



CITY OF SAN MATEO

Negative Declaration

Pursuant to Section 21000 et seq of the Public Resources Code and the City of San Mateo Environmental Review Guidelines and Procedures, a Negative Declaration is hereby adopted for the following project:

1. Project Title and Number: Municipal Code Amendment Adding Section 27.15.080
"Affordable Housing Projects Near Transit"
2. Lead Agency Name and Address: City of San Mateo, Planning Division
330 W. 20th Avenue, San Mateo, CA 94403
3. Contact Person and Phone Number: Phillip Brennan, Associate Planner
pbrennan@cityofsanmateo.org
(650) 522-7218
4. Project Location and APN: City-Wide Municipal Code Amendment
5. Project Sponsor's Name & Address: City of San Mateo
Community Development Department
330 W. 20th Avenue, San Mateo, CA 94403
(650) 522-7218
pbrennan@cityofsanmateo.org
6. General Plan Designation: Various: Project is a Municipal Code Amendment
7. Zoning: Various: Project is a Municipal Code Amendment
8. Description of Project:

The Project consists of a staff-initiated Code Amendment to the San Mateo Municipal Code by adding Section 27.15.080, "Assembly Bill 1763 Affordable Housing Projects" to Chapter 27.15 "Density Bonus."

In accordance with Government Code Section 65915, the City has codified an existing density bonus ordinance in Municipal Code Chapter 27.15, which allows for density bonus projects consistent with State density bonus law. The State Legislature recently enacted Assembly Bill 1763, which amends the State density bonus. Assembly Bill 1763 provides that housing developments that are 100% affordable and within a half-mile of a major transit stop, are entitled to: unlimited density, a height increase of up to three additional stories or up to 33 feet, and up to four incentives or concessions as defined by Government Code Section 65915.

In order to qualify for this provision of unlimited density, the statute stipulates that 100% of the total units, exclusive of a manager's unit or units, are for lower income households, as defined by Section 50079.5 of the Health and Safety Code, except that up to 20 percent of the total units in the development may be for moderate-income households, as defined in Section 50053 of the Health and Safety Code.

The statute defines a "major transit stop" as an existing rail or bus rapid transit station; a ferry terminal served by either a bus or rail transit service; or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. The City's three Caltrain stations qualify as major transit stops under the legislation.

Although Assembly Bill 1763 provides for unlimited density and additional height, it did not address other land use restrictions impacted by increased density and building height. Additionally, Assembly Bill 1763 eliminated the ability for 100% affordable projects within a half-mile of a major transit stop to request waivers from or reductions of development standards.

In order to comply with Assembly Bill 1763 and encourage development of 100% affordable housing near transit, staff proposes a Code Amendment (included as Attachment A) adding Municipal Code Section 27.15.080. The Code Amendment allows for future development of 100% affordable projects near major transit stops to request modifications to zoning development standards to allow affordable housing developers added design flexibility and relief from development standards that would otherwise prevent these qualifying projects from being built to the density provided by state law.

Adoption of the Code Amendment would allow for future affordable housing projects that meet the requirements of AB 1763, as summarized above, to request waivers or reductions from up to six applicable zoning development standards in addition to the incentives/concessions otherwise provided by state law.

The request to waive or reduce zoning development standards would be considered by the decision-making body with the authority to act on the affordable housing project, and would be subject to the following findings:

- (1) The requested deviations will not conflict with the General Plan;
- (2) The development is of an excellent design quality and is consistent with applicable Design Guidelines;
- (3) The development is in the best interests of the public health, safety, or welfare;

- (4) The development will not impair the desirability of investment or occupation in the vicinity; and
- (5) The project has demonstrated use of all allowable incentives or concessions consistent with Government Code Section 65915.

There is no physical development proposed as part of this Code Amendment. The purpose of this analysis is to evaluate potential environmental impacts as a result of adoption of the proposed Code Amendment. Future development projects that would utilize the Code Amendment would undergo independent CEQA analysis as part of the planning application process.

9. Surrounding Land Uses and Setting:

The Project is a Municipal Code Amendment. There is no physical development proposed and no specially identified project sites.

10. Requested Applications:

- A. Negative Declaration to assess environmental impacts; and
- B. Adoption of Municipal Code Amendment.

11. Other Public Agencies whose approval is Required: No other Agency approval is required.

Finding: Based on the attached Initial Study and the testimony received at a duly noticed public hearing, a Negative Declaration is granted, based on the judgment that:

 x The project will not have a significant effect on the environment.

 The significant effects of the project noted in the Initial Study attached have been mitigated by modifications in the project, or by imposition of required mitigation measures listed in the Initial Study, so that the potential adverse effects are reduced to a point where no significant effects would occur.



Kohar Kojayan, Community Development Director April 28, 2020
Date



Prepared by Phillip Brennan, Associate Planner April 28, 2020
Date

ENVIRONMENTAL ISSUES ASSESSMENT

Items identified in each section of the environmental checklist below are discussed following that section. Required mitigation measures are identified (if applicable) where necessary to reduce a projected impact to a level that is determined to be less than significant. The General Plan Environmental Impact Report (State Clearinghouse number 89100308) is herein incorporated by reference in accordance with Section 15150 of the CEQA Guidelines. Copies of this document and all other documents referenced herein are available for review at the City of San Mateo Planning Division, 330 W. 20th Avenue, San Mateo.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
AESTHETICS <i>Except as provided in Public Resources Code 21099, would the project:</i>				
a) Have a substantial effect upon a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Findings of Fact: There will be no aesthetic impacts. The Project is a Code Amendment. No physical development is proposed as part of this Project. The Code Amendment allows increased design flexibility for affordable projects within a half mile of a major transit stop to achieve density otherwise permitted by State law.

Approval of this Code Amendment would allow future affordable housing projects to request deviations from development standards (i.e., building setbacks or open space requirements) and granting these deviations would be subject to making specific findings, including consistency with the General Plan. Because this Code Amendment would allow future affordable housing applicants to request modifications to development standards, the adoption of this Code Amendment would conceivably allow future development projects to be denser than otherwise currently permitted. All future projects that could utilize this Code Amendment would still be subject to compliance with General Plan policies and applicable Design Guidelines.

Also, this Code Amendment applies to a limited number of future projects because it only applies to projects that are 100% affordable to lower income and located within a half mile of a major transit stop. Although the Code Amendment would conceivably allow for denser projects, the limited number of projects that could utilize this Code Amendment will be subject to specific findings, including consistency with the General Plan and Design Guidelines. Therefore, no impacts to scenic highways, scenic resources, light or glare, nor zoning regulations governing scenic quality would occur.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Furthermore, Public Resources Code 21099 (d) specifically states that aesthetic impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment. All future projects that utilize this Code Amendment will be half a mile from a major transit stop therefore PRC 21099 would apply.

Mitigation: No mitigation is required.

AGRICULTURE & FOREST RESOURCES Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing agricultural zoning, agricultural use or with land subject to a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Findings of Fact: There will be no agricultural or forest impacts. The Project is a Code Amendment to allow increased design flexibility for affordable projects within a half mile of a major transit stop in order to achieve density otherwise permitted by State law. No physical development is proposed as part of this Project. All future projects that utilize this Code Amendment will be located on urban infill project sites. No impacts to agricultural lands, forest land, nor any other changes that would impair or convert agricultural or forest lands would result from approval of this Code Amendment.

Mitigation: No mitigation is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
AIR QUALITY Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Expose sensitive receptors, which are located within one (1) mile of the project site, to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Findings of Fact: There will be no air quality impacts. The Project is a Code Amendment. No physical development is proposed as part of this Project. The Code Amendment allows increased design flexibility for affordable housing projects within a half mile of a major transit stop in order to achieve density otherwise permitted by State law.

Approval of this Code Amendment would allow future affordable housing projects to request deviations from development standards (i.e., building setbacks or open space requirements) and granting these deviations would be subject to making specific findings, including consistency with the General Plan. Because this Code Amendment would allow future affordable housing applicants to request modifications to development standards, the adoption of this Code Amendment would conceivably allow future development projects to be denser than otherwise currently permitted.

Allowing future affordable housing projects to request reductions to development standards will not result in significant air quality impacts. The Code Amendment does not alleviate or modify compliance requirements with applicable air quality plans. The Code Amendment does not promote or encourage development that would conflict with air quality plans or expose sensitive receptors to substantial pollutant concentrations. The Code Amendment allows for reductions in development standards for affordable housing projects that are otherwise already permitted within the underlying zoning. Implementation of this Code Amendment will not result in cumulative considerable net increases to criteria pollutants nor result in other emissions that affect substantial numbers of people.

Mitigation: No mitigation is required.

BIOLOGICAL RESOURCES Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Findings of Fact: There will be no biological impacts. The Project is a Code Amendment to allow increased design flexibility for affordable projects within a half mile of a major transit stop. No physical development is proposed as part of this Project. All future projects that utilize this Code Amendment will be located on urban infill project sites. The Code Amendment allows for reductions in development standards for affordable housing projects that are otherwise already permitted within the underlying zoning.

The Code Amendment does not change requirements for future affordable housing projects to comply with federal, state and local city and county policies and programs related to protection of biological resources. No impacts to a) protected species, b) riparian habitat, c) wetlands, d) wildlife corridors, e) tree preservation ordinances, or f) compliance with habitat conservation plans would occur as a result of this Code Amendment.

Mitigation: No mitigation is required.

CULTURAL RESOURCES Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Findings of Fact: There will be no cultural resource impacts. The Project is a Code Amendment to allow increased design flexibility for affordable projects within a half mile of a major transit stop. No physical development is proposed as part of this Project. The Code Amendment allows for reductions in development standards for affordable housing projects that are otherwise already permitted within the underlying zoning. The Code Amendment does not change requirements for future affordable housing projects to comply with applicable policies and programs related to protection of cultural resources.

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Mitigation: No mitigation is required.

ENERGY Would the project:				
a) Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with or obstruct a State or Local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a substantial increase in demand upon energy resources in relation to projected supplies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Findings of Fact: There will be no energy impacts. The Project is a Code Amendment to allow increased design flexibility for affordable projects within a half mile of a major transit stop. No physical development is proposed as part of this Project. The Code Amendment allows for reductions in development standards for affordable housing projects that are otherwise already permitted within the underlying zoning. The Code Amendment could conceivably allow for affordable housing projects to have increased consumption of energy resources. However, the Code Amendment does not change requirements for future affordable housing projects to comply with local ordinances related to energy efficiency including Energy Efficiency Standards for Residential and Nonresidential Buildings, as specified in Title 24, Part 6, of the California Code of Regulations (Title 24) and California Green Building Standards Code (CALGreen), which establishes mandatory green building standards for buildings in California.

Mitigation: No mitigation is required.

GEOLOGY AND SOILS Would the project directly or indirectly:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Findings of Fact: There will be no geology and soil impacts. The Project is a Code Amendment to allow increased design flexibility for affordable projects within a half mile of a major transit stop. No physical development is proposed as part of this Project. The Code Amendment allows for reductions in zoning development standards for affordable housing projects that are otherwise already permitted within the underlying zoning. The Code Amendment does not cause for development to be located on properties that would result increased risk of loss, injury, or death involving earthquakes, seismic ground shaking, liquefaction, landslides or erosion of top soil.

Mitigation: No mitigation is required.

GREENHOUSE GAS EMISSIONS Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Findings of Fact: There will be no impacts. Approval of this Code Amendment would allow future affordable housing projects to request deviations from development standards (i.e., building setbacks or open space requirements) and granting these deviations would be subject to making specific findings, including consistency with the General Plan. Because this Code Amendment would allow future affordable housing applicants to request modifications to development standards, the adoption of this Code Amendment would conceivably allow future development projects to be denser than otherwise currently permitted.

Allowing future affordable housing projects to request reductions to development standards will not result in significant greenhouse gas impacts. The Code Amendment does not alleviate or modify compliance requirements with the City’s Climate Action Plan. Also, the Code Amendment is designed to increase design flexibility for affordable housing projects near transit, which would conceivably result in more people living closer to transit and increase ridership thereby reducing car trips and associated car emissions.

Mitigation: No mitigation is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
HAZARDS AND HAZARDOUS MATERIALS Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter (1/4) mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Findings of Fact: There will be no hazard or hazardous material impacts. The Project is a Code Amendment to allow increased design flexibility for affordable projects within a half mile of a major transit stop. No physical development is proposed as part of this Project. The Code Amendment allows for reductions in development standards for affordable housing projects that are otherwise already permitted within the underlying zoning. The Code Amendment does not cause nor increase the potential for future affordable housing projects to transport or dispose of hazardous materials, accidentally release hazardous waste materials, impair emergency plans, emit increased emissions near schools, nor cause of future projects to be located on hazardous materials sites.

Mitigation: No mitigation is required.

HYDROLOGY AND WATER QUALITY Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in substantial erosion or siltation on-site or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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e) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-site or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) In flood hazard, tsunami, or seiche zones, risk the release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Findings of Fact: There will be no hydrology or water quality impacts. The Project is a Code Amendment. No physical development is proposed as part of this Project. The Code Amendment allows increased design flexibility for affordable housing projects within a half mile of a major transit stop to achieve density otherwise permitted by State law.

Allowing future affordable housing projects to request reductions to zoning development standards will not result in significant hydrology and water quality impacts. The Code Amendment does not alleviate or modify compliance requirements with applicable water quality standards or waste discharge requirements. The Code Amendment does not promote or encourage development that would decrease groundwater supplies, alter existing drainage patterns, result in substantial erosion, increase amount of surface runoff, contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems nor redirect flood flows. The Code Amendment allows for reductions in development standards for affordable housing projects that are otherwise already permitted within the underlying zoning. Implementation of this Code Amendment will not change the requirements for all future projects to address hydrology and water quality issues into account in the project design.

Mitigation: No mitigation is required.

LAND USE/PLANNING Would the project:				
a) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Findings of Fact: There will be no land use impacts. The Project is a Code Amendment. No physical development is proposed as part of this Project. The Code Amendment allows increased design flexibility for affordable housing projects within a half mile of a major transit stop to achieve density otherwise permitted by State law.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Approval of this Code Amendment would allow future affordable housing projects to request deviations from development standards (i.e., building setbacks or open space requirements) and granting these deviations would be subject to making specific findings, including consistency with the General Plan.

Allowing future affordable housing projects to request reductions to development standards will not result in land use and planning impacts. The Code Amendment does not alleviate or modify compliance requirements with land use and planning policies. The Code Amendment allows for reductions in development standards for affordable housing projects that are otherwise already permitted within the underlying zoning.

Implementation of this Code Amendment will not change the requirements for all future projects to address land use and planning policies in the project design.

Mitigation: No mitigation is required.

MINERAL RESOURCES Would the project:				
2. Mineral Resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Findings of Fact: There will be no mineral resource impacts. The Project is a Code Amendment to allow increased design flexibility for affordable projects within a half mile of a major transit stop. No physical development is proposed as part of this Project. The Code Amendment allows for reductions in development standards for affordable housing projects that are otherwise already permitted within the underlying zoning. The Code Amendment does not cause nor increase the potential for future affordable housing projects to result in the loss of availability of a known mineral resource of local or regional value.

Mitigation: No mitigation is required.

NOISE Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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airport, would the project expose people residing or working in the project area to excessive noise levels?

Findings of Fact: There will be no noise impacts. The Project is a Code Amendment to allow increased design flexibility for affordable housing projects within a half mile of a major transit stop. No physical development is proposed as part of this Project. The Code Amendment allows for reductions in zoning development standards for affordable housing projects that are otherwise already permitted within the underlying zoning. The Code Amendment does not cause nor increase the potential for future affordable housing projects to result in generation of a substantial temporary or permanent increase in ambient noise levels excessive groundborne vibration or groundborne.

Mitigation: No mitigation is required.

POPULATION AND HOUSING Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Findings of Fact: There will be no population or housing impacts. The Project is a Code Amendment. No physical development is proposed as part of this Project. The Code Amendment allows increased design flexibility for affordable projects within a half mile of a major transit stop to achieve density otherwise permitted by State law.

Approval of this Code Amendment would allow future affordable housing projects to request deviations from development standards (i.e., building setbacks or open space requirements) and granting these deviations would be subject to making specific findings, including consistency with the General Plan. Because this Code Amendment would allow future affordable housing applicants to request modifications to development standards, the adoption of this Code Amendment would conceivably allow future development projects to be denser than otherwise currently permitted thereby resulting in more residents than otherwise anticipated.

This Code Amendment applies to a limited number of future projects because it only applies to projects that are 100% affordable to lower income and located within a half mile of a major transit stop. Although the Code Amendment would conceivably allow for denser projects, the limited number of projects that could utilize this Code Amendment would not conceivably result in substantial amounts of unplanned growth nor would the Code Amendment result in displacement of substantial numbers of existing people or housing.

Mitigation: No mitigation is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
PUBLIC SERVICES Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:				
1) Fire Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) Police Protection	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) Schools	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) Parks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5) Other Public Facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Findings of Fact: There will be no public service impacts. The Project is a Code Amendment. No physical development is proposed as part of this Project. The Code Amendment allows increased design flexibility for affordable projects within a half mile of a major transit stop to achieve density otherwise permitted by State law.

Approval of this Code Amendment would allow future affordable housing projects to request deviations from development standards (i.e., building setbacks or open space requirements) and granting these deviations would be subject to making specific findings. Because this Code Amendment would allow future affordable housing applicants to request modifications to zoning development standards, the adoption of this Code Amendment would conceivably allow future development projects to be denser than otherwise currently permitted.

The Code Amendment does not alleviate requirements for future affordable housing projects to comply with requirements related to increased demands on public services, including future project assessment of demand on existing public services and payment of applicable school impact fees. Also, this Code Amendment applies to a limited number of future projects because it only applies to projects that are 100% affordable to lower income and located within a half mile of a major transit stop. Although the Code Amendment would conceivably allow for denser projects, the limited number of projects that could utilize this Code Amendment would not conceivably result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives public services.

Mitigation: No mitigation is required.

RECREATION Would the project:				
a) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Findings of Fact: There will be no recreation impacts. The Project is a Code Amendment. No physical development is proposed as part of this Project. The Code Amendment allows increased design flexibility for affordable projects within a half mile of a major transit stop to achieve density otherwise permitted by State law.

Approval of this Code Amendment would allow future affordable housing projects to request deviations from development standards (i.e., building setbacks or open space requirements) and granting these deviations would be subject to making specific findings. Because this Code Amendment would allow future affordable housing applicants to request modifications to development standards, the adoption of this Code Amendment would conceivably allow future development projects to have less private and common open space.

This Code Amendment applies to a limited number of future projects because it only applies to projects that are 100% affordable to lower income and located within a half mile of a major transit stop. Although the Code Amendment would conceivably allow for denser projects with potentially less open space, the limited number of projects that could utilize this Code Amendment would not conceivably result in the need to construct or expand existing recreational facilities, nor increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration would occur.

Furthermore, the City collects park in-lieu fees for residential development projects to off-set potential park and recreation impacts. This Code Amendment does not change the requirement for payment of these park in-lieu fees.

Mitigation: No mitigation is required.

TRANSPORTATION Would the project:				
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access or access to nearby uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Findings of Fact: There will be no transportation impacts. The Project is a Code Amendment. No physical development is proposed as part of this Project. The Code Amendment allows increased design flexibility for affordable housing projects within a half mile of a major transit stop to achieve density otherwise permitted by State law.

Approval of this Code Amendment would allow future affordable housing projects to request deviations from development standards (i.e., building setbacks or open space requirements) and granting these deviations would be subject to making specific findings, including consistency with the General Plan. Because this Code

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Amendment would allow future affordable housing applicants to request modifications to development standards, the adoption of this Code Amendment would conceivably allow future development projects to be denser than otherwise currently permitted thereby generating more vehicles to/from the future development.

The Code Amendment does not alleviate or modify compliance requirements with applicable circulation plans nor does it allow for projects that would introduce hazardous design features or result in adequate emergency access. Furthermore, implementation of the Code Amendment would not result in conflicts with CEQA Guidelines Section 15064.3, subdivision (b), "Criteria for Analyzing Transportation Impacts". The Code Amendment does not modify or alleviate requirements for future projects to conduct applicable transportation analysis.

Furthermore, Public Resources Code 21099 (d) specifically states that parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment. All future projects that utilize this Code Amendment will be half a mile from a major transit stop therefore PRC 21099 would apply.

Mitigation: No mitigation is required.

TRIBAL CULTURAL RESOURCES Would the project cause a substantial adverse change in the significance of a Tribal Cultural Resource, defined in Public Resources Code section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1 (k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? (In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Findings of Fact: There will be no tribal cultural impacts. The Project is a Code Amendment to allow increased design flexibility for affordable projects within a half mile of a major transit stop. No physical development is proposed as part of this Project. The Code Amendment allows for reductions in development standards for affordable housing projects that are otherwise already permitted within the underlying zoning. The Code Amendment does not change requirements for future affordable housing projects to comply with all applicable regulation associated with either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe.

Mitigation: No mitigation is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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UTILITIES AND SERVICE SYSTEMS Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage systems, whereby the construction or relocation would cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a determination by the wastewater treatment provider that serves or may service the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of State or Local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Be noncompliant with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Findings of Fact: There will be no utility service system impacts. The Project is a Code Amendment. No physical development is proposed as part of this Project. The Code Amendment allows increased design flexibility for affordable housing projects within a half mile of a major transit stop to achieve density otherwise permitted by State law.

Approval of this Code Amendment would allow future affordable housing projects to request deviations from development standards (i.e., building setbacks or open space requirements) and granting these deviations would be subject to making specific findings, including consistency with the General Plan. Allowing for reduced or modified zoning development standards may result in denser projects. However, the Code Amendment does not allow for reductions to otherwise required utility improvements. Further, the Code Amendment applies to a limited scope of future projects because it would only apply to 100 percent affordable projects within a half mile of a major transit stop.

Allowing future affordable housing projects to request reductions to development standards will not result in significant utility impacts. The Code Amendment would not conceivably: a) result in the relocation or construction of new or expanded water, wastewater treatment, or storm water facilities; b) allow for future projects to have insufficient water supply; c) require construction of new wastewater treatment facilities, including septic systems, or expansion of existing facilities; d) allow for future projects to have insufficient wastewater treatment; nor e) generate solid waste in excess beyond existing capacity. Lastly, the Code Amendment does not alleviate or modify compliance requirements with federal, state, and local management and reduction statutes and regulations related to solid waste.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Mitigation: No mitigation is required.

WILDFIRE If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Findings of Fact: There will be no wildfire impacts. There are no wildland fire hazards in the City of San Mateo; however, to the west of the City within the City’s Sphere of Influence there are undeveloped portions of the western hills that are considered wildland fire hazards.¹

The Code Amendment applies to future projects that are located within developed portions of the City, within a half mile of major transit. The Code Amendment would not result in wildfire impacts.

Mitigation: No mitigation is required.

MANDATORY FINDINGS OF SIGNIFICANCE Does the Project:				
1. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self- sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

¹ San Mateo 2030 General Plan, Safety Element. October 2010.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Findings of Fact: The project is a Code Amendment that would apply to future affordable housing projects within a half mile of a major transit stop. Implementation of the proposed project would not substantially degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife populations to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <p>2. Have impacts which are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, other current projects and probable future projects)?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Findings of Fact: The Code Amendment project does not have impacts which are individually limited, but cumulatively considerable.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <p>3. Have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Findings of Fact: The proposed Code Amendment would not result in environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly.

Attachment A

Chapter 27.15 of the San Mateo Municipal Code, "Density Bonus," is amended to add a new Section 27.15.080, "Affordable Housing Projects Near Transit," to read:

"27.15.080 AFFORDABLE HOUSING PROJECTS NEAR TRANSIT.

- (a) **Applicability.** This Section applies to housing developments in which 100 percent of the total units, exclusive of a manager's unit or units, are for lower income households (as defined in Section 50079.5 of the Health and Safety Code), except that up to 20 percent of the total units in the development may be for moderate-income households (as defined in Section 50053 of the Health and Safety Code) and located within a half-mile of a major transit stop as defined in Public Resources Code Section 21155 ("Covered Projects").
- (b) **Reduced Requirements for Covered Projects.** When a development standard would physically preclude a proposed project from achieving allowable density, planning applications submitted for Covered projects may request waivers or reductions from up to six applicable development standards in addition to the incentives or concessions otherwise provided by state law. The request to waive or reduce development standards shall be considered by the decision-making body with the authority to act on the Covered Project, and shall be subject to the following findings:
 - (1) The requested deviations will not conflict with the General Plan;
 - (2) The development is of an excellent design quality and is consistent with applicable Design Guidelines;
 - (3) The development is in the best interests of the public health, safety, or welfare;
 - (4) The development will not impair the desirability of investment or occupation in the vicinity; and
 - (5) The project has demonstrated use of all allowable incentives consistent with Government Code Section 65915."