow Zoning Administrator approval for housing projects with up to 25 units that met the City's Objective Design Standards. In addition, Housing Element Policy H 1.6 necessitates a change to exempt all housing projects, regardless of the project size, from the Planning Commission study session requirement.

The proposed policy allows an applicant to request a study session for certain large projects either prior to a planning application or after the formal planning application submission. The Zoning Administrator would also have authority to require a Planning Commission study session for certain types of projects, with qualifying housing projects and projects that do not require a public hearing being exempt from this requirement. Projects that require Planning Commission or Council approval would typically undergo the Planning Commission study session unless they are housing projects or determined to be minor or procedural in nature by the Zoning Administrator. The target would be to schedule a Planning Commission study session within 90 days of an applicant's request or application submittal.

The proposed policy modifications to the pre-application process to focus more on early community engagement and Planning Commission input only where necessary would better align with the adopted codes and policies, and the City's goal to streamline and simplify the development review process.

#### Design Review Process

The City implemented a design review process for larger development projects in via Resolution No. 7 (1991)([Attachment 4](#)), with an amendment in 1996 via Resolution No. 67 ([Attachment 5](#)), that required design review to be conducted by a professional consultant to evaluate site layout, architecture and landscaping for compliance with adopted design guidelines and applicable policies; consider the project's aesthetic and functional qualities; and the relationship of the project to neighboring properties and uses. After the adoption of the design review process, the City Council adopted multiple design guidelines for various project types to help improve the process.

The following types of projects are currently subject to this third-party design review requirement:

- a. Residential projects of six or more units.
- b. Commercial projects with 10,000 or more square feet of new space.
- c. Residential projects of three stories or greater.
- d. Any other projects determined by the Zoning Administrator.

In November 2023, in response to State laws that limited the ability of local jurisdictions to enforce subjective design guidelines on housing projects, the City adopted Objective Design Standards for qualifying residential and mixed-use projects. With these Objective Design Standards, a third-party design consultant is no longer necessary to review for compliance. As outlined in the background section, removal of the third-party design review requirement was also identified as a way to streamline the review process for housing development projects and something that was specifically required by the State in order to achieve Housing Element certification.

For all Site Plan and Architectural Review (SPAR) applications, staff conducts the compliance review as part of the application process and guides the design review consultant in providing comments consistent with applicable guidelines. In addition, projects below the thresholds outlined above are subject to staff-level design review. These projects include single-family residences, duplexes, small multi-family residential developments, and commercial projects with less than 10,000 square feet of new floor area. In more recent years, Community Development has focused on increased design review training and support for Planning staff to support completion of architectural and site plan reviews without a third-party consultant. The consultant-led review process also requires multiple steps, which adds complexity, time and cost to the process.

In summary, transitioning to a staff-led design review process would streamline the design review process and save time and costs associated with planning application review, while maintaining high standards of quality design in the City. Repealing Resolution No. 67 (1996) would also implement Housing Element Policy H1.6, which exempts housing projects consistent with objective design standards from third-party design review. Elimination of the mandatory third-party design review process still allows the Zoning Administrator to request a third-party design review service on an as-needed basis for non-housing projects.

**ENVIRONMENTAL DETERMINATION:**

Amending the citywide planning process for pre-applications and changing the design review requirements is an administrative activity and not a project, in accordance with CEQA Guidelines section 15378(b)(2).

**NOTICE PROVIDED:**

All meeting noticing requirements were met.

**ATTACHMENTS**

Att 1 – Draft Resolution to repeal Resolution No. 69 (2020) and adopt an Early Community Engagement Process

Att 2 – Draft Resolution to repeal Resolution No. 67 (1996) Design Review for Certain Development Projects

Att 3 – Resolution No. 69 (2020)

Att 4 – Resolution No. 7 (1991)

Att 5 – Resolution No. 67 (1996)

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