

CITY OF SAN MATEO
DRAFT ORDINANCE

Amending the Zoning Map of the City of San Mateo to Rezone the Western Portion of the Site at 1528 South El Camino Real from R3 (Multiple Family Dwellings – Medium Density) to C2-1/R4 (Regional/Community Commercial With Residential Overlay District – Mixed Use) Consistent with the General Plan 2040 Land Use Map Designation of Mixed-Use

WHEREAS, on May 11, 1998, the City Council approved a Site Plan and Architectural Review (SPAR) for a mixed-use building with landscaping and a Parcel Map to merge parcels zoned as R3 and C2-1/R4 (PA97-033) located at 1528 South El Camino Real (APN 034-413-290), resulting in a 41,979 square-foot, split-zoned lot facing El Camino Real at the front and Jasmine Street at the rear, and made findings to permit height and intensity bonuses for the mixed-use project (“Project”) with amenities beyond City requirements; and

WHEREAS, per the City’s General Plan 2030, the split-zoned property had a previous land use designation of “Medium Density Multi-Family” for the western 20,104 square-foot portion of the site along Jasmine Street zoned as “R3” (Multiple-Family Dwellings – Medium Density) and a land use designation of “Regional/Community Commercial/High Density Multi-Family” for the eastern 21,875 square-foot portion of the site zoned as “C2-1/R4” (Regional/Community Commercial with Residential Overlay District – Mixed Use); and

WHEREAS, State law (Govt. §65400) requires the City to implement the general plan so that it will serve as an effective guide for orderly growth and development; and

WHEREAS, on March 18, 2024, the City Council adopted the City of San Mateo’s General Plan 2040, with an effective date of April 17, 2024, which included land use policies and land use designations for properties within the City; and

WHEREAS, land use designation of Mixed-Use Medium II was established in General Plan 2040 for the subject site to provide for development of land pursuant to the goals and policies of the General Plan, and provide for medium-density mixed-use buildings that provide a variety of commercial, office, and/or residential uses within the same site or building, which was intended to allow a mix of uses near other mixed-use, commercial, or residential areas, and within Downtown; and

WHEREAS, on September 7, 2023, the applicant (The Kastrop Group, Inc.) submitted a planning application (PA-2023-057) for a zoning amendment of the western 20,104 square-foot portion of the property along Jasmine Street from R3 to C2-1/R-4 and to change the PA-1997-033 Conditions of Approval to allow interior changes including to replace 10 live-work units with 10 stand-alone residential units with commercial spaces where no exterior changes are proposed; and

WHEREAS, the C2-1 zoning designation allows a combination of regional and community commercial uses including offices; and

WHEREAS, the C2-1/R4 overlay zoning designation supports residential uses as part of a mixed-use development; and

WHEREAS, the zoning amendment from R3 to C2-1/R4 would be more compatible with the subject property's current General Plan land use designation in that it would align the existing development with zoning designation and ensure that subsequent new development and uses at the subject property would be subject to C2-1/R4 development standards for a mixed-use development; and

WHEREAS, the zoning amendment would eliminate the split-zoning and result in a single zone of C2-1/R4 for the entire 41,979 square-foot lot; and

WHEREAS, on April 23, 2024, the Planning Commission held a duly noticed public hearing, at which time the Commission received and considered written and oral evidence, and by a vote of 5-0 recommended that the City Council introduce an ordinance reclassifying the subject site from R3 to C2-1/R4.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF SAN MATEO ORDAINS AS FOLLOWS:

Section 1. CEQA. In accordance with California Environmental Quality Act (CEQA) Guidelines Section 15183, the zoning amendment from R3 to C2-1/R4 is exempt from further environmental review because the Project is consistent with the land use designation for this site adopted as part of the General Plan 2040 for which an Environmental Impact Report (EIR) was certified on March 18, 2024. There are no project specific effects that are peculiar to the project or its site; there are no project specific impacts that the General Plan Update EIR failed to analyze as significant effects; there are no potentially significant off-site and cumulative impacts that the general plan EIR failed to evaluate; and there is no substantial new information which results in more severe impacts than anticipated by the general plan EIR. Furthermore, any future development of the site would be subject to a project specific environmental assessment consistent with the CEQA statutes and guidelines in effect at that time.

Section 2. LEGISLATIVE FINDINGS. At a duly noticed public hearing on June 17, 2024, the City Council of the City of San Mateo reviewed and considered the associated staff report and attachments thereto, the Categorical Exemption, together with comments received during the public review process, and hereby finds and determines as follows:

- 1) **CONFORMANCE WITH GENERAL PLAN.** The proposed zoning map amendment and rezoning of the subject property is in conformance with the land use designation of the General Plan 2040 of the City of San Mateo, because one of the main intents of the Mixed-Use Medium II land use designations is to promote a variety of uses within the same building or site, and the project proposes to incorporate both commercial, office, and residential uses within the same building.
- 2) **INTENT OF ZONING CODE.** The zoning amendment conforms to the purpose of Municipal Code Section 27.32.005 in that the reclassification of the underlying zoning district supports the intention of providing a major commercial center accommodating a broad range of office, retail, and personal services of community-wide or regional significance. The zoning amendment to the overlay district also conforms to the purpose of Municipal Code Section 27.29.100 in that it encourages residential development as part of a mixed-use development. Residential development is encouraged both to meet housing needs and to provide support for the growth of local businesses.

3) **CONSISTENCY WITH STATE LAW.** The proposed zoning map amendment and zoning reclassification of the western portion of the property located at 1528 S. El Camino Real from R3 to C2-1/R4 is consistent with Senate Bill 330 (Housing Crisis Act, Government Code Section 66300(b)(1)(A)) in that:

- 1) The proposed C2-1/R4 zoning designation allows for a maximum residential density of 50 dwelling units per acre on this site, which represents an increase from 34.8 dwelling units per acre allowed under existing R3 standards; and
- 2) The proposed change in C2-1/R4 zoning designation would increase the maximum allowable floor area ratio (FAR) from 1.0 to 2.0 for residential developments; and
- 3) The proposed C2-1/R4 zoning designation would reduce or keep the same requirements for lot size requirements, setbacks, height, or other development standards to facilitate increased residential density; and
- 4) Therefore, there is no net loss in residential capacity.

Section 3. ZONING MAP. The Zoning Map of the City of San Mateo is hereby amended to rezone a portion of the property generally known as 1528 S. El Camino Real (APN: 034-413-290) from R3 to C2-1/R4, as depicted in Exhibit A, attached hereto and incorporated by reference. The Zoning Map shall be amended to reflect this reclassification.

Section 4. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the other remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, sentence, clause or phrase be declared unconstitutional.

Section 5. PUBLICATION. In accordance with City Charter Section 2.15, this Ordinance shall be published once in a newspaper of general circulation before becoming effective.

Section 6. EFFECTIVE DATE. This ordinance was introduced on _____, adopted on _____, and shall take effect 30 days after adoption.

EXHIBIT A – ZONING MAP

PA-2023-057

1528 S. El Camino Real, SPAR

Address(es): 1528 S. EL CAMINO REAL
San Mateo, CA 94401

Parcel Number(s): 034-413-290

