

**CITY OF SAN MATEO
ORDINANCE NO. 2019-___**

**AMENDING TITLE 27 OF THE SAN MATEO MUNICIPAL CODE, RELATED TO
QUALIFIED OVERLAY (Q) DISTRICTS TO ESTABLISH A
QUALIFIED OVERLAY DISTRICT 8 (Q8), AND
AMENDING THE ZONING MAP OF THE CITY OF SAN MATEO TO
REZONE THE SITE AT 1 CAREY SCHOOL LANE FROM
R1-B (ONE FAMILY DWELLINGS) TO
R1-B/Q8 (ONE FAMILY DWELLINGS, QUALIFIED OVERLAY DISTRICT 8)**

WHEREAS, the Zoning Code of the City of San Mateo is a document which sets forth current development standards and procedures that implement Federal and State law, the City of San Mateo General Plan, and City policy and procedures; and

WHEREAS, the Zoning Code must be changed from time to time to establish new zoning classifications to address unique conditions; and

WHEREAS, the Zoning Map must be changed to reflect the reclassifications of land for consistency with such new zoning classifications; and

WHEREAS, this City Council has held a public hearing to consider proposed amendments of the Zoning Code, at which time the Council received and considered written and oral evidence; and

WHEREAS, the Q overlay designation was established to provide for development of land pursuant to standards and regulations which reflect the unique characteristics of a site; and

WHEREAS, the project site has unique characteristics because the use of the property for a school is not typical in the R1-B (single family) district, and the existing buildings exceed the maximum allowable floor area ratio (FAR); and

WHEREAS, the site is comprised of a zoning plot of two parcels totaling approximately 96,040 square feet (2.2 acres) and as such is substantially larger than the typical single family lots surrounding the property; and

WHEREAS, the City Council has determined that the proposed rezoning is consistent with the City's General Plan, because the Q overlay zone authorizes deviations from the standards of the underlying R1-B zoning district, the project is seeking a Special Use Permit Modification to continue operation in an R1-B zone, which will limit the uses on the site and protect the surrounding single family uses, and otherwise conforms with the Single Family Residential Land Use designation of the site;

The Council of the City of San Mateo, California, ordains as follows:

Section 1. Section 27.60.180 "Qualified (Q) Overlay Zoning Districts," of the San Mateo Municipal Code is amended to add subsection (h), to read as follows:

“(h) Q8 (Qualified Overlay District 8)—Limitations and Conditions. The following

limitations and conditions shall pertain to the use of the property zoned Q8:

(1) Uses. All uses in this district shall require a special use permit, as set forth in Chapter 27.74 of the Zoning Code.

(2) Development. Future development in this district shall comply with the approved site plan and approved Special Use Permit as part of the Planning Application # PA2018-069 approved by the City of San Mateo.

(3) Floor Area Ratio. This district shall have a maximum floor area ratio of 0.39.”

Section 2. COUNCIL FINDINGS. At a duly noticed public hearing on June 3, 2019, the City Council reviewed and considered the staff report dated June 3, 2019, and attachments thereto, the Categorical Exemption, together with comments received during the public review process, and hereby finds and determines as follows:

(a) Conformance with General Plan. The City Council finds and determines that the proposed zoning to One Family Dwellings, Qualified District Overlay 8 is in conformance with the Single-Family land use designation of the General Plan of the City of San Mateo, because the One Family Dwellings, Qualified District Overlay 8 provides standards for the site as a private educational facility.

(b) Intent of the Zoning Code. The overlay district and rezoning conform to the purpose of Municipal Code Section 27.60.180 in that the rezoning provides standards for the use of land with unique site characteristics as a private educational facility.

Section 3. ZONING MAP. The Zoning Map of the City of San Mateo is hereby amended to indicate as follows: the property generally known as APNs: 039-040-150 and 039-040-160 as depicted in Exhibit A, attached hereto, shall be reclassified from the R1-B (One Family Dwellings) Zoning District to the R1-B/Q8 (One Family Dwellings, Qualified Overlay District 8) Zoning District and the Zoning Map shall be amended to reflect this reclassification.

Section 4. CEQA. In accordance with CEQA Guidelines Section 15305 (Minor Alterations in Land Use Limitations), adoption of this overlay zone and amendment to the City’s zoning map are categorically exempt because the affected area has an average slope of less than 20 percent and the ordinance will not result in any changes in land use or density.

Section 5. 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 6. 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 7. EFFECTIVE DATE. This Ordinance was introduced on _____, adopted on _____, and shall take effect 30 days after adoption.

