



CITY OF SAN MATEO
COMMUNITY DEVELOPMENT DEPARTMENT

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March 10, 2022

Laurie Hietter
223 Irving Street
San Mateo, CA 94402

Sent via Email: lauriehietter@gmail.com

RE: February 1, 2022, letter regarding historic districts and demolition projects

Dear Ms. Hietter:

The Community Development Department ("Department") has reviewed your letter to Councilmember Rodriguez that expresses concern and opposition to the demolition of homes built in the 1920s and 1930s in the Baywood neighborhood of the City of San Mateo ("City"). Below we respond to the points in your letter focused on historic district designation of certain neighborhoods within the City, and the City's environmental review of demolition projects under the California Environmental Quality Act ("CEQA").

It should be noted that preservation of the City's potentially historic neighborhoods and establishing districts is a broader topic that will be addressed in the Urban Design Element as part of the City's General Plan Update, which is currently underway. Based on the current timeline, the Updated General Plan is anticipated to be ready for adoption by the City Council end of 2023. For more information on the General Plan Update process, please visit www.StriveSanMateo.org.

The six key comments from your letter are restated in *italics* below, and the City's response follows each point in **bold**.

1. Comment: CEQA requires consideration of historic resources (including districts) whether or not they are formally designated.

City Response: The City requires a Special Use Permit for the demolition of homes, which is a discretionary approval. Therefore, demolitions are considered a "Project" under CEQA and reviewed for compliance with CEQA.

A CEQA impact to a historic resource is considered significant when it "causes a substantial adverse change in the significance of a historic resource". A "historic resource" is defined as a resource **listed on or eligible for listing** in the California Register of Historical Resources (Public Resources Code [PRC] Section 21084.1). "Substantial adverse change" includes demolition, destruction, relocation, or alteration such that the significance of an historical resource would be impaired (PRC Section 5020.1(q)).

PRC Section 21084.1 does not preclude the City from determining a building may be an historical resource, notwithstanding whether the building is listed in, or eligible for listing in, the California Register or other specified sources. However, it does not require consideration of impacts on undesignated resources, including areas not designated as historic districts. Therefore, CEQA simply requires the evaluation of impacts to historic resources that are “listed” or “eligible” for listing.

2. Comment: There is substantial evidence the Baywood, Aragon, and San Mateo Park neighborhoods qualify as historic districts.

City Response: While there was initial survey work completed that identified these three referenced neighborhoods as being potentially historic, the necessary evaluations, surveys, and analysis from a qualified architectural historian to evaluate the eligibility for listing on the California Register as a historic district have not yet been completed. Individual neighborhoods that seek such historic district designation have the option to independently apply to register directly with the State.

3. Comment: House demolition with construction in San Mateo is a discretionary project and subject to CEQA review.

City Response: Correct. See response above to Comment No. 1.

4. Comment: Categorical Exemptions (from further review under CEQA) may not be used for single-family homes when there is a potential for a significant cumulative effect or a significant adverse effect on a historic resource or district.

City Response: The letter expands upon this statement to correctly state that a Categorical Exemption cannot be used when there may be a cumulative impact of successive projects of the same type in the same place, which over time can be significant; or for a substantial adverse change in the significance of a historical resource.

With regard to “cumulative impacts,” speculation that theoretical future projects may cause cumulative adverse impacts is not sufficient to disallow the use of a categorical exemption.

With regard to “historical resources,” the Planning Division, when reviewing Special Use Permits for demolition projects, requires a historic resource evaluation prepared by a licensed historic professional for any structure that has the potential to be a historic resource. The five demolition projects listed in the letter (415, 539 and 542 Fairfax, 564 Edinburgh Street, and 445 Virginia Avenue) are subject to this process and require appropriate CEQA review to determine if the demolition would result in a substantial adverse change in the significance of a historical resource.

Given the absence of a designated or eligible district where the referenced demolition projects are proposed, the focus of the City’s CEQA analysis would be on whether the structures proposed to be demolished individually qualify as historic resources.

5. Comment: The City should conduct more extensive CEQA and historic review to determine whether the demolition of a house represents a significant impact to a historic resource or district, or a significant cumulative effect on a district.

City Response: The detailed comment in the letter focuses on two homes (415 Fairfax and 564 Edinburgh) within the Baywood neighborhood. Specifically, for 415 Fairfax, the letter correctly states that the historic analysis concluded that the house proposed to be demolished is not individually eligible as a historic

resource. The concern expressed in the letter is related to whether the demolition of the structure would represent a “cumulative impact” or would have an “adverse effect on the historic district.”

Since there is no historic district designation or evaluation for this neighborhood, there would be no “cumulative impact” or any “adverse effect on a historic resource” by the demolition of these structures.

The February 1st letter identifies the CEQA threshold for impact, which includes an example wherein “....removal of a historic structure from a historic district.....” could impair the significance of a historic resource. This example supports the City’s approach to the CEQA evaluation for demolition projects as the City carefully reviews individual eligibility prior to granting a Special Use Permit for demolition (See Response to Comment No. 4 above).

6. Comment: San Mateo planning policies should recognize Baywood, Aragon, and San Mateo Park as historic districts because they meet the criteria for listing on the California Register of Historical Resources.

City Response: See response above under Comment No. 2. The City’s General Plan Update is also anticipated to include a policy framework and actions to support historic preservation.

The City appreciates your interest and comments on this topic. Please communicate with the assigned project planners for additional information on any of the demolition projects under review by the City. Note that all legal noticing procedures will be followed for these projects and appropriate courtesy notices will also be provided to the interested parties lists maintained by staff. Any staff-level decision by the City can be further appealed to the Planning Commission and the City Council.

Please be aware that multiple scoping comments for the General Plan Update Environmental Impact Report (EIR) associated with historic resources were received by staff and will be collectively responded to as part of the General Plan Update process.

If you should have any other questions, I can be reached at (650) 522-7203 or MSandhir@cityofsanmateo.org.

Sincerely,

Manira Sandhir

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Planning Manager

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415 Fairfax – Project File (PA2021-066)