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AFFIDAVIT OF PUBLICATION
SAN MATEO DAILY JOURNAL

STATE OF CALIFORNIA
County of San Mateo

The undersigned declares: That at all times hereinafter mentioned, affiant was a permanent resident of the United States, over the age of eighteen years old, and was at and during all said times. The Office Manager of the San Mateo Daily Journal, a newspaper published daily in the County of San Mateo, State of California. The notice mentioned was set in type no smaller than nonpareil and was preceded with words printed in black face type not smaller than size 6, describing and expressing in general terms, the purpose and character of the notice intended to be given; that the

PUBLIC NOTICE

CITY OF SAN MATEO

Of which the annexed is a printed copy was published and printed in said newspaper on the 14th Day of December 2023.

I declare under penalty of perjury that the foregoing is true and correct.

JP Uganiza

Dated at San Mateo, California,
This 14th day of DEC. 2023.

CITY OF SAN MATEO
ORDINANCE NO. 2023-12

AMENDING TITLE 27, ZONING, RELATED TO OBJCTIVE DESIGN STANDARDS AND REVIEW PROCESS FOR MULTI-FAMILY AND MIXED-USE RESIDENTIAL PROJECTS, AND ALIGN FENCE HEIGHT STANDARDS FOR PLANNING APPLICATIONS WITH BUILDING CODE STANDARDS

The purpose of this ordinance is to amend the Zoning Code (Title 27) related to ODS and review processes for multi-family and residential mixed-use projects and align the fence height standards to match building code standards.

I hereby certify this to be the correct summary of Ordinance 2023-12 introduced on November 20, 2023, and adopted by the City Council of the City of San Mateo, State of California on the 4th day of December 2023, by the following vote:

AYES: Council Members Diaz Nash, Hedges, Loraine and Newsom
NOES: None
ABSENT: Council Member Lee

Ordinance No. 2023-12 shall become effective 30 days after the date of adoption The full text of this ordinance is posted in the City Clerk's Office and a copy of the full text of the ordinance is published on the City's website www.cityofsanmateo.org under the link to the City Council agenda for the meeting of December 4, 2023.

/s/ PATRICE M. OLDS, City Clerk

Date Published: December 14, 2023

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CITY OF SAN MATEO
ORDINANCE 2023-12

Amending Title 27, Zoning, Related to Objective Design Standards and Review Process for Multi-Family and Mixed-Use Residential Projects, and Align Fence Height Standard for Planning Applications with Building Code Standards.

WHEREAS, under the Housing Accountability Act, housing development projects, as defined, are subject to design review standards and criteria provided that they are objective in nature and not subjective; and

WHEREAS, the City of San Mateo (City) desires to update its existing design standards for multi-family residential and residential mixed-use developments to offer objective design criteria for streamlined review of projects; and

WHEREAS, the City's draft 2023-2031 Housing Element identifies programs to further streamline processing for projects, including the adoption of objective design standards and the increase of Zoning Administrator approval authority to include projects with 6 to 25 residential dwelling units; and

WHEREAS, the City has conducted extensive community outreach over the last three years regarding objective design standards, including three public outreach meetings and two Planning Commission study sessions; and

WHEREAS, in accordance with California Environmental Quality Act (CEQA) Guidelines, Section 15061(b)(3), adoption of this ordinance is covered by the "common sense exemption" in that CEQA applies only to projects which have the potential to cause a significant effect on the environment. Here, it can be seen with certainty that the proposed amendments to create objective design standards and a streamlined review process for small projects up to twenty-five (25) residential dwelling units subject to objective design standards would not cause a physical change in the environment and therefore would not have a significant effect on the environment. Proposals for multi-family or residential mixed-use development will be considered as individual projects and will be evaluated pursuant to CEQA at the time of application submittal; and

WHEREAS, on October 24, 2023, the Planning Commission held a duly noticed public hearing, received all written and oral public comments, and recommended that the City Council approve the proposed ordinance.

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

Section 1. Legislative Findings.

At a duly noticed public hearing, the City Council of the City of San Mateo reviewed and considered the accompanying staff report and attachments thereto, the exemption from environmental review, together with comments received during the public review process, and hereby finds and determines that the proposed ordinance is consistent with the adopted General Plan in that it supports

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successful completion of projects that implement and achieve the General Plan's stated goals and policies.

Section 2. Section 27.06.020 of the San Mateo Municipal Code is amended as follows:

27.06.020 ZONING ADMINISTRATOR—POWERS AND DUTIES.

The Zoning Administrator shall enforce the provisions of this Title, and shall:

(a) Conduct such inspections of buildings, structures, and use of land as are necessary to determine compliance with the terms of this Title;

(b) Establish, with the approval of the Council, and administer rules for the conduct of the Zoning Administrator's office;

(c) Maintain permanent and current records of documents and proceedings under this Title;

(d) Provide and maintain a continuing program of education and public information on zoning matters;

(e) Recommend abatement of violations of this Title and aid in prosecution thereof;

(f) Receive, file, and transmit to the appropriate approval body all planning applications and all appeals which the designated approval body is authorized to review or to take final action upon under the provisions of this Title;

(g) Interpret provisions of the zoning ordinance, subject to appeal of the decision to the Planning Commission;

(h) Have the authority to review and approve, conditionally approve, or disapprove the following types of projects, provided that the projects do not result in any significant impacts pursuant to the California Environmental Quality Act (CEQA), subject to public notice and to appeal of the final action to the Planning Commission:

(1) Site plan and architectural review for projects that incorporate:

(A) Up to twenty-five (25) residential dwelling units that meet objective design standards as adopted by resolution of the City Council; or

(B) Up to five (5) residential dwelling units that do not meet objective design standards as adopted by resolution of the City Council; or

(C) Up to 10,000 square feet of non- residential development; or

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(D) Other minor site improvements including but not limited to parking lots, landscaping, recreation facilities, accessory structures, recycling collection areas, circular driveways in R1, R2 districts;

(E) Fences over seven (7) feet and those over three (3) feet when located in a front yard and/or street side yard setback or within forty-five (45) feet of a street intersection line, authorized by Chapter 27.84.

(F) Freestanding signs.

(2) Site development permits for removal of major vegetation required for the construction of projects that require Zoning Administrator review and approval, or grading of five thousand (5,000) cubic yards or less under Chapter 23.40.

(3) Variances as authorized by Chapter 27.78, for single-family, accessory dwelling units, duplex dwellings, or residential projects with up to six (6) residential dwelling units.

(4) Temporary use permits authorized by Chapter 27.74.

(5) Modifications authorized by Chapter 27.08.

(6) Special permits to allow the following:

(A) Recycling facilities subject to regulations established in Chapter 27.69;

(B) Plumbing in detached accessory buildings in the R-1 zone, as authorized under Chapter 27.18

(C) Substantial removal of existing residences in an R-1 zoning district;

(D) Temporary real estate sales offices, as authorized under Chapters 26.04 and 27.18;

(E) Swimming pools, hot tubs, and spas located in required front or street side yards, as authorized under Chapter 27.18; and

(F) Additional floor area ratio in the R-3 District, as authorized under Chapter 27.22.

(7) Concurrent development of two or more contiguous lots or parcels of real property in R-1 and R-2 districts.

(8) Parcel Maps without exceptions as authorized by Title 26 (Subdivision).

(9) Single-Family Dwelling Design Review (SFDDR) Applications.

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(10) City projects that meet the following criteria:

(A) The project was conceptually approved as part of, or approved concurrent with, a Master Plan, program document, or project planning document that is in effect and has been previously approved by the City Council; and

(B) The project does not propose major changes from previous City Council approval; and

(C) The project would not result in a significant environmental impact pursuant to the California Environmental Quality Act (CEQA).

(i) Notwithstanding the above, the Zoning Administrator may refer the application to the Planning Commission for hearing and action when it is unclear whether the necessary findings for project approval can be made.

Section 3. Section 27.06.040 of the San Mateo Municipal Code is amended as follows:

27.06.040 PLANNING COMMISSION—JURISDICTION.

(a) The Commission shall review and take final action, subject to appeal to the Council, upon all applications for:

(1) Appeals from the decisions of the Zoning Administrator;

(2) Special use permits other than for high rise buildings, or those identified under Section 27.06.020(h)(6);

(3) Site Plan and Architectural Review for projects that incorporate:

(A) Twenty-six (26) or more residential dwelling units that meet objective design standards as adopted by resolution of the City Council; or

(B) Six (6) or more residential dwelling units that do not meet objective design standards as adopted by resolution of the City Council; or

(C) Over 10,000 square feet of non-residential development.

(4) Site Development Planning Applications involving grading of more than five thousand (5,000) cubic yards under Section 23.40;

(5) Tentative Maps and Parcel Maps with exceptions under Title 26 (Subdivisions);

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(6) Applications which are accompanied by environmental impact reports, other than reclassifications, planned developments, special use permits for high rise buildings, and general plan amendments;

(7) Release of conditions or easements recorded by the City under Section 27.08.045.

(8) Modifications under Section 27.08.080(b).

(9) Variances as authorized in Section 27.78.040 for planning applications for structures other than single-family and duplex.

(10) Planned signing districts and freestanding signs over eight (8) feet in height.

(b) The Commission shall review and make recommendations to the Council upon all applications for reclassifications, planned developments, site plan and architectural review for buildings exceeding 55 feet in height, General Plan amendments, projects which are fully or partially funded by the City and otherwise require Planning Commission review, and projects which include as part of the site any parcel of land which is in whole or in part subject to the tidelands trust provisions of State law.

(c) The Commission may, on its own initiative, recommend to the Council that proceedings be initiated for an amendment, supplement, change or repeal of the whole or any portion of this Title, provided that public hearings thereon shall be held in the manner prescribed in this Title. The Commission shall periodically initiate a comprehensive review of the provisions of this Title and make a report of its findings to the Council.

Section 4. Section 27.08.030 of the San Mateo Municipal Code is amended as follows:

27.08.030 SITE PLAN AND ARCHITECTURAL REVIEW (SPAR).

(a) The following projects, as well as other projects that may be designated in this code, require a site plan and architectural review and no such project shall commence until the approval body has approved a planning application for site plan and architectural review: any building, new parking lot, fence over seven (7) feet in height, or an extension, alteration, or addition of or to an existing building or parking lot; historic buildings within the Downtown Specific Plan area as specified in Chapter 27.66. Single family and accessory buildings that conform to the standards contained in Chapter 27.18, or minor facade modifications as defined in Section 27.04.313, and which conform with Section 27.08.031, are exempt from this requirement, unless they are specifically designated by this section as requiring review. In making its review, the Zoning Administrator, Development Review Board, and Planning Commission shall be guided by the standards adopted by the Planning Commission and City Council. The application shall be approved if the Zoning Administrator or Commission finds all of the following to exist:

(1) The structures, site plan, and landscaping are in scale and harmonious with the character of the neighborhood;

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(2) The development will not be detrimental to the harmonious and orderly growth of the City;

(3) The development will not impair the desirability of investment or occupation in the vicinity, and otherwise is in the best interests of the public health, safety, or welfare;

(4) The development meets all applicable standards as adopted by the Planning Commission and City Council, conforms with the General Plan, and will correct any violations of the zoning ordinance, building code, or other municipal codes that exist on the site;

(5) The development will not adversely affect matters regarding police protection, crime prevention, and security.

(b) All buildings, structures, landscaping, and other establishments shall be constructed in accordance with the approved drawings.

(c) The City Council shall review and make the final determination on all buildings exceeding fifty-five (55) feet in height or where required by express General Plan provisions.

Section 5. Section 27.21.030 of the San Mateo Municipal Code is amended as follows:

27.21.030 Rules of Procedure

Except as otherwise outlined below, the applicable rules of procedure contained in Chapter 27.08 shall apply to all SB 9 planning applications. Where there is a conflict, standards in this Chapter shall prevail.

(a) Planning Application Submittal. An SB 9 planning application, on the form(s) prescribed by the Department, for either an attached or detached unit(s) and/or urban lot splits, shall be submitted for all development pursuant to the provisions of this Chapter.

(1) An applicant may file concurrent planning applications under this Chapter for one or two-unit development and an urban lot split.

(2) Processing of Applications. Unless an SB 9 application is submitted pursuant to Section 27.21.045 of this Chapter, SB 9 application(s) shall be processed as prescribed in Section 27.08.040 of the San Mateo Municipal Code, except that these applications shall be considered ministerially with no public hearing.

(b) Informational Notice. Upon receipt of an SB 9 planning application, and once the project is deemed complete, the City shall provide an informational notice that an SB 9 application has been filed with the City to all property owners and tenants within a 500-foot radius of the subject parcel and to the applicable neighborhood association(s) in accordance with the noticing procedures adopted by the Department.

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(c) Ministerial Permit Approval. If an SB 9 planning application complies with the provisions of this Chapter, a ministerial, non-discretionary permit shall be issued. Notwithstanding anything contrary in this code, the issuance of a ministerial SB 9 Two-Unit Development permit and/or a SB 9 Urban Lot Split permit is not appealable.

(d) Submittal Requirements. In addition to the requirements of Section 27.08.010(c), each application shall be accompanied by all of the following:

(1) Application Forms. Completed SB 9 planning application forms as prescribed by the Department;

(2) Property Ownership. Verification of property ownership in the form of a preliminary title report that is no more than a year old, showing the current owners of the property, the names of record owners of the land, and all existing easements and other reservations, restrictions, or covenants; and

(3) Legal Description. An accurate legal description of the property and any resultant lots in the case of an urban lot split application; and

(4) Plans. Scaled and accurate plans to include required applicable information as outlined in the Planning Application and/or Urban Lot Split Submittal Requirements checklists; and

(5) Affidavit. A completed property owner tenant disclosure affidavit and acknowledgement that the application meets SB 9 eligibility requirements.

(6) Findings. Findings of Approval. An SB 9 application not submitted pursuant to Section 27.21.045 of this Chapter shall be approved ministerially if the Zoning Administrator or designee makes all the following findings:

(A) The parcel is within the Two-Unit Overlay District and meets all qualifying criteria as outlined in this Chapter;

(B) The development meets all applicable objective standards contained in and required by the General Plan, San Mateo Municipal Code or other City adopted plans, policies, or standards;

(C) The development does not adversely affect matters regarding police protection, crime prevention, and security because it adheres to the objective standards of Chapter 23.54;

(D) The proposed SB 9 unit(s) is consistent with all applicable SB 9 objective design standards of the Two-Unit Overlay District

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(7) Findings of Denial. An SB 9 application shall be denied if the Building Official makes written findings, based upon a preponderance of evidence, that:

(A) The proposed housing development would have a specific adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, as amended, of the Government Code, upon public health and safety or the physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact(s).

Section 6. Section 27.39.120 of the San Mateo Municipal Code is amended as follows:

27.39.120 RESIDENTIAL DEVELOPMENT STANDARDS.

In this district, residential uses shall be permitted as part of mixed-use developments, subject to the City's Objective Design Standards as adopted by resolution of the City Council and requirements of Section 27.38.130.

Section 7. Environmental Determination. In accordance with California Environmental Quality Act (CEQA) Guidelines, Section 15061(b)(3), adoption of these ordinance amendments is covered by the "common sense exemption" in that CEQA applies only to projects which have the potential to cause a significant effect on the environment. Here, it can be seen with certainty that the proposed amendments create objective design standards and a streamlined review process for small projects up to twenty-five (25) residential dwelling units subject to objective design standards would not cause a physical change in the environment and therefore would not have a significant effect on the environment. Proposals for multi-family or residential mixed-use development will be considered as individual projects and will be evaluated pursuant to CEQA at the time of application submittal.

Section 8. Severability. In the event any section, clause or provision of this ordinance shall be determined invalid or unconstitutional, such section, clause or provision shall be deemed severable and all other sections or portions hereof shall remain in full force and effect.

Section 9. Publication. This Ordinance shall be published in summary in a newspaper of general circulation, posted in the City Clerk's Office, and posted on the City's website, all in accord with Section 2.15 of the City Charter.

Section 10. Legislative History and Effective Date. This ordinance was introduced on November 20, 2023, and adopted on December 4, 2023, and shall be effective 30 days after its adoption.

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The foregoing ordinance was adopted by the City Council of the City of San Mateo, State of California by the following vote:

AYES: Council Members Diaz Nash, Hedges, Loraine and Newsom

NOES: None

ABSENT: Council Member Lee

ATTEST:

Patrice M. Olds, City Clerk

Lisa Diaz Nash, Mayor

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CITY OF SAN MATEO
ORDINANCE NO. 2025-03

Amending Several Chapters of Title 27, Zoning, of the San Mateo Municipal Code to Implement the 2023-2031 San Mateo Housing Element (Sixth Housing Cycle)

WHEREAS, the State Housing Element Law (Government Code Section 65580 et seq.) requires that the City Council adopt a Housing Element for the 2023-2031 period to accommodate the City of San Mateo ("City") regional housing need allocation (RHNA) of 7,015 housing units; and

WHEREAS, on May 20, 2024, the City Council adopted a resolution to adopt the revised Housing Element of the General Plan for the period of 2023-2031 (Housing Element); and

WHEREAS, under Housing Element Goal 1 – Production and the Policies H1.7, H1.13, H1.14, H1.15, and H1.16, the City commits to reviewing and amending the City's Zoning Code to increase affordable housing production, update standards to support housing production, and address special needs groups and supportive housing requirements; and

WHEREAS, under Housing Element Goal 3 – Protection, the City commits to facilitating and supporting protection of current residents to prevent displacement. Policy H3.7 requires the City to evaluate opportunities for expanding homeless shelters; and

WHEREAS, the Environmental Impact Report (EIR) for the San Mateo General Plan 2040 analyzed new residential development of up to 19,764 new housing units and growth around the City through 2040; and

WHEREAS, on March 18, 2024, at a duly noticed public hearing, the City Council certified the EIR for the San Mateo General Plan 2040, pursuant to the California Environmental Quality Act of 1970, together with related State implementation guidelines promulgated thereunder (CEQA); and

WHEREAS, on February 11, 2025, the Planning Commission held a duly noticed public hearing, received all written and oral public comments, and recommended that the City Council approve the proposed ordinance to amend several Chapters of Title 27, Zoning, of the San Mateo Municipal Code to Implement the 2023-2031 San Mateo Housing Element (Sixth Housing Cycle), except for the 50-unit threshold for Zoning Administrator approval of housing development projects consistent with the City's Objective Design Standards, where the Commission instead recommended a threshold of 150 units, or, in the alternative, no threshold at all for such projects.

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

Section 1. Legislative Findings. At a duly noticed public hearing on March 17, 2025, the City Council of the City of San Mateo reviewed and considered the accompanying staff report and attachments thereto, the exemption from environmental review, together with comments received during the public review process, and hereby finds and determines that the proposed ordinance is consistent with the adopted General Plan in that it supports the development of housing and achieves the General Plan's stated goals and policies.

Section 2. Section 27.04.130 of the San Mateo Municipal Code is amended as follows:

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27.04.130 COMMUNITY CARE FACILITY.

A "community care facility" means any place or building which is maintained and operated to provide 24-hour non-medical residential care, or day care services for children, adults, or both, limited to the following:

(a) Residential Care Facility. A residential care facility means a family home, group home, residential care facility for the elderly, foster home, intermediate care facility or similar facility, for 24-hour non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual;

(b) Day Care Center. A day care facility means any facility which provides non-medical care to persons (adults and/or children) in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a 24-hour basis;

(c) Family Day Care Home. A family day care home means a facility which provides care, protection, and supervision of no more than 14 children in the caregiver's own home, for periods of less than 24 hours per day, while the parents or guardians are away.

Section 3. Section 27.04.165 of the San Mateo Municipal Code is amended as follows:

27.04.165 DWELLING.

"Dwelling" means a building or portion thereof, designed or used exclusively for residential occupancy, including a one-family dwelling unit, an accessory dwelling unit, a junior accessory dwelling unit, a two-family dwelling unit, a multiple-family dwelling unit, or a single room occupancy but does not include a hotel, motel, boarding or lodging houses or other lodging facilities, or a vessel or boat, or a house trailer.

(a) "Accessory dwelling unit" means an attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons, is accessory to the primary residential dwelling unit or units, and includes permanent provisions for living, sleeping, eating, cooking facilities and sanitation on the same parcel as the primary residential dwelling unit.

(b) "Studio unit" means a dwelling unit consisting of one principal room used for living and sleeping purposes, plus cooking facilities, and a bathroom.

(c) "Junior accessory dwelling unit" means an additional, independent living unit constructed within the walls of a proposed or legally existing single-family residence, including attached garages.

(d) "Multiple-family dwelling" means a building or portion thereof, designed or altered for occupancy by three or more families living independently of each other.

(e) "One-family dwelling" means a building containing one cooking facility only and designed exclusively for use and occupancy by one family, including the provision of interior access to all bedrooms, and may include a junior accessory dwelling unit within the principal dwelling.

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(f) "Primary residential dwelling unit" means a building or separate portion thereof designated and/or customarily used as a residence by not more than one family and typically situated on a parcel or lot on which no other primary dwelling is located. Each dwelling unit within a multiple-family or two-family dwelling is also considered a primary residential dwelling unit (does not apply to junior accessories dwelling units or attached accessory dwelling units). The primary residential dwelling unit shall be larger, in terms of floor area, than any other residential unit situated on the same parcel or lot.

(g) "Single Room Occupancy" (SRO) means housing composed of individual efficiency dwelling units, where each unit has a minimum floor area of 150 square feet and a maximum size of 500 square feet. To qualify as an SRO development, no more than 10% of the units in a development may contain individual kitchens and bathrooms. Any unit not developed with an individual kitchen or bathroom must have access to common areas containing kitchen and bathroom facilities. SROs must be leased for a minimum of 30 consecutive days and also include apartment hotels. SROs are not required to provide any residential care or supportive services.

(h) "Two-family dwelling" means a building(s) designed or altered to provide attached (duplex) or detached dwelling units for occupancy by two families living independently of each other.

Section 4. Section 27.04.170 of the San Mateo Municipal Code is amended as follows:

27.04.170 DWELLING UNIT

"Dwelling unit" means one or more rooms in a structure which are arranged or designed for use by one family, which includes provisions for living, sleeping, eating, cooking and sanitation, and if located on multiple levels/stories, the unit provides interior connections from a common living area (including but not limited to a living room, family room, dining room, kitchen, or other common living areas as determined by the Zoning Administrator).

Section 5. Section 27.04.177 of the San Mateo Municipal Code is amended as follows:

27.04.177 EMERGENCY SHELTER.

"Emergency shelter" means overnight emergency housing typically operated by a governmental or nonprofit agency. It serves as the principal shelter of the inhabitants for a temporary period and may include services like food, sanitation, laundry, health and childcare, transportation, and social services. Emergency shelters include other interim interventions, including, but not limited to, a navigation center, bridge housing, and respite or recuperative care.

Emergency shelters are subject to the following: (a) The shelter must maintain a documented management plan that outlines strategies for staff training, community outreach, security measures, resident intake, and, when relevant, programs like job training or counseling; (b) each emergency shelter is restricted to a maximum of one hundred (100) beds, serving no more than one hundred (100) people at one time; (c) individuals or families may reside at the shelter for up to 180 days consecutively, except when longer stays are part of ongoing training or rehabilitation efforts outlined in the management plan; (d) the shelter may provide

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one or more common facilities, such as central cooking and dining rooms, recreation rooms, counseling centers, childcare centers, or other support services, exclusively for residents; (e) the shelter must have designated staff on-premises during all operational hours;(f) no more than one (1) emergency shelter shall be allowed within a radius of three hundred (300) feet from another such facility, measured from the nearest property lines; (g) the interior on-site waiting and intake area must be at least two hundred (200) square feet; and (h) minimum on-site parking requirement of two off-street parking spaces plus one additional off-street parking space for each 10 beds and one additional parking space per each employee on site.

Section 6. Section 27.04.222 of the San Mateo Municipal Code is added to Chapter 27.04 as follows:

27.04.222 GROUP HOME

"Group home" means a one-family dwelling providing 24-hour residential care for a wide variety of persons with special needs, including but not limited to licensed group homes, unlicensed group homes, and recovery residences or sober living homes. Residents may share cooking, dining, and living areas, and may, in some group homes, participate in cooking, housekeeping, and other communal living activities.

Section 7. Section 27.04.250 of the San Mateo Municipal Code is repealed.

Section 8. Section 27.04.306 of the San Mateo Municipal Code is added to Chapter 27.04 as follows:

27.04.306 LOW-BARRIER NAVIGATION CENTER

"Low-barrier navigation center" means a temporary shelter that provides services for individuals experiencing homelessness, as defined by California Government Code Section 65660. Low-barrier navigation centers are subject to the following: (a) It offers services to connect people to permanent housing through a services plan that identifies services staffing; (b) It is linked to a coordinated entry system, so that staff in the interim facility or staff who co-locate in the facility may conduct assessments and provide services to connect people to permanent housing. "Coordinated entry system" means a centralized or coordinated assessment system developed pursuant to Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals; (c) It complies with Welfare and Institutions Code Section 8255 et seq; and (d) It has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System, as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.

Section 9. Section 27.04.308 of the San Mateo Municipal Code is added to Chapter 27.04 as follows:

27.04.308 MANUFACTURED HOME

(a) "Manufactured home" shall mean a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width, or forty (40) feet or more in length, or when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling installed on a permanent foundation when connected to the required utilities, and the plumbing, heating, air

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conditioning, and electrical systems are contained within the structure. "Manufactured home" shall also include any structure which meets all the requirements of this subsection except the size requirements and to which the manufacturer voluntarily has filed a certification and complies with the standards established by the Health and Safety Code. "Manufactured home" shall also include a mobilehome subject to the National Manufactured Housing Construction and Safety Act of 1974. "Manufactured home" shall include only those structures that contain two or less dwelling units, and that conform to the applicable requirements of the laws of the State of California or United States.

Section 10. Section 27.04.313.1 of the San Mateo Municipal Code is added to Chapter 27.04 as follows:

27.04.313.1 MOBILEHOME PARK

"Mobilehome park" means any area or tract of land where two or more lots are rented or leased, held out for rent or lease, or were formerly held out for rent or lease and later converted to a subdivision, cooperative, condominium, or other form of resident ownership, to accommodate manufactured homes, mobilehomes, or recreational vehicles used for human habitation as defined in Section 18214 of the Health and Safety Code, as amended from time to time. The rent paid for a manufactured home, a mobilehome, or a recreational vehicle shall be deemed to include rent for the lot it occupies. "Mobilehome park" also means a mobilehome development constructed according to the requirements of Part 2.1 (commencing with Section 18200) of Division 13 of the Health and Safety Code, and intended for use and sale as a mobilehome condominium or cooperative park, or as a mobilehome planned unit development.

Section 11. Section 27.04.203 of the San Mateo Municipal Code is added to Chapter 27.04 as follows:

27.04.203 FOUNDATION

"Permanent foundation" shall mean assembly of materials constructed below, or partially below grade, not intended to be removed from its installation site, which is designed to support a manufactured home structure and engineered to resist the imposition of external natural forces, as defined by the Health and Safety Code or the Building Code, whichever is more restrictive.

Section 12. Section 27.04.467 of the San Mateo Municipal Code is added to Chapter 27.04 as follows:

27.04.467 SUPPORTIVE HOUSING

(a) "Supportive Housing" means housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community. Supportive housing shall only be subject to those restrictions that apply to other residential dwellings of the same type in the same zone

(b) "Target Population" means persons, including persons with disabilities, and families who are "homeless," as that term is defined by Section 11302 of Title 42 of the United States Code, or who are

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"homeless youth," as that term is defined by paragraph (2) of subdivision (e) of Section 12957 of the Government Code as may be amended from time to time.

Section 13. Section 27.04.486 of the San Mateo Municipal Code is added to Chapter 27.04 as follows:

27.04.486 TRANSITIONAL HOUSING

"Transitional housing" and "transitional housing development" means buildings configured as rental housing developments but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months. Transitional housing shall only be subject to those restrictions that apply to other residential dwellings of the same type in the same zone.

Section 14. Subsection (h)(1)(A) of Section 27.06.020 of the San Mateo Municipal Code is amended as follows:

27.06.020 ZONING ADMINISTRATOR - POWERS AND DUTIES.

The Zoning Administrator shall enforce the provisions of this Title, and shall:

(h) Have the authority to review and approve, conditionally approve, or disapprove the following types of projects, provided that the projects do not result in any significant impacts pursuant to the California Environmental Quality Act (CEQA), subject to public notice and to appeal of the final action to the Planning Commission:

(1) Site plan and architectural review for projects that incorporate:

(A) Up to ninety-nine (99) residential dwelling units that meet objective design standards as adopted by resolution of the City Council; or

Section 15. Subsection (a)(3)(A) of Section 27.06.040 of the San Mateo Municipal Code is amended as follows:

27.06.040 PLANNING COMMISSION—JURISDICTION.

(a) The Commission shall review and take final action, subject to appeal to the Council, upon all applications for:

(3) Site plan and architectural review for projects that incorporate:

(A) One hundred (100) or more residential dwelling units that meet objective design standards as adopted by resolution of the City Council; or

Section 16. Chapter 27.17 of the San Mateo Municipal Code is repealed.

Section 17. Section 27.18.020 of the San Mateo Municipal Code is amended as follows:

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27.18.020 PERMITTED USES.

The following uses are permitted:

(a) One-family detached dwellings, including manufactured homes on permanent foundations;

(b) Accessory dwelling units and junior accessory dwelling units subject to the provisions of Chapter 27.19;

(c) Accessory uses and structures;

(d) Detached accessory structures containing no more than two (2) plumbing fixtures or waste lines;

(e) Home occupations, subject to provisions of Section 27.16.040;

(f) Community care facilities as follows:

(1) Unlicensed group homes subject to the objective development standards that apply to other residential uses of the same type in the same zone;

(2) Licensed residential care facilities including group homes with six (6) or fewer residents, in addition to the caregiver's family, subject to the objective development standards that apply to other residential uses of the same type in the same zone. Certain licensed group homes shall be subject to separation requirements pursuant to Health and Safety Code Section 1267.9, as amended from time to time; and

(3) Family day care for fourteen (14) or fewer occupants, in addition to the caregiver's family, when managed in the caregiver's residence and in accordance with State law.

(g) Temporary buildings for construction purposes for a period not to exceed the duration of such construction;

(h) Transitional housing and supportive housing subject to the objective development standards that apply to other residential uses of the same type in the same zone.

Section 18. Section 27.18.030 of the San Mateo Municipal Code is amended as follows:

27.18.030 SPECIAL USES.

The following uses may also be allowed if a special use permit is approved:

(a) Detached accessory structures, other than accessory dwelling units, containing more than two (2) plumbing fixtures or waste lines;

(b) Swimming pools, hot tubs and spas located in required front yard or street side yard;

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(c) Cemeteries, mausoleums, and columbaria, subject to the provisions of the Section 27.18.120;

(d) Churches, convents, parish houses, and monasteries, including as a permitted accessory use emergency shelters subject to the requirements in a residential zone;

(e) Community services including but not limited to libraries, parks, playgrounds, and community centers;

(f) Group homes that provide licensed services to seven (7) or more residents without disabilities, in addition to the caregiver's family, subject to the objective development standards that apply to other residential uses of the same type in the same zone. Certain licensed group homes shall be subject to separation requirements pursuant to Health and Safety Code Section 1267.9;

(g) Public and private educational facilities;

(h) Day care centers when located within a public or quasi-public structure such as a school, recreation center, church, temple or similar facility;

(i) Philanthropic and eleemosynary uses;

(j) Public utility facilities; and

(k) Temporary real estate sales offices for a period not to exceed the duration of the construction and sale of homes within the subdivision wherein the sales office is to be located.

Section 19. Section 27.20.010 of the San Mateo Municipal Code is amended as follows:

27.20.010 PERMITTED USES.

No building or land in the R2 district shall be used and no building shall be hereafter erected, structurally altered or enlarged, unless otherwise provided in this title, except for the following:

(a) Any use permitted in the R1 districts, subject to the same regulations and exceptions;

(b) Two family dwellings;

(c) Accessory uses which are necessary to the above-mentioned buildings and uses.

Section 20. Section 27.20.020 of the San Mateo Municipal Code is amended as follows:

27.20.020 SPECIAL USES.

(a) Special uses in the R2 districts shall be any special uses permitted in the R1 district, subject to the same regulations and exceptions;

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(b) Mobilehome parks.

Section 21. Section 27.22.010 of the San Mateo Municipal Code is amended as follows:

27.22.010 PERMITTED USES.

Use of buildings or land in this district and buildings hereafter erected, structurally altered or enlarged, shall be limited to the following:

(a) Any use permitted in the R1 and R2 districts;

(b) Multiple family dwellings, as defined in this title;

(c) One family row dwellings, as defined in this title;

(d) Supportive housing in compliance with Government Code Sections 65650 - 65656, shall be considered a use by-right use. “Use by right” shall have the same meaning as defined in Government Code Section 65583.2(i). Supportive housing shall also be in compliance with Section 27.94.020 By-Right Residential Use Requirements and subject only to those objective development standards and policies that apply to other multifamily development within the same zone.

(e) Accessory uses which are necessary to the above-mentioned buildings and uses.

Section 22. Section 27.22.020 of the San Mateo Municipal Code is amended as follows:

27.22.020 SPECIAL USES.

Unless otherwise provided, the following uses may be allowed if a special use permit is approved:

(a) Any special use permitted in the R1 and R2 districts;

(b) Bed and breakfast inns;

(c) Boarding and lodging houses with a five (5) resident limitation;

(d) Residential care facility (excluding group homes) with seven (7) or more residents in addition to the caregiver. Certain licensed care facilities shall be subject to separation requirements pursuant to Health and Safety Code Section 1267.9;

(e) Day care centers.

Section 23. Section 27.24.010 of the San Mateo Municipal Code is amended as follows:

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27.24.010 PERMITTED USES.

Use of buildings or land in this district and buildings hereafter erected, structurally altered or enlarged, shall be limited to the following:

(a) Any use permitted in the R1, R2, or R3 districts;

(b) Single Room Occupancy Units;

(c) Accessory uses which are necessary to the above-mentioned buildings and uses.

Section 24. Chapter 27.27 of the San Mateo Municipal Code is repealed.

Section 25. Section 27.30.010 of the San Mateo Municipal Code is amended as follows:

27.30.010 PERMITTED USES.

The following uses are permitted provided that the use limitations contained in Section 27.30.025, "Permitted and special uses—Twenty-Fifth Avenue Improvement Area," shall apply to properties in the Twenty-Fifth Avenue Improvement Area and the use limitations contained in Section 27.30.027, "Permitted and special uses—Hillsdale Station Area Plan Active Zone," shall apply to properties in the Hillsdale Station Area Plan Active Zone:

(a) Animal grooming, provided no overnight boarding occurs on the site;

(b) Bakeries;

(c) Barber shops and hair salons;

(d) Delicatessens;

(e) Dry cleaners, with customer service areas;

(f) Financial institutions, provided the ground floor area devoted to this use does not exceed 2,500 square feet per establishment;

(g) Health studios and spas;

(h) Laundromats;

(i) Libraries;

(j) Low Barrier Navigation Center above the ground floor in compliance with Government Code Sections 65660-65668 shall be considered a use by-right. “Use by right” shall have the same meaning as defined in subdivision (i) of Section 65583.2. Supportive housing shall also be in compliance with Section 27.94.020 By-

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Right Residential Use Requirements and subject only to those objective development standards and policies that apply to other multifamily development within the same zone.

(k) Newspaper publishing;

(l) Offices, provided the ground floor area devoted to this use does not exceed 2,500 square feet per establishment;

(m) Photo processing;

(n) Picture framing;

(o) Real estate establishments;

(p) Residential units above the ground floor, subject to R3 district "Minimum Development Standards" in Section 27.22.040 and affordable housing requirements as adopted by City Council resolution, unless otherwise specified in Chapter 27.29;

(q) Restaurants and accessory outdoor dining areas, without drive-through facilities;

(r) Retail uses, such as, but not limited to, the following uses, subject to a maximum of 15,000 square feet of floor area per establishment except for supermarkets and drug stores:

(1) Antique shops,

(2) Apparel sales, tailoring and repair stores,

(3) Drug stores,

(4) Hardware and garden supply stores,

(5) Household furnishings,

(6) Pet shops,

(7) Supermarkets and grocery stores;

(s) Reverse vending machines, subject to regulations established in Chapter 27.69;

(t) Schools and day care facilities;

(u) Travel agencies;

(v) Accessory uses to principle uses permitted; and

(w) Other compatible uses as determined by the zoning administrator.

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Section 26. Section 27.30.020 of the San Mateo Municipal Code is amended as follows:

27.30.020 SPECIAL USES.

The following uses may also be permitted subject to approval of a special use permit, provided that the use limitations contained in Section 27.30.025, "Permitted and special uses—Twenty-Fifth Avenue Improvement Area," shall apply to properties in the Twenty-Fifth Avenue improvement Area and the use limitations contained in Section 27.30.027, "Permitted and special uses—Hillsdale Station Area Plan Active Zone," shall apply to properties in the Hillsdale Station Area Plan Active Zone:

(a) Accessory buildings containing plumbing;

(b) Alternative financial services subject to the following requirements:

(1) A maximum of four alternative financial services may be located in the City of San Mateo.

(2) No alternative financial service may be located within a radius of 1,000 feet from the nearest existing alternative financial service.

(3) Any alternative financial service seeking to begin operations after the effective date of the ordinance codified in this section shall meet the following minimum standards of performance, which shall be included as conditions of approval for such uses:

(A) A lighting plan shall be reviewed and approved by the Police Department and the Building Division for conformance with the City's security ordinance prior to the issuance of building permits.

(B) Storefronts shall have glass or transparent glazing in the windows and doors. No more than 10% of any window or door area shall be covered by signs, banners, or opaque coverings of any kind.

(C) Hours of operation shall be limited to 7:00 a.m. to 7:00 p.m.

(D) At least one uniformed security guard will be on duty at all times the business is open. The security guard shall patrol the interior and all exterior portions of the property under the control of the owner or operator of the alternative financial service, including, but not limited to, parking lots and any open public spaces such as lobbies.

(c) Automobile gasoline service stations;

(d) Boarding, lodging, or rooming houses;

(e) Community care facilities serving seven or more persons in addition to the caregiver. Certain licensed care facilities shall be subject to separation requirements pursuant to Health and Safety Code Section 1267.9 ;

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(f) Convalescent homes, rest homes, nursing homes, limited to the housing of not more than six persons in addition to the owner or manager, and family;

(g) Drive-through facilities for financial institutions and for pharmacies dispensing only prescriptions or medicinal goods at the drive-through facility. Drive-through facilities for pharmacies shall be subject to the parking requirements for financial institution drive-through uses, as enumerated in Section 27.64.160(7)(a).

(h) Fast food establishments without drive-through facilities;

(i) Financial institutions, exceeding 2,500 square feet of ground floor area per establishment up to a maximum of 15,000 square feet of floor area;

(j) Offices exceeding 2,500 square feet of ground floor area per establishment up to a maximum of 15,000 square feet of floor area;

(k) Parking facilities, as a principal use;

(l) Public utility and public service uses;

(m) Recreational vehicle storage, subject to regulations established in Section 27.64.267, and only on those parcels designated for such use in Section 27.60.180;

(n) Recycling facilities subject to regulations established in Chapter 27.69;

(o) Religious institutions;

(p) Businesses selling or renting firearms as defined by Penal Code Section 12001(b); and

(q) Other compatible uses as determined by the zoning administrator subject to the granting of a special use permit.

Section 27. Section 27.32.010 of the San Mateo Municipal Code is amended as follows:

27.32.010 PERMITTED USES.

The following uses are permitted:

(a) Permitted uses in the C1 district;

(b) Art galleries;

(c) Automotive accessory stores, excluding on-site service and repair of vehicles;

(d) Boarding, lodging, or rooming houses;

(e) Catering services;

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(f) Hotels and motels, including restaurant and meeting rooms;

(g) Laundries;

(h) Medical and dental clinics, including laboratories;

(i) Offices;

(j) Parking facilities;

(k) Printing, lithographing, or publishing establishments for newspaper, business cards, and other similar uses;

(l) Radio and television broadcasting stations;

(m) Reproduction services;

(n) Residential units, subject to R4 district "Minimum Development Standards" in Section 27.24.040 and affordable housing requirements as adopted by City Council resolution, except as otherwise specified in Chapter 27.29;

(o) Retail uses, including incidental rental and repair;

(p) Emergency Shelters ;

(q) Accessory uses to principle uses permitted; and

(r) Other compatible uses as determined by the zoning administrator.

Section 28. Section 27.32.020 of the San Mateo Municipal Code is amended as follows:

27.32.020 SPECIAL USES.

The following uses may also be permitted, subject to approval of a special use permit:

(a) Special uses permitted in the residential and C1 districts, except increases in floor area ratios;

(b) Clubs, lodges, and fraternal organizations;

(c) Commercial recreation uses;

(d) Hospitals;

(e) Mortuaries;

(f) Public transportation facilities and terminals; and other similar uses;

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(g) Recreational vehicle storage, subject to the provisions of Section 27.64.267 of this Title;

(h) Theaters, excluding drive-in theaters; and

(i) Other compatible uses as determined by the zoning administrator subject to the granting of a special permit.

Section 29. Section 27.34.010 of the San Mateo Municipal Code is amended as follows:

27.34.010 PERMITTED USES.

The following uses are permitted:

(a) Permitted uses in the C1 and C2 districts provided that residential uses are subject to R4 district "Minimum Development Standards" in Chapter 27.24 and affordable housing requirements as adopted by City Council resolution, except as otherwise specified in Chapter 27.29;

(b) Ambulance service;

(c) Automobile, boat, and truck sales and rental, including service and repair as accessory to the primary sales use, sales may occur on open lot;

(d) Automobile service, parts, and repairs, classified as minor motor vehicle repair in Section 27.04.325;

(e) Car wash and detailing facilities, may not occur on open lot;

(f) Laboratories, research, experimental, and testing, provided no production or manufacturing of products occurs on the premises;

(g) Accessory uses to principle uses permitted; and

(h) Other compatible uses as determined by the Zoning Administrator.

Section 30. Section 27.36.010 of the San Mateo Municipal Code is amended as follows:

27.36.010 PERMITTED USES.

The following uses are permitted:

(a) Permitted uses in the C1, C2, and C3 districts, except that residential uses, low barrier navigation centers, office uses on the properties along Palm Avenue between Twentieth and Twenty-fifth Avenues, and emergency shelters are prohibited;

Section 31. Section 27.38.020 of the San Mateo Municipal Code is amended as follows:

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27.38.020 PERMITTED USES.

Unless otherwise provided in this title, uses of building or land in this district and buildings hereafter erected, structurally altered or enlarged shall be limited to the following uses:

(a) Any use permitted in the C2 District, except an animal hospital and emergency shelters; provided that the use limitations contained in Section 27.38.110, Required Retail Frontage, shall apply to properties located within the required retail frontage area, as shown in the Downtown Plan.

(b) Multiple-family dwellings, when part of a mixed use development, subject to CBD residential development standards and affordable housing requirements as adopted by City Council resolution;

(c) Name plates and signs, as classified and regulated in Title 25.

Section 32. Section 27.44.020 of the San Mateo Municipal Code is amended as follows:

27.44.020 PERMITTED USES.

The following uses shall be permitted:

(a) Administrative, executive, and professional offices, provided that the professional offices are limited to those professions listed in Section 5.24.160, and including similar professional occupations, and provided that no office of a veterinarian shall include an animal hospital or kennel.

(b) Accessory uses; including, but not limited to:

(1) Sale of personal goods and services, when provided in the principal building, including, but not limited to, the following:

(A) Flower, food, and news vending;

(B) Printing and photocopying;

(C) Travel agencies;

(D) Ticket outlets;

(2) Other services which are customary appurtenant uses.

(c) Health and recreation facilities.

(d) Public utility and service uses.

(e) Financial and business offices and related facilities.

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(f) Research laboratories (experimental and testing), provided no production or manufacturing occurs, and provided that all activities conform with the performance standards established for the M1 district.

(g) Residential units, subject to R3 district "Minimum Development Standards" in Section 27.22.040 and affordable housing requirements as adopted by City Council resolution, unless otherwise specified in Chapter 27.29.

(h) Restaurants without drive-through facilities.

(i) Schools and day care facilities.

(j) Warehousing, storage, and distribution facilities as accessory uses but not exceeding 10,000 square feet per establishment or not more than 60% of gross floor area per establishment.

(k) Other compatible uses as determined by the Zoning Administrator.

Section 33. Section 27.44.030 of the San Mateo Municipal Code is amended as follows:

27.44.030 SPECIAL USES.

The following uses may also be permitted subject to approval of a special use permit:

(a) Alternative financial services, subject to the restrictions set forth in Section 27.30.020;

(b) Automobile gasoline service station;

(c) Clubs, lodges, and fraternal organizations;

(d) Hotels;

(e) Parking facilities, as a principle use;

(f) Religious institutions; and

(g) Other compatible uses as determined by the Zoning Administrator subject to the granting of a special use permit.

Section 34. Section 27.48.020 of the San Mateo Municipal Code is amended as follows:

27.48.020 PERMITTED USES.

The following uses are permitted:

(a) Permitted uses in the E1 district

Section 35. Section 27.48.030 of the San Mateo Municipal Code is amended as follows:

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27.48.030 SPECIAL USES.

Reserved.

Section 36. Section 27.60.020 of the San Mateo Municipal Code is added to Chapter 27.60 as follows:

27.060.020 DEFINITIONS

The following definitions apply to this chapter.

(a) "Farmworker housing" means an agricultural employee housing development that satisfies all of the following:

(1) The agricultural employee housing does not contain dormitory-style housing

(2) The development consists of no more than 36 units or spaces designed for use by a single family or household

(3) Except as otherwise provided in subparagraph (2), the agricultural employee housing will be maintained and operated by a qualified affordable housing organization that has been certified pursuant to Government Code Section 17030.10 or operated by a local public housing agency or a multicounty, state, or multistate agency that has been certified as a qualified affordable housing organization

(4) An affordability covenant is recorded on the property to ensure the affordability of the proposed agricultural employee housing for agricultural employees for not less than 55 years.

Section 37. Section 27.60.030 of the San Mateo Municipal Code is amended as follows:

27.60.030 PERMITTED USES.

Permitted uses shall be as follows:

(a) All uses commonly classed as agriculture, horticulture or forestry, including crop and tree farming, and nursery operation.

(b) Horse racetracks and related uses, including, but not limited to, veterinary facilities, feed storage facilities, stables, offices, restaurants, sleeping quarters, plant nurseries and equipment storage facilities.

(c) One-family detached dwelling and accessory buildings provided the property (or zoning plot) upon which the dwelling is located has as its principal use one of the agricultural uses permitted above.

(d) Accessory dwelling units, when a primary dwelling is located on the site.

(e) Parks, forest preserves and recreational areas, when publicly owned and operated.

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(f) Golf courses, regulation size, but not including "par 3" golf courses, commercially operated driving ranges or miniature golf courses; and provided, that no clubhouse or accessory building shall be located nearer than five feet to any dwelling.

(g) Signs, advertising the sale or rental of the property upon which the sign is located.

(h) Public utility facilities.

(i) Farmworker housing consisting of no more than 36 beds in group quarters or 12 units or spaces designed for use by a single family or household.

Section 38. Section 27.60.040 of the San Mateo Municipal Code is amended as follows:

27.60.040 SPECIAL USES.

The following uses may also be permitted if their site locations and proposed development plans are first approved, as provided for in Chapters 27.06 through 27.12, 27.62, 27.74, 27.78 and 27.80:

(a) Mining, dredging, loading, and hauling of sand, shells, salt, dirt, gravel or other aggregate, but not including equipment, buildings or structures for screening, refining, crushing, mixing, washing or storage.

(b) Railroad Rights-of-Way and Trackage. Airports or aircraft landing fields. Radio and television towers, commercial.

(c) Filling of lowland with noncombustible material free from refuse and food wastes.

(d) Sanitary land fill, when operated or supervised by the City.

(e) Kennels, commercial, and animal hospitals.

(f) Public service uses:

(g) Filtration plant, pumping station, and water reservoir;

(h) Sewage treatment plant;

(i) Other governmental uses.

(j) Temporary farmworker housing consisting of more than 36 beds in group quarters or more than 12 units or spaces designed for use by a single family or household.

Section 39. Section 27.60.050 of the San Mateo Municipal Code is amended as follows:

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27.60.050 CONDITIONS OF USE.

No horses, cattle, or other domestic animals shall be bred, raised, or maintained within 500 feet of any residential district as established in this zoning title.

Section 40. Section 27.60.090 of the San Mateo Municipal Code is amended as follows

27.60.090 SPECIAL USES.

The following uses may also be allowed if a special use permit is approved:

(a) Detached accessory structures, containing more than two plumbing fixtures or waste lines;

(b) Swimming pools, hot tubs and spas located in required front yard or street side yard;

(c) Cemeteries and mausoleums;

(d) Churches, convents, parish houses, and monasteries;

(e) Community services, including, but not limited to, libraries, parks, playgrounds, and community centers;

(f) Public and private educational facilities;

(g) Day care centers serving more than six persons or family day care centers serving more than 14 children;

(h) Philanthropic and eleemosynary uses;

(i) Public utility facilities; and

(j) Temporary real estate sales offices for a period not to exceed the duration of the construction and sale of homes within the subdivision wherein the sales office is to be located.

Section 41. Environmental Determination. In accordance with California Environmental Quality Act (CEQA) Guidelines, section 15183, this zoning amendment to establish a by-right residential overlay district and reclassify parcels with the overlay district ("project") is exempt from further environmental review because the Project which generally allows for more housing types to be permitted uses in specific zoning districts and remove regulatory barriers from the zoning code is consistent with the anticipated land uses under the land use designations for the sites adopted as part of the General Plan 2040 for which an EIR was certified by the City Council on March 18, 2024. Also, there are no specific proposed changes to residential development densities and is consistent with the development density established by the General Plan. The Project is also consistent with the implementation policies of the adopted and certified Housing Element and pursuant to certain mandates in state law. There are no project specific effects that are peculiar to the project or the sites; there are no project specific impacts that the General Plan Update EIR failed to analyze as significant effects; there are

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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.

Section 42. Severability. In the event any section, clause or provision of this ordinance shall be determined invalid or unconstitutional, such section, clause or provision shall be deemed severable and all other sections or portions hereof shall remain in full force and effect.

Section 43. Publication. This Ordinance shall be published in summary in a newspaper of general circulation, posted in the City Clerk's Office, and posted on the City's website, all in accord with Section 2.15 of the City Charter.

Section 44. Legislative History and Effective Date. This ordinance was introduced on March 17, 2025, and adopted on April 7, 2025, and shall be effective 30 days after its adoption.

The foregoing Ordinance was adopted by the City Council of the City of San Mateo, State of California by the following vote:

AYES: Council Members Newsom, Loraine, Fernandez, Cwirko-Godycki and Diaz Nash

NOES: None

ABSENT: None

ATTEST:

Martin McTaggart, City Clerk

Robert Newsom Jr., Mayor

Ord. No. 2025-05. Zoning Code Amendments and Below Market Rate Program Update — Ordinance Adoption

WHEREAS, the State Housing Element Law (Government Code Section 65580 et seq.) requires that the City Council adopt a Housing Element for the 2023-2031 period to accommodate the City of San Mateo ("City") regional housing need allocation (RHNA) of 7,015 housing units; and

WHEREAS, on May 20, 2024, the City Council adopted a resolution to adopt the revised Housing Element of the General Plan for the period of 2023-2031 (Housing Element); and

WHEREAS, under Housing Element Goal 1 – Production and the Policies H1.3, H1.6, and H1.9, the City commits to reviewing and amending the City's Zoning Code to update the City's Inclusionary Housing requirements to allow for alternative compliance options to increase affordable housing production, update standards to support housing production, and create minimum residential densities for mixed-use projects; and

WHEREAS, the Environmental Impact Report (EIR) for the San Mateo General Plan 2040 analyzed new residential development of up to 19,764 new housing units and growth around the City through 2040; and

WHEREAS, on March 18, 2024, at a duly noticed public hearing, the City Council certified the EIR for the San Mateo General Plan 2040, pursuant to the California Environmental Quality Act of 1970, together with related State implementation guidelines promulgated thereunder (CEQA); and

WHEREAS, on May 13, 2025, the Planning Commission held a duly noticed public hearing, received all written and oral public comments, and recommended that the City Council approve the proposed ordinance to amend several Chapters of Title 27, Zoning, of the San Mateo Municipal Code to Implement the 2023-2031 San Mateo Housing Element (Sixth Housing Cycle); and

WHEREAS, on July 28th, 2025, at a duly noticed public hearing, the City Council adopted an ordinance to adopt the amendments to several Chapters of Title 27, Zoning, of the San Mateo Municipal Code to Implement the 2023-2031 San Mateo Housing Element (Sixth Housing Cycle).

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

Section 1.

Legislative Findings. At a duly noticed public hearing on July 28th, 2025, the City Council of the City of San Mateo reviewed and considered the accompanying staff report and attachments thereto, the exemption from environmental review, together with comments received during the public review process, and hereby finds and determines that the proposed ordinance is consistent with the adopted General Plan in that it supports the development of housing and achieves the General Plan's stated goals and policies.

Section 2.

Section 27.02.230 of the San Mateo Municipal Code is added to Chapter 27.02 as follows:

> ## 27.02.230 RESIDENTIAL MIXED-USE DEVELOPMENT PROJECTS.
>
> (a) Within a 1/2 mile radius of a Caltrain Station as shown on the General Plan Land Use Map, a mixed-use development project with a residential component that includes five or more residential units shall comply with the following minimum residential densities if the development project is within one of the following General Plan Land Use Designations. If the project area is within more than one General Plan Land Use Designations, the lowest density requirement applies.
>
> (1) Mixed-Use Low and Mixed-Use Medium I – 30 dwelling units per acre
>
> (2) Mixed-Use Medium II and Mixed-Use High – 50 dwelling units per acre
>
> (b) A mixed-use development project with a residential component that includes five or more residential units outside of a TOD area are required to comply with minimum residential densities when the development project is within one of the following General Plan Land Use Designations. If the project area is within more than one General Plan Land Use Designations, the lowest density requirement applies.
>
> (1) Mixed-Use Low – 10 dwelling units per acre
>
> (2) Mixed-Use Medium I – 15 dwelling units per acre
>
> (3) Mixed-Use Medium II – 30 dwelling units per acre

(4) Mixed-Use High – 50 dwelling units per acre

(c) The City Council may consider a request to reduce the required minimum residential density in a mixed-use development project with a residential component for a project that provides a greater percentage of affordable housing units than required by Section 27.16.050 Affordable Housing or by providing public community benefits.

Section 3.

Section 27.04.130 of the San Mateo Municipal Code is amended as follows:

27.04.130 SITE PLAN AND ARCHITECTURAL REVIEW (SPAR).

(a) The following projects, as well as other projects that may be designated in this code, require a site plan and architectural review and no such project shall commence until the approval body has approved a planning application for site plan and architectural review: any building, new parking lot, fence over seven (7) feet in height, or an extension, alteration, or addition of or to an existing building or parking lot; historic buildings within the Downtown Specific Plan area as specified in Chapter 27.66. Single family and accessory buildings that conform to the standards contained in Chapter 27.18, or minor facade modifications as defined in Section 27.04.313, and which conform with Section 27.08.031, are exempt from this requirement, unless they are specifically designated by this section as requiring review. In making its review, the Zoning Administrator, Development Review Board, and Planning Commission shall be guided by the standards adopted by the Planning Commission and City Council. The application shall be approved if the Zoning Administrator or Commission finds all of the following to exist:

(1) The structures, site plan, and landscaping are in scale and harmonious with the character of the neighborhood;

(2) The development will not be detrimental to the harmonious and orderly growth of the City;

(3) The development will not impair the desirability of investment or occupation in the vicinity, and otherwise is in the best interests of the public health, safety, or welfare;

(4) The development meets all applicable standards as adopted by the Planning Commission and City Council, conforms with the General Plan, and will correct any violations of the

zoning ordinance, building code, or other municipal codes that exist on the site;

(5) The development will not adversely affect matters regarding police protection, crime prevention, and security.

(b) All buildings, structures, landscaping, and other establishments shall be constructed in accordance with the approved drawings.

(c) The City Council shall review and make the final determination on all buildings that exceed the height limit in the General Plan.

Section 4.

Subsection (d) of Section 27.06.050 of the San Mateo Municipal Code is amended as follows:

(d) Site Plan and Architectural Review for buildings that exceed the height limit in the General Plan;

Section 5.

Section 27.08.035 of the San Mateo Municipal Code is amended as follows:

27.08.035 COMPLETION OF PLANNING APPLICATION.

(a) A planning application is determined to be complete when all documents, reports, data, maps, fees, and other information prescribed in Section 27.08.010 are submitted and are determined to be adequate to allow the approval body to determine if the required findings can be made.

(b) For any application determined to be incomplete, an applicant may appeal the incompleteness determination to the Planning Commission within 14 days of the date of the incomplete letter. Any appeal shall be submitted in writing, and be accompanied by payment of the filing fee. Pursuant to California Government Code Section 65943, the Planning Commission shall make a final written determination on the appeal not later than 60 calendar days after receipt of the applicant's written appeal. The appeal process shall toll any timing requirements to resubmit incomplete application materials.

(c) The Zoning Administrator may close out an application, if information is requested in writing by the Zoning Administrator, and the information has not been submitted to the Zoning Administrator or the action has not occurred within 120 days. Applications which are closed out are considered to be withdrawn and any unspent fees from the application will be refunded. An applicant for a housing development project, as defined in California Government Code Section 65905.5(b)(3) shall follow timelines and provisions outlined in California Government Code Section 65941.1 to maintain preliminary application eligibility.

(d) The Zoning Administrator's action may be appealed to the Planning Commission within ten (10) days of the Zoning Administrator's action closing out an application, or of determining that a new planning application is required.

Section 6.

Section 27.08.085 of the San Mateo Municipal Code is amended as follows:

27.08.085 PLANNING APPROVAL EXPIRATION.

Final approval of a planning application shall expire two years from the date of approval, with the following exceptions:

(a) A completed building permit application is filed before the expiration date and a building permit is issued prior to or within six months after the two year expiration date.

(b) The property within two years has been used in conformance with the final order.

(c) Approvals granted to the City of San Mateo shall be in force and effect for such time period as funds are budgeted in whole or in part for the project by the City or Agency.

(d) Projects for which an extension has been obtained in accordance with Section 27.08.087 below.

Section 7.

Section 27.08.087 of the San Mateo Municipal Code is amended as follows:

27.08.087 PLANNING APPROVAL EXTENSION.

The following extensions to planning approvals are available:

(a) Extensions required by state or federal law. Where state or federal law requires that extension of a planning approval be considered, the Zoning Administrator shall approve an extension if they find that the project complies with all applicable zoning, planning, and general plan regulations and conditions.

(b) City extensions. The Zoning Administrator may approve up to two extensions of a planning approval, each for up to two years, subject to the following provisions:

(1) Application required. To apply for a planning approval extension, an applicant must submit the application prior to the expiration date of the planning approval, pay the application fee and provide the reason(s) for the extension request.

(2) Findings required. To approve a time extension, the Zoning Administrator must find all of the following:

(A) The approved project is still consistent with the City's General Plan; and

(B) The approved project is still consistent with the City's Zoning Ordinance; and

(C) The extension will not result in any new environmental impacts or an increase in severity of previously identified environmental impacts.

(c) Notice of Zoning Administrator Decision on Extension. Notice will be provided to the neighborhood by the same process followed for the original project approval. Notice will also be provided to the Planning Commission and City Council within ten days of the Zoning Administrator's decision.

(d) Appeals. The decision of the Zoning Administrator is appealable to the Planning Commission within ten days of the Zoning Administrator's decision by filing a written appeal with the Planning Division and payment of applicable fees. When an appeal is filed, the expiration date of a planning approval is tolled until a final action is taken. The provisions of Municipal Code Chapter 26.48 govern for all projects with associated subdivision maps.

Section 8.

Section 27.16.050 of the San Mateo Municipal Code is amended as follows:

> **27.16.050 AFFORDABLE HOUSING.**
>
> To implement the affordable housing goals and policies in the General Plan, the City Council adopted the Below Market Rate (BMR) Program. Specific requirements for the development of affordable units under the BMR Program, including the alternative compliance option of providing offsite affordable units and other proposed alternatives, are regulated by resolution adopted by the City Council.

Section 9.

Environmental Determination In accordance with California Environmental Quality Act (CEQA) Guidelines Section 15183, the zoning amendment to streamline the processing of development applications, and establish minimum densities for mixed-use housing development projects is exempt from further environmental review because the Project is consistent with the anticipated land uses under the land use designations adopted as part of General Plan 2040 for which an EIR was certified by the City Council on March 18, 2024. Also, there are no specific proposed changes to maximum residential development densities and is consistent with the development density established by the General Plan. The Project is also consistent with the implementation policies of the adopted and certified Housing Element and pursuant to certain mandates in state law. There are no project specific effects that are peculiar to the project or the sites; 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.

Section 10. Severability.

In the event any section, clause or provision of this ordinance shall be determined invalid or unconstitutional, such section, clause or provision shall be deemed severable and all other sections or portions hereof shall remain in full force and effect.

Section 11. Publication.

This Ordinance shall be published in summary in a newspaper of general circulation, posted in the City Clerk's Office, and posted on the City's website, all in accord with Section 2.15 of the City Charter.

Section 12. Legislative History and Effective Date.

This Ordinance was introduced on June 16, 2025, and adopted on July 28, 2025, and shall be effective 30 days after its adoption.

The foregoing Ordinance was adopted by the City Council of the City of San Mateo, State of California by the following vote:

AYES	Council Members Newsom, Loraine, Fernandez, Cwirko-Godycki and Diaz Nash
NOES	None
ABSENT	None

ATTEST: