

CITY OF SAN MATEO
City Council Regular Meeting
November 7, 2022
7:00 PM

City Hall Council Chamber
Entrance is on O'Farrell Street



COUNCIL MEMBERS
Rick Bonilla, Mayor
Diane Papan, Deputy Mayor
Joe Goethals
Amourance Lee
Eric Rodriguez

AGENDA

**THIS MEETING IS BEING HELD PURSUANT TO THE GOVERNOR'S EXECUTIVE ORDERS
WHICH SUSPEND CERTAIN REQUIREMENTS OF THE BROWN ACT.
THIS MEETING CAN BE ATTENDED IN PERSON OR REMOTE BY JOINING ZOOM – SEE CODES BELOW.
PUBLIC COMMENTS WILL BE ACCEPTED BOTH IN PERSON AND REMOTELY.
SEE END OF AGENDA FOR OPTIONS AND INSTRUCTIONS ON HOW TO PARTICIPATE IN THE MEETING.**

To join via Zoom – click here: [November 7, 2022](#)
To join via telephone: (408) 638-0968
Webinar ID: 869 3561 4559 Passcode: 154141

**The City Council meeting will conclude by 11:00 p.m. unless otherwise extended by council vote.
Any unheard items will automatically move forward to the next regular meeting.**

CALL TO ORDER

Pledge of Allegiance
Roll Call

CEREMONIAL

1. George Smith (San Mateo County Veteran of the Year 2022) – Recognition
2. San Mateo Age Friendly Action Plan – Update

CONSENT CALENDAR

All matters listed under the Consent Calendar are considered by the Council to be routine and will be enacted by one motion without discussion. If discussion is desired, that item may be removed and considered separately.

3. City Council Meeting Minutes - Approval

Approve the minutes of the City Council special and regular meetings of October 17, 2022.

CEQA: This approval is not a project subject to CEQA, because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines Section 15378(b)(5).)

4. 2022 Triennial Building Code Update and Adoption of Dangerous Building Code – Ordinance Adoption

Adopt an Ordinance to adopt the 2022 Building Standards Code by reference with local amendments; amend various sections of San Mateo Municipal Code Title 23 "Buildings and Construction" to reflect the 2022 Building Standards Code; update procedural language and revise miscellaneous sections; and adopt by reference the 1997 Uniform Code for the Abatement of Dangerous Buildings.

CEQA: Adoption of an ordinance adopting by reference the 2022 Building Standard Codes with local amendments and the Dangerous Building Code is not a project subject to CEQA review because is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines Section 15378(b)(5).)

5. "Appeal of Administrative Citation" Amendments – Ordinance Adoption

Adopt an Ordinance to amend San Mateo Municipal Code Chapter 1.10, Section 1.10.060 "Appeal of Administrative Citation" and Chapter 2.21 "Community Relations Commission" to create an administrative citation appeal procedure before an impartial hearing officer related to violations of technical building and health and safety codes.

CEQA: This City Council action is not a project subject to CEQA, because it is an organizational or administrative activity that will not result in direct or indirect physical changes to the environment. (CEQA Guidelines Section 15378(b)(5).)

6. Sustainability-Related Amendments to the 2022 California Building Standards Code – Ordinance Adoption

Adopt an Ordinance to amend the San Mateo Municipal Code Chapter 23.40 "Energy Code" to adopt the 2022 California Energy Code by reference and amend the San Mateo Municipal Code Chapter 23.70 "Green Building Code" to adopt the 2022 California Green Building Standards Code with local amendments to require enhanced electric vehicle charging infrastructure beyond state requirements, require all-electric new construction, and require electric-readiness and electric appliances during residential building remodels.

CEQA: The adoption of the reach code amendments is categorically exempt from CEQA review because it consists of an action, as authorized by state or local ordinance, intended to reduce greenhouse gas emissions for the protection of the environment and the regulatory process involves procedures for protection of the environment. (CEQA Guidelines Section 15308.)(CEQA Guidelines Section 15378(b)(5).)

7. Mosquito Vector Control District - Reappointment

Reappoint Ed Degliantoni as a member of the Board of Trustees of the San Mateo County Mosquito & Vector Control District for a two-year term beginning January 1, 2023 and ending December 31, 2024.

CEQA: This reappointment is not a project subject to CEQA, because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines Section 15378(b)(5).)

8. Art in Public Places 2022 Report and Plan, Civic Arts Committee Renewal and Reappointments – Approval

Approve the Art in Public Places 2022 Report & Plan, renew the Civic Arts Committee for two years, reappoint the current Civic Arts Committee members, and approve the expenditure of \$10,000 from the Art in Public Places Fund for the Equity Art Project artist selection process.

CEQA: This approval of the report, renewal of the committee, or reappointment of committee members are not projects subject to CEQA, because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines Section 15378(b)(5).)

9. Enterprise Resource Planning System Replacement Project – Change Order

Approve a change order to the agreement with Collaborative Solutions for adding 1099-G and Dunning Letter services in the amount of \$14,700, for a revised contract agreement total of \$1,298,720.

CEQA: This change order is not a project subject to CEQA, because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines Section 15378(b)(5).)

10. Private Development and Right-of-Way Support Services – Agreement

Approve an agreement with CSG Consultants, Inc. for private development and right-of-way support services in the amount of \$150,000 for a term from December 1st, 2022, through December 1st, 2023, and authorize the Public Works Director to execute the agreement in substantially the form presented.

CEQA: This change order is not a project subject to CEQA, because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines Section 15378(b)(5).)

11. Landscape Services for Marina Lagoon Maintenance Project Habitat Mitigation Monitoring Plan - Agreement

Approve an agreement with WRA Landscape Restoration, Inc. for the implementation of the Marina Lagoon Maintenance Project Habitat Mitigation Monitoring Plan in an amount not to exceed \$93,080; establish a contingency reserve of \$9,300; and authorize the Public Works Director to execute the agreement in substantially the form presented and issue change orders within the contingency amount.

CEQA: This contract for services is categorically exempt from CEQA as an “existing facility,” because it consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use. (CEQA Guidelines Section 15301.)

12. Fashion Island Boulevard/19th Avenue Class IV Bikeway – Application

Adopt a Resolution to approve the submittal of an application to the San Mateo County Transportation Authority for Measure A and W Pedestrian and Bicycle Program Grant Funding for the Fashion Island Boulevard/19th Avenue Class IV Bikeway project in the amount of \$2,000,000 with a local match requirement of approximately \$200,000; and, if awarded, authorize the City Manager to execute all required documents and appropriate funds to the project.

CEQA: This grant application and resolution is not a project subject to CEQA, because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines Section 15378(b)(5).) This project was identified in the 2020 Bicycle Master Plan, which was determined to be Categorical Exempt under CEQA per Section 15304 Minor Alterations to Land – Class 4, Subsection (h).

13. Wastewater Treatment Plant Immediate Action Project, Package II – Appropriation

Adopt a Resolution to authorize an appropriation of funds in the amount of \$477,677 from the Sewer Fund Reserves for the Wastewater Treatment Plant Immediate Action Projects, Package II Project, revising the total project budget to a value of \$13,021,372.

CEQA: The work addressed by this administrative report is being undertaken to support the Clean Water Program. This project is subject to the requirements of the California Environmental Quality Act (CEQA), the general components of which are included as part of the Final Programmatic Environmental Impact Report (Final PEIR) (SCH No. 201532006) that was prepared for the Clean Water Program. The Final PEIR was certified by City Council on June 6, 2016.

14. Wastewater Treatment Plant Supply of Liquid Polymer – Contract Change Order

Approve a contract change order to SNF Polydyne for the supply of liquid emulsion polymer in the amount of \$15,000 for a revised total contract amount of \$394,303 and authorize the Public Works Director to execute the change order in substantially the form presented.

CEQA: This change order is not a project subject to CEQA, because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines Section 15378(b)(5).)

PUBLIC COMMENT

Members of the public wishing to comment on any item not appearing on the agenda may address the City Council at this time. State law prevents Council from taking action on any matter not on the agenda; your comments may be referred to staff for follow up. Public comment is limited to a total of 15 minutes; however, an opportunity for additional public comment may be provided later in the agenda.

PUBLIC HEARING

City Council action on the following public hearing(s) represents a final decision concluding all administrative proceedings. Judicial review may be had only if a petition is filed with the Court not later than the 90th day following the date the decision is made. Judicial review of environmental determinations may be subject to a time period for litigation as short as 30 days following the date the decision is made.

15. Downtown Business Improvement Area - Public Hearing

Introduce an Ordinance to modify the basis and method of levy for the Downtown Business Improvement Area (DBIA); and adopt a Resolution to approve the Proposed Annual Assessment Schedule for the DBIA for Fiscal Year 2023-24

CEQA: This item is exempt from California Environmental Quality Act (CEQA) requirements because it is an administrative activity that will not have a significant effect on the environment per CEQA Guidelines section 15378(b)(5).

NEW BUSINESS

16. Draft Goals, Policies and Actions for the Land Use, Community Design and Historic Preservation, and Safety Elements – General Plan Update

Provide direction on the Goals, Policies and Actions for the Land Use, Community Design and Historic Preservation, and Safety Elements that should be included in the City's Draft General Plan Update.

CEQA: In accordance with Public Resources Code section 21065, the City Council's direction on the draft Goals, Policies and Actions is not a project subject to CEQA because it can be seen with certainty that this activity will not

cause a physical change in the environment. A draft Environmental Impact Report is being prepared for the General Plan Update.

REPORTS AND ANNOUNCEMENTS

City Manager, City Attorney and Council Members report on their various assignments and liaison roles and Council requests for scheduling future items.

ADJOURNMENT

AGENDAS: Agendas and material are posted on the City's website on the Friday preceding each Council Meeting and can be viewed on the City's website at www.cityofsanmateo.org . Any supplemental material distributed to the Council after the posting of the agenda will be made part of the official record.

WATCHING A MEETING ON TV: City Council meetings are broadcast live on Comcast/channel 27, Wave/channel 26, or AT&T/channel 99. For transmission problems during the broadcast, please call (650) 522-7099. For all other broadcast comments, call (650) 522-7040, Monday-Friday, 8 a.m. - 5 p.m.

WATCHING A MEETING ON A COMPUTER: There are three ways to stream.

- 1) Public Meeting Portal www.cityofsanmateo.org/publicmeetings
- 2) City YouTube channel and stream it on YouTube: <http://youtube.com/CityofSanMateo>
- 3) Watch TV live stream: <https://www.cityofsanmateo.org/193/Channel-San-Mateo-Live-Stream>

PUBLIC COMMENTS/REQUEST TO SPEAK

Prior to the Meeting

Send comments to: clerk@cityofsanmateo.org until 4 p.m. the day of the meeting.

During the meeting

By Zoom: Click the link at the top of the agenda and you'll be added to the meeting. All attendees are muted by default. When the item of interest is open for consideration, select the "Raise Your Hand" icon and you will be called on at the appropriate time.

By telephone: Call (408) 638-0968 and enter the conference ID found at the top of the meeting agenda. When the item of interest is open for consideration, select *9 to raise your hand. When called upon, press *6 to unmute, state your name and provide your comments.

In Person: At the meeting complete a "Request to Speak" form, submit a request at the speaker kiosk or scan the QR code.

ACCESSIBILITY: In compliance with the Americans with Disabilities Act, those with disabilities requiring special accommodations to participate in this meeting may contact the City Clerk's Office at (650) 522-7040 or clerk@cityofsanmateo.org . Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.



CITY OF SAN MATEO

City Hall
330 W. 20th Avenue
San Mateo CA 94403
www.cityofsanmateo.org

Agenda Report

Agenda Number: 3

Section Name: CONSENT CALENDAR

Account Number: 10-151:

File ID: 22-6817

TO: City Council
FROM: Drew Corbett, City Manager
PREPARED BY: City Clerk's Office
MEETING DATE: November 07, 2022
SUBJECT:
City Council Meeting Minutes - Approval

RECOMMENDATION:

Approve the minutes of the City Council special and regular meetings of October 17, 2022.

BUDGET IMPACT:

There is no budget impact associated with this administrative item.

ENVIRONMENTAL DETERMINATION:

This approval is not a project subject to CEQA, because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines Section 15378(b)(5).)

NOTICE PROVIDED

All meeting noticing requirements were met.

ATTACHMENTS

Att 1 - Minutes 2022-10-17 Special
Att 2 - Minutes 2022-10-17 Regular

STAFF CONTACT

Patrice Olds, City Clerk
polds@cityofsanmateo.org
(650) 522-7042

COUNCIL MEMBERS
Rick Bonilla, Mayor
Diane Papan, Deputy Mayor
Amourence Lee
Joe Goethals
Eric Rodriguez

CITY OF SAN MATEO

Special Meeting Minutes

City Council

City Hall
330 W. 20th Avenue
San Mateo CA 94403
www.cityofsanmateo.org

October 17, 2022
City Hall Conference Room C 6:30 PM
Special Meeting

CALL TO ORDER -

Roll Call

Present: Mayor Bonilla, Deputy Mayor Papan, Council Members: Lee, Goethals and Rodriguez

CLOSED SESSION

Following the opportunity for public comment, there were no speakers, the City Council convened into Closed Session to consider:

1. Conference with Legal Counsel – Anticipated Litigation

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of section 54956.9: one potential case.

ADJOURNMENT – The meeting adjourned at 6:44 p.m.

APPROVED BY:

SUBMITTED BY:

Rick Bonilla, Mayor

Patrice Olds, City Clerk

COUNCIL MEMBERS
Rick Bonilla, Mayor
Diane Papan, Deputy Mayor
Amourance Lee
Joe Goethals
Eric Rodriguez

CITY OF SAN MATEO

Regular Meeting Minutes

City Council

City Hall
330 W. 20th Avenue
San Mateo CA 94403
www.cityofsanmateo.org

October 17, 2022
City Hall Council Chambers 7:00 PM
Regular Meeting

CALL TO ORDER –

Pledge of Allegiance
Roll Call

Present: Mayor Bonilla, Deputy Mayor Papan, Council Members: Lee, Goethals and Rodriguez

CEREMONIAL

1. 100th Anniversary of Central Park – Proclamation - Joanne Magrini, Parks and Recreation Director, received the proclamation
2. Breast Cancer Awareness Month – Proclamation - Matt Lethin, San Mateo Police Captain, received the proclamation
3. Fire Prevention Month – Proclamation - Melinda Martin, Deputy Fire Marshal, received the proclamation

CONSENT CALENDAR

The following items, 4 through 19, were considered to be routine by the City Council. Item 20 was removed to be considered separately. After the titles of the items were read by the Deputy City Clerk, the public was invited to comment and there were no speakers. Motion passed 5-0.

Moved: Goethals, Seconded: Rodriguez
Ayes: Bonilla, Papan, Lee, Goethals, and Rodriguez
Noes: None

4. City Council Meeting Minutes – Approval
Approve the minutes of the City Council Special and Regular meetings of October 3, 2022.
5. City Council Guidelines – Amendment
Adopt a Resolution to approve revised City Council Guidelines to amend the process governing the succession of the Mayor and Deputy Mayor to reflect the City's transition to district-based elections.

Enactment: Resolution No. 115 (2022)
6. Grand Jury Report: "A Delicate Balance between Knowledge and Power: Government Transparency and the Public's Right to Know" – Response Letter
Approve the letter responding to the August 9, 2022 report by the San Mateo County Civil Grand Jury entitled, "A Delicate Balance between Knowledge and Power: Government Transparency and the

Public's Right to Know" and authorize the Mayor to send the response letter on behalf of the City Council.

7. Citywide Small Trash Capture Project – Agreement

Approve an agreement with Schaaf & Wheeler Consulting Civil Engineers for design services for the Citywide Small Trash Capture Project in the amount of \$112,300; establish a contingency reserve in the amount of \$17,000 and authorize the Public Works Director to execute the agreement in substantially the form presented; and issue change orders within the contingency amount.

8. Use of Public Right-of-Way – Agreement

Approve a Utility Equipment Agreement (UEA) with Crown Castle Fiber, LLC for the construction, installation, maintenance, and operation of fiber optic network facilities within the public right-of-way and authorize the Public Works Director to execute the agreement in substantially the form presented.

9. Purchase and Installation of Public Safety Equipment – Agreement

Adopt a Resolution to approve an alternative bidding process and approve an agreement with Priority 1 Public Safety Equipment Installation, Inc. for the purchase and installation of public safety equipment in the amount of \$192,162.91; establish a contingency reserve in the amount of \$39,000; and authorize the Public Works Director to execute the agreement in substantially the form presented and issue change orders within the contingency amount.

Enactment: Resolution No. 116 (2022)

10. Clean Water Program – Amendment

Approve Amendment No. 8 to the agreement with CH2M Hill Engineers, Inc. to authorize scope and funding for the ninth year of program management services for the Clean Water Program in an amount not to exceed \$9,400,769 for Year 9 scope of services; establish a contingency reserve of \$1,410,000; and authorize the Public Works Director to execute this amendment in substantially the form presented and issue change orders within the contingency amount.

11. San Mateo County Transportation Authority Senate Bill 1 Solutions for Congestion Corridors and Local Partnership Program Grant Application – Letter of Support

Authorize the Mayor to send a letter of support on behalf of the City regarding San Mateo County Transportation Authority's application for Senate Bill 1 (SB 1) funding for the United States 101 and State Route 92 Area Improvements and Multimodal Project.

12. San Mateo County Gun Relinquishment Task Force Program – Memoranda of Understanding

Approve two Memoranda of Understanding with the County of San Mateo to define the purpose, goals and mission of the Gun Relinquishment Task Force, and to assign a Police Officer for a two-year term; adopt a Resolution to amend the 2022-23 budget to approve the addition of one Full Time Equivalent Police Officer for a two-year term and to; and authorize the Chief of Police to execute the agreements in substantially the form presented.

Enactment: Resolution No. 117 (2022)

13. Citywide Parking Enforcement Services – Amendment

Approve Amendment No. 1 to the agreement with LAZ Parking California LLC for citywide parking enforcement services in the amount of \$2,773,216 for a new agreement total of an amount not to exceed \$4,807,220; adopt a Resolution to appropriate \$50,000 to the Police Department's 2022-23

Operating Budget; and authorize the Chief of Police to execute the amendment in substantially the form presented.

Enactment: Resolution No. 118 (2022)

14. Police Officer Lateral Hiring Recruitment Incentive Program – Extension

Adopt a Resolution to authorize the extension of the Police Officer Lateral Hiring Recruitment Incentive Program to offer a \$30,000 recruitment incentive to up to five (5) highly qualified and experienced lateral police officers, in a cumulative amount not to exceed \$150,000.

Enactment: Resolution No. 119 (2022)

15. Permanent Local Housing Allocation – Grant Application

Adopt a Resolution to re-apply to the State of California for Permanent Local Housing Allocation grant program and amend the 5-year funding plan.

Enactment: Resolution No. 120 (2022)

16. Mapping Software – Enterprise License Agreement

Adopt a Resolution to approve an alternative purchasing method and an agreement with Environmental Systems Research Institute, Inc (ESRI) for purchase of software, cloud services, and support in the amount of \$208,000, and authorize the Director of Information Technology to execute the agreement in substantially the form presented.

Enactment: Resolution No. 121 (2022)

17. Outdoor Dining Guidelines – Amendments

Adopt a Resolution to approve amendments to the Parklet Permit Program Guidelines and the Sidewalk and Pedestrian Mall Outdoor Dining Permit Program and authorize the City Manager to make further minor administrative amendments to these program guidelines.

Enactment: Resolution No. 122 (2022)

18. Uncollectible Accounts Receivable Write Off – Approval

Adopt a Resolution to authorize writing off \$91,395.68 of uncollectible accounts receivable invoices as bad debt.

Enactment: Resolution No. 123 (2022)

19. November 8, 2022 Statewide Propositions – Recommendations

Approve the Legislative Committee's recommendations to take the following positions on the propositions on the ballot for the November 8, 2022 Statewide General Election: Proposition 28 (Funding Arts and Music Education) – Support; and Proposition 31 (Prohibiting Retail Sale of Certain Flavored Tobacco Products) – Support.

END OF CONSENT CALENDAR

REMOVED FROM CONSENT CALENDAR

20. Fixin' San Mateo County – Resolution of Support

Council Member Rodriguez pulled this item to comment that he has concerns with the oversight board, unsure of the appointment process and concerns with activist influence that could compromise the ability of the Sheriff's Office to keep the County safe. Not ready to sign on at this time.

Public Comment – Michael Levinson, North Peninsula Chapter of ACLU, the Sheriff herself supports this and the commission would be selected by the Board of Supervisors. Nancy Goodban thanked the Council for the endorsement and noted she supports an oversight board.

Motion to Adopt a Resolution to affirm the City of San Mateo City Council's support for Fixin' San Mateo County's (FxSMC) efforts to establish civilian oversight of the San Mateo County Sheriff's Office. Motion passed 4-1.

Moved: Goethals, Seconded: Bonilla

Ayes: Bonilla, Papan, Lee, and Goethals

Noes: Rodriguez

Enactment: Resolution No. 124 (2022)

PUBLIC COMMENT

Public Comment – Michael Berube thanked Council Member Papan for her commitment and involvement with the Chamber of Commerce.

NEW BUSINESS

21. Downtown Business Improvement Area – Resolution of Intent

Jennifer Chen, Economic Development Manager provided an overview of the business improvement area. Lew Cohen, President, Downtown San Mateo Association (DSMA), and Sara Mares, Director NBS and DSMA consultant, presented information on the history of the DSMA assessment fees, the difficulty of the last few years with DSMA being run by all volunteer leadership; and outlined the program to hire a consultant to formally evaluate the assessment fees. Council asked questions of staff and the consultant.

Public Comment – Seamus Whitley, Treasurer, DSMA, spoke in support and agreed to check in with Council. Robert Anderson, DSMA board member, spoke to how much more they were able to accomplish with a paid Director. Jonathan Stone, Prometheus Real Estate Group, strongly believes it is important for the DSMA to provide services for downtown and approves the fee structure.

Council provided comments and acknowledged the great work of all the businesses and the DSMA.

Motion to Adopt a Resolution of Intent to modify the basis and method of levy for the Downtown Business Improvement Area and set a public hearing for November 7, 2022, to consider proposed modification of assessments. Motion passed 5-0.

Moved: Papan, Seconded: Rodriguez

Ayes: Bonilla, Papan, Lee, Goethals, and Rodriguez

Noes: None

Enactment: Resolution No. 125 (2022)

Council recessed from 8:25 pm to 8:30 pm.

PUBLIC HEARING

- 22. 2022 Triennial Building Code Update and Adoption of Dangerous Building Code – Ordinance Introduction**
Michael Titsworth, Community Development Building Official, provided a presentation on the required adoption of the Triennial Building Codes. Council had no questions for staff. Public Comment – There were no speakers.

Motion to Introduce an Ordinance to adopt the 2022 Building Standards Code by reference with local amendments; amend various sections of San Mateo Municipal Code Title 23 “Buildings and Construction” to reflect the 2022 Building Standards Code; update procedural language and revise miscellaneous sections; adopt by reference the 1997 Uniform Code for the Abatement of Dangerous Buildings; and adopt a Resolution to set forth express findings that amendments to the 2022 Building Standards Codes are reasonably necessary based on local climatic, topographical, or geological conditions. Motion passed 5-0.

Moved: Papan, Seconded: Lee

Ayes: Bonilla, Papan, Lee, Goethals, and Rodriguez

Noes: None

Enactment: Resolution No. 126 (2022)

- 23. “Appeal of Administrative Citation” Amendments – Ordinance Introduction**
Christina Horrisberger, Community Development Department Director, provided the history of Council’s review of appeals of administrative citations. Council had no questions for staff. Public Comment - There were no speakers.

Motion to Introduce an Ordinance to amend San Mateo Municipal Code Chapter 1.10, Section 1.10.060 "Appeal of Administrative Citation" and Chapter 2.21 “Community Relations Commission” to create an administrative citation appeal procedure before an impartial hearing officer related to violations of technical building and health and safety codes. Motion passed 5-0.

Moved: Lee, Seconded: Papan

Ayes: Bonilla, Papan, Lee, Goethals, and Rodriguez

Noes: None

- 24. Sustainability-Related Amendments to the 2022 California Building Standards Code – Ordinance Introduction – as Amended**

Andrea Chow, Sustainability Analyst, provided a presentation of the Reach Codes and the review and direction provided by Council to date. Council asked questions of staff. Blake Herrschaft, Building Electrification Programs Manager, Peninsula Clean Energy (PCE), explained the incentive offered by PCE to electrify homes.

Public Comment

Expressing Concern (4): Shawn Fahrenbruch, Thomas Weissmiller; Brian Thurston; and Taso Zografos

Expressing Support (25): Harry Moody, Climate Action San Mateo; Belinda Chlomber; Sue Blockstein; Michelle Hudson; Robert Whitehair, San Mateo Climate Action Team; Rafael Reyes, PCE; Pam Rittelmeyer; Ellyn Jacobs Dooley; Marty Jordan; Mike Martin; Anjuli Mishra; Gary T.; John McKenna; Raayan Montashemi; Ines Pajot; Ricki McGlashan; Sharon, 305 Silicon Valley; Michelle Mandel; Diane Bailey; Bruce Naegel; Claire Shintani; Dashiell Leeds; Tom Kabat; Rob Newsom; Nancy Schneider; and Lauren Weston.

Council consensus was in support of electrification and requested that there will be robust public outreach in the future regarding implementation. Also concurred with amended Ordinance option to strike through wording regarding space heating appliance upgrades.

Motion to Introduce an Ordinance, as amended, to amend the San Mateo Municipal Code Chapter 23.40 "Energy Code" to adopt the 2022 California Energy Code by reference; amend the San Mateo Municipal Code Chapter 23.70 "Green Building Code" to adopt the 2022 California Green Building Standards Code with local amendments to require enhanced electric vehicle charging infrastructure beyond state requirements, require all-electric new construction, and require electric-readiness and electric appliances during residential building remodels; and Adopt a Resolution adopting express findings required for local amendments to the 2022 Green Building Code. Motion passed 4-1.

Moved: Goethals, Seconded: Lee
Ayes: Bonilla, Papan, Lee, and Goethals
Noes: Rodriguez

Enactment: Resolution No. 127 (2022)

REPORTS AND ANNOUNCEMENTS

City Manager, City Attorney and Council Members reported on their various assignments and liaison roles. Mayor Bonilla asked about housing element and City Manager Drew Corbett responded.

ADJOURNMENT –The meeting adjourned at 10:03 p.m.

APPROVED BY:

SUBMITTED BY:

Rick Bonilla, Mayor

Patrice Olds, City Clerk



CITY OF SAN MATEO

City Hall
330 W. 20th Avenue
San Mateo CA 94403
www.cityofsanmateo.org

Agenda Report

Agenda Number: 4

Section Name: CONSENT CALENDAR

Account Number: 26-312!

File ID: 22-6774-01

TO: City Council
FROM: Drew Corbett, City Manager
PREPARED BY: Community Development Department
MEETING DATE: November 7, 2022

SUBJECT:

2022 Triennial Building Code Update and Adoption of Dangerous Building Code – Ordinance Adoption

RECOMMENDATION:

Adopt an Ordinance to adopt the 2022 Building Standards Code by reference with local amendments; amend various sections of San Mateo Municipal Code Title 23 “Buildings and Construction” to reflect the 2022 Building Standards Code; update procedural language and revise miscellaneous sections; and adopt by reference the 1997 Uniform Code for the Abatement of Dangerous Buildings.

BACKGROUND:

On October 17, 2022, the City Council introduced the attached ordinance to adopt the 2022 Building Standards Code by reference with local amendments; amend various sections of San Mateo Municipal Code Title 23 “Buildings and Construction” to reflect the 2022 Building Standards Code; update procedural language and revise miscellaneous sections; adopt by reference the 1997 Uniform Code for the Abatement of Dangerous Buildings.

BUDGET IMPACT:

The main budgetary impacts are unsubstantial and relate to staff training and processing of this ordinance.

ENVIRONMENTAL DETERMINATION:

Adoption of an ordinance adopting by reference the 2022 Building Standard Codes with local amendments and the Dangerous Building Code is not a project subject to CEQA review because is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines Section 15378(b)(5).)

NOTICE PROVIDED

All meeting noticing requirements were met.

ATTACHMENTS

Att 1 – Ordinance

STAFF CONTACT

Michael Titsworth, Building Official
mtitsworth@cityofsanmateo.org
(650) 522-7195

**CITY OF SAN MATEO
DRAFT ORDINANCE**

An Ordinance Adopting By Reference the 2022 Building Standards Codes with Local Amendments and Amending Chapter 23.06 "Administrative Code," Chapter 23.07 "Residential Code," Chapter 23.08 "Building Code," Chapter 23.09 "Existing Building Code," Chapter 23.12 "Electrical Code," Chapter 23.16 "Plumbing Code," Chapter 23.20 "Mechanical Code," Chapter 23.36 "Historical Building Code," and Chapter 23.38 "Referenced Standards Code," of Title 23 "Buildings and Construction;" Amending Chapter 23.28 "Fire Code;" Amending Chapter 23.50 "Handicapped Access;" and Adopting By Reference the 1997 Uniform Code for the Abatement of Dangerous Buildings by adding Chapter 23.30 "Dangerous Building Code" to Title 23 "Buildings and Construction" to the San Mateo Municipal Code

WHEREAS, the California Building Standards Codes are published every three years by the California Building Standards Commission; and

WHEREAS, the California Building Standards Commission has published the 2022 California Building Standards Codes by amending Title 24 of the California Code of Regulations, effective January 1, 2023; and

WHEREAS, the California Building Standards Codes may be adopted by cities by incorporation by reference; and

WHEREAS, cities may establish more restrictive building standards than those in the California Building Standards Codes, if certain findings are made pertaining to local climatic, geological, or topographical conditions; and

WHEREAS, the City Council of the City of San Mateo has concurrently adopted a resolution of local findings supporting modifications to the technical provisions of the California Residential Code, 2022 Edition; California Building Code, 2022 Edition; and California Plumbing Code, 2022 Edition based on local climatic, geological, or topographical conditions.

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

Section 1. Section 23.06.010 of the San Mateo Municipal Code is amended as follows:

23.06.010 Adoption

a. The 2022 California Administrative Code, California Code of Regulations, Title 24, Part 1, as adopted and amended by the State of California, hereinafter called "Administrative Code," is adopted as the rules, regulations, and standards within this City as to all matters therein except as hereinafter modified or amended.

b. No section of the Administrative Code shall impose a mandatory duty of enforcement on the City, or on any officer, official, agent, employee, board, council, or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, that section shall invest the City, and the appropriate officer, official, agent, employee, board, council or commission with discretion to enforce the section, or not to enforce it.

c. A copy of the Administrative Code shall at all times be kept on file in the office of the City Clerk.

Section 2. Section 23.06.120 of the San Mateo Municipal Code is amended as follows:

23.06.120 Fees

a. **General.** All permit fees, surcharges, plan checking fees, fees for inspections and reinspections, and all other fees, shall be those established by resolution of the City Council.

b. **Expiration of Plan Review.** Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken and that extension will not result in violation of this code or any other laws. An application shall not be extended more than two times. An application may be extended at the discretion of the Building Official if this code or any other pertinent laws or ordinances have been amended subsequent to the date of the application. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee, and the plans shall comply with the codes and other pertinent laws or ordinances in effect at the time of resubmittal.

(1) **Planning Applications.** For applications for which a planning application was approved, a completed building permit application shall be filed before the two-year expiration date of the planning approval; and a building permit shall be issued no later than six months after the expiration date. Extension for issuance of a building permit may be granted at the discretion of the building official if the applicant demonstrates that the delay in performance was caused by circumstances beyond the control of the applicant and that the applicant has diligently pursued approval of the permit.

c. Investigation Fees—Work Without a Permit.

(1) **Investigation.** Whenever work for which a permit is required by this code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for such work.

(2) **Fee.** An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The amount of the investigation fee shall be adopted by resolution of the City council. The payment of such investigation fee shall not exempt an applicant from compliance with all other provisions of either this code or the technical codes nor from the penalty prescribed by law.

d. **Fee Refunds.** The building official may authorize refunding of a fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit is withdrawn and if no plan review services have been rendered.

The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

Section 3. Section 23.07.010 of the San Mateo Municipal Code is amended as follows:

23.07.010 Adoption

a. The 2022 California Residential Code, California Code of Regulations, Title 24, Part 2.5 and Appendices AH—Patio Covers, AK—Sound Transmission, and AX—Swimming Pool Safety Act, as adopted and amended by the State of California, hereinafter called "Residential Code," are adopted as the rules, regulations, and standards within this City as to all matters therein except as hereinafter modified or amended.

b. No section of the Residential Code shall impose a mandatory duty of enforcement on the City, or on any officer, official, agent, employee, board, council or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, that section shall invest the City, and the appropriate officer, official, agent, employee, board, council, or commission with discretion to enforce the section, or not to enforce it.

c. A copy of the Residential Code shall at all times be kept on file in the office of the City Clerk.

Section 4. Section 23.07.110 of the San Mateo Municipal Code is amended as follows:

23.07.110 TABLE R602.10.3(3) AND SECTION R602.10.4.5 PROHIBIT THE USE OF GYPSUM BOARD AND LIMIT THE USE OF PORTLAND CEMENT PLASTER AS PRESCRIPTIVE WALL BRACING MATERIALS IN SEISMIC DESIGN CATEGORIES D0, D1 AND D2 AMENDED.

1. Chapter 6 (Wall Construction) Table R602.10.3(3) (Bracing Requirements Based on Seismic Design Category) is amended as follows:

1.1 The title of Table R602.10.3(3) is amended to read:

TABLE R602.10.3(3)i, j

1.2 Footnotes "i" and "j" are added to Table R602.10.3(3), to read:

i. Methods PBS, HPS, SFB and CS-SFB are not permitted in Seismic Design Categories D0, D1, and D2.

j. Methods GB, DWB and PCP are not permitted in Seismic Design Categories D0, D1, and D2 where S1 is greater than or equal to 0.75.

2. Add a new subsection R602.10.4.5, to read:

R602.10.4.5 Limits on methods GB and PCP. In Seismic Design Categories D₀, D₁, and D₂, Method GB is not permitted for use as intermittent braced wall panels, but gypsum board is permitted to be installed when required by this section to be placed on the opposite side of the studs from other types of braced wall panel sheathing. In Seismic Design Categories D₀, D₁, and D₂, the use of Method PCP is limited to one-story single-family dwellings and accessory structures.

Section 5. Section 23.08.010 of the San Mateo Municipal Code is amended as follows:

23.08.010 Adoption

a. The 2022 California Building Code, California Code of Regulations, Title 24, Part 2, Volumes 1 and 2 and Appendix G—Flood Resistant Construction, as adopted and amended by the State of California, hereinafter called "Building Code," are adopted as the rules, regulations, and standards within this City as to all matters therein except as hereinafter modified or amended.

b. No section of the Building Code shall impose a mandatory duty of enforcement on the City, or on any officer, official, agent, employee, board, council or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, that section shall invest the City, and the appropriate officer, official, agent, employee, board, council or commission with discretion to enforce the section, or not to enforce it.

c. A copy of the Building Code shall at all times be kept on file in the office of the City Clerk.

Section 6. Section 23.08.120 of the San Mateo Municipal Code is amended as follows:

23.08.120 SECTION 1705.3 CONCRETE CONSTRUCTION AMENDED.

Section 1705.3 is amended to read as follows:

Section 1705.3. Concrete construction. The special inspections and verifications for concrete construction shall be as required by this section and Table 1705.3.

Exception: Special inspections shall not be required for:

(1) Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength, f'_c , no greater than 2,500 pound per square inch (psi) (17.2 Mpa) regardless of the compressive strength specified in the construction documents or used in the footing construction.

Section 7. Section 23.08.130 of the San Mateo Municipal Code is amended as follows:

23.08.130 Section 1905.1.7 Plain Concrete In Earthquake Resisting Structures Amended

1905.1.7 ACI 318 Section 14.1.4. Delete ACI 318, Section 14.1.4, and replace with the following:

14.1.4 - Plain concrete in structures assigned to Seismic Design Category C, D, E or F.

14.1.4.1 - Structures assigned to Seismic Design Category C, D, E or F shall not have elements of structural plain concrete, except as follows:

(a) Isolated footings of plain concrete supporting pedestals or columns are permitted, provided the projection of the footing beyond the face of the supported member does not exceed the footing thickness.

(b) Plain concrete footing supporting walls are permitted, provided the footings have at least two continuous longitudinal reinforcing bars. Bars shall not be smaller than No. 4 and shall have a total area of not less than 0.002 times the gross cross-sectional area of the footing. A minimum of one bar shall be provided at the top and bottom of the footing. Continuity of reinforcement shall be provided at corners and intersections.

Section 8. Section 23.08.140 of the San Mateo Municipal Code is amended as follows:

23.08.140 SECTION 2308 Table 2308.6.1

a. Table 2308.6.1 (Wall Bracing Requirements) of CBC Chapter 23 (Wood) is amended as follows:

1. The title of Table 2308.6.1 is amended to read:

TABLE 2308.6.1a, f, g

2. Footnotes “f” and “g” are added to Table 2308.6.1, to read:

f. Methods PBS, HPS, and SFB are not permitted in Seismic Design Categories D or E.

g. Methods GB, DWB and PCP are not permitted in Seismic Design Category E.

Section 9. Section 23.08.150 of the San Mateo Municipal Code is amended as follows:

23.08.150 SECTIONS 3109.1 SWIMMING POOL ENCLOSURES AND SAFETY DEVICES AMENDED.

Section 3109.1 is amended to add subsection 3109.1.1 to read as shown below:

Section 3109.1.1 Location. A swimming pool may be placed or constructed in any of the required yard areas provided the pool is constructed at ground level and provided the following setbacks are maintained:

(a) For single-family dwellings, the inside face of the pool shall not be less than four feet from any property boundary of the lot or parcel on which the pool is located.

(b) For multifamily dwellings, the inside face of an outdoor pool shall be not less than twenty feet from any property boundary. Indoor swimming pool structures for multifamily dwellings shall also be subject to the setback requirements for accessory buildings, as designated in Chapter 27.70 of the

Zoning Code, with the exception that the minimum clearance of 4 feet to the property line and 5 feet to surrounding buildings shall still apply.

(c) No portion of a swimming pool may be constructed in any public utility easement or drainage easement or utility right-of-way. There shall be not less than five feet of open space between the inside face of the pool and any structure.

(d) No part of a swimming pool (water area) shall be located or constructed directly under permanently-installed electric power lines. Pools shall be located in such a manner that overhead conductor clearances meet the requirements of the Electrical Code, Chapter 23.12 of the San Mateo Municipal Code. No pool shall be constructed in any location that violates any State law or Public Utility Commission rules for location in relation to electric power lines, service drops and/or communication lines.

(e) Swimming pools located on slopes must comply with setback requirements as prescribed in chapter 23.40 of the Site Development Code.

Section 10. Section 23.09.010 of the San Mateo Municipal Code is amended as follows:

23.09.010 Adoption

a. The 2022 California Existing Building Code, California Code of Regulations, Title 24, Part 10, as adopted and amended by the State of California, hereinafter called "Existing Building Code," is adopted as the rules, regulations, and standards within this City as to all matters therein except as hereinafter modified or amended.

b. No section of the Existing Building Code shall imply a mandatory duty of enforcement on the City, or on any officer, official, agent, employee, board, council or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, that section shall invest the City, and the appropriate officer, official, agent, employee, board, council or commission with discretion to enforce the section or not to enforce it.

c. A copy of the Existing Building Code shall at all times be kept on file in the office of the City Clerk.

Section 11. Section 23.12.010 of the San Mateo Municipal Code is amended as follows:

23.12.010 Adoption

a. The 2022 California Electrical Code, California Code of Regulations, Title 24, Part 3, as adopted and amended by the State of California, hereinafter called "Electrical Code," is adopted as the rules, regulations, and standards within this City as to all matters therein except as hereinafter modified or amended.

b. No section of the Electrical Code shall impose a mandatory duty of enforcement on the City, or on any officer, official, agent, employee, board, council or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, said section shall be deemed to invest the City, and the appropriate

officer, official, agent, employee, board, council, or commission thereof with discretion to enforce the section, or not to enforce it.

c. A copy of the California Electrical Code shall at all times be kept on file in the office of the City Clerk.

Section 12. Section 23.16.010 of the San Mateo Municipal Code is amended as follows:

23.16.010 Adoption

a. The 2022 California Plumbing Code, California Code of Regulations, Title 24, Part 5, as adopted and amended by the State of California, hereinafter called "Plumbing Code," is adopted as the rules, regulations, and standards within this City as to all matters therein except as hereinafter modified or amended.

b. No section of the Plumbing Code shall impose a mandatory duty of enforcement on the City, or on any officer, official, agent, employee, board, council or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, that section shall invest the City, and the appropriate officer, official, agent, employee, board, council, or commission with discretion to enforce the section, or not to enforce it.

c. One copy of the Plumbing Code shall at all times be kept on file in the office of the City Clerk.

Section 13. Section 23.20.010 of the San Mateo Municipal Code is amended as follows:

23.20.010 Adoption

a. The 2022 California Mechanical Code, California Code of Regulations, Title 24, Part 4, as adopted and amended by the State of California, hereinafter called "Mechanical Code," is adopted as the rules, regulations, and standards within this City as to all matters therein except as hereinafter modified or amended.

b. No section of the Mechanical Code shall impose a mandatory duty of enforcement on the City, or on any officer, official, agent, employee, board, council or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, said section shall be deemed to invest the City, and the appropriate officer, official, agent, employee, board, council or commission thereof with discretion to enforce the section or not enforce it.

c. A copy of the Mechanical Code shall at all times be kept on file in the office of the City Clerk.

Section 14. Section 23.28.260 of the San Mateo Municipal Code is repealed.

Section 15. Chapter 23.30 of the San Mateo Municipal Code is added to Title 23 as follows:

Chapter 23.30
Dangerous Building Code

23.30.010 Adoption

a. The 1997 Uniform Code For The Abatement of Dangerous Buildings, published by the International Conference of Building Officials, hereinafter called "Dangerous Building Code," is adopted as the rules, regulations, and standards within this City as to all matters therein except as hereinafter modified or amended.

b. No section of the Dangerous Building Code shall impose a mandatory duty of enforcement on the City, or on any officer, official, agent, employee, board, council, or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, that section shall invest the City, and the appropriate officer, official, agent, employee, board, council or commission with discretion to enforce the section, or not to enforce it.

c. A copy of the Dangerous Building Code shall at all times be kept on file in the office of the City Clerk.

23.30.020 Title and Scope

Chapter 1 Title and Scope is amended as follows:

a. Section 103 is amended as follows:

All buildings or structures which are to be repaired under the provisions of this code shall be subject to the provisions of the Building Code.

23.30.030 Enforcement

Chapter 2 Enforcement is amended as follows:

a. Section 204 is amended as follows:

All buildings or structures within the scope of this code and all construction or work for which a permit is required shall be subject to inspection by the building official in accordance with and in the manner provided by this code and Sections 110 and 1701 of the Building Code.

b. Section 205.1 is amended as follows:

General. Appeals to orders, decisions, or determinations made by the building official relative to the application of this code shall be reviewed by the City Council in accordance with Chapters 5 and 6 of this code. The City Council shall serve as the board of appeals. The hearing shall be informal and shall not require compliance with the formal rules of evidence. At the hearing, the City Council shall hear and consider all relevant evidence in reaching its decision.

c. Section 205.2 is not adopted.

23.30.040 Definitions

Chapter 3 Definitions is amended as follows:

a. Section 301 is amended as follows:

The term “Building Code” is the California Building Code, promulgated by the International Code Council and as adopted by the City of San Mateo.

The term “Housing Code” is the California Residential Code and the International Property Maintenance Code promulgated by the International Code Council and as adopted by the City of San Mateo.

b. Section 301 is amended to include the following definition:

The term “board of appeals” or “board” shall mean the City Council.

c. Section 302.15 is amended as follows:

15. Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the Director of the Community Development Department, building official or code enforcement manager to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

23.30.050 Appeal

Chapter 5 Appeal is amended as follows:

a. Section 501.1 Form of Appeal, first paragraph, is amended as follows:

501.1. Form of Appeal. Any person entitled to service under Section 401.3 may appeal from any notice and order or any action of the building official under this code by submitting a written appeal to the Director of the Community Development Department containing the following requisite information:

b. Section 501.2 Processing of Appeal is amended as follows:

501.2. Processing of Appeal. Upon receipt of any appeal filed pursuant to this Chapter, the Director of the Community Development Department shall as soon as practicable schedule an appeal hearing before the City Council.

23.30.060 Procedures for Conduct of Hearing Appeals

Chapter 6 Procedures for Conduct of Hearing Appeals is amended as follows:

a. Section 601 General is not adopted.

b. Section 603 Subpoenas is not adopted.

c. Section 604.2 Oral Evidence is not adopted.

d. Sections 605.2 Hearing Before Examiner; 605.3 Consideration of Report by Board-Notice; 605.4 Exceptions to Report; 605.5 Disposition by the Board; and 605.6 Proposed Decision Not Adopted are not adopted.

23.30.070 Performance of Work of Repair or Demolition

Chapter 8 Performance of Work of Repair or Demolition is amended as follows:

a. Section 801.1 Procedure is amended as follows:

When any work or repair or demolition is to be done pursuant to Section 701.3, Item 3, of this code, the building official shall prepare the work to be accomplished by the City or private contract under the direction of the Director of the Community Development Department.

b. Section 801.2 Costs is amended as follows:

The cost of such work done may be made a special assessment against the property involved, or may be a personal obligation of the property owner, or by all other legal means as determined appropriate by the City Council.

c. Section 802 Repair and Demolition Fund is not adopted.

23.30.080 Recovery of Cost of Repair or Demolition

Chapter 9 Recovery of Cost of Repair or Demolition is amended as follows:

a. Section 901 Account of Expense, Filing of Report is amended as follows:

The Director of the Community Development Department shall keep an itemized account of the expense incurred by the City in the repair or demolition of any building done pursuant to the provisions of Section 701.3, Item 3, of this code. Upon the completion of the work of repair or demolition, said director shall prepare and file with the City Council a report specifying the work done, the itemized and total cost of the work, a description of the real property upon which the building or structure is or was located, and the names and addresses of the persons entitled to notice pursuant to Section 401.3.

b. Section 905.2 Personal Obligation is amended as follows:

905.2 Personal Obligation. If the City Council orders that the charge shall be a personal obligation of the property owner, the City Attorney may direct the collection of the charge by use of all appropriate legal remedies.

c. Section 912 Repayment of Repair and Demolition Fund is not adopted.

Section 16. Section 23.36.010 of the San Mateo Municipal Code is amended as follows:

23.36.010 Adoption

a. The 2022 California Historical Building Code, California Code of Regulations, Title 24, Part 8, as adopted and amended by the State of California, hereinafter called "Historical Building Code," is adopted as the rules, regulations, and standards within this City as to all matters therein except as hereinafter modified or amended.

b. No section of the Historical Building Code shall impose a mandatory duty of enforcement on the City, or on any officer, official, agent, employee, board, council, or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, that section shall invest the City, and the appropriate officer, official, agent, employee, board, council or commission with discretion to enforce the section, or not to enforce it.

c. A copy of the Historical Building Code shall at all times be kept on file in the office of the City Clerk.

Section 17. Section 23.38.010 of the San Mateo Municipal Code is amended as follows:

23.38.010 Adoption

a. The 2022 California Referenced Standards Code, California Code of Regulations, Title 24, Part 12, as adopted and amended by the State of California, hereinafter called "Referenced Standards Code," is adopted as the rules, regulations, and standards within this City as to all matters therein except as hereinafter modified or amended.

b. No section of the California Referenced Standards Code shall impose a mandatory duty of enforcement on the City, or on any officer, official, agent, employee, board, council, or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, that section shall invest the City, and the appropriate officer, official, agent, employee, board, council or commission with discretion to enforce the section, or not to enforce it.

c. A copy of the California Referenced Standards Code shall at all times be kept on file in the office of the City Clerk.

Section 18. The title of Chapter 23.50 of the San Mateo Municipal Code is amended as follows:

**Chapter 23.50
ACCESS COMPLIANCE**

Section 19. Section 23.50.010 of the San Mateo Municipal Code is amended as follows:

23.50.010 ACCESS COMPLIANCE.

The Access Compliance Reference Materials of the state as prepared by the Division of State Architect shall be followed wherever they are applicable.

Section 20. Environmental Determination. This City Council Action is not a project subject to CEQA, because it is an organizational or administrative activity that will not result in direct or indirect physical changes to the environment.(CEQA Guidelines Section 15378(b)(5).)

Section 21. 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 22. 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 California Government Code section 6066.

Section 23. Legislative History and Effective Date. This ordinance was introduced on Clerk to complete., and adopted on Clerk to complete., and shall be effective on January 1, 2023.



CITY OF SAN MATEO

City Hall
330 W. 20th Avenue
San Mateo CA 94403
www.cityofsanmateo.org

Agenda Report

Agenda Number: 5

Section Name: CONSENT CALENDAR

Account Number: 10-313

File ID: 22-6512-01

TO: City Council
FROM: Drew Corbett, City Manager
PREPARED BY: Community Development Department
MEETING DATE: November 7, 2022
SUBJECT:
"Appeal of Administrative Citation" Amendments – Ordinance Adoption

RECOMMENDATION:

Adopt an Ordinance to amend San Mateo Municipal Code Chapter 1.10, Section 1.10.060 "Appeal of Administrative Citation" and Chapter 2.21 "Community Relations Commission" to create an administrative citation appeal procedure before an impartial hearing officer related to violations of technical building and health and safety codes.

BACKGROUND:

On October 17, 2022, the City Council introduced the attached ordinance to amend San Mateo Municipal Code Chapter 1.10, Section 1.10.060 "Appeal of Administrative Citation" and Chapter 2.21 "Community Relations Commission" to create an administrative citation appeal procedure before an impartial hearing officer related to violations of technical building and health and safety codes.

BUDGET IMPACT:

There is no budget impact, as this is simply a change in procedure and minor code amendment prepared by staff.

ENVIRONMENTAL DETERMINATION:

This City Council action is not a project subject to CEQA, because it is an organizational or administrative activity that will not result in direct or indirect physical changes to the environment. (CEQA Guidelines Section 15378(b)(5).)

NOTICE PROVIDED

All meeting noticing requirements have been met.

ATTACHMENTS

Att. 1 – Ordinance

STAFF CONTACT

Christina Horrisberger
Community Development Department Director
chorrisberger@cityofsanmateo.org
(650) 522-7210

**CITY OF SAN MATEO
DRAFT ORDINANCE**

An Ordinance Amending San Mateo Municipal Code Section 1.10.060, "Appeal of Administrative Citation," of Title 1, "General Provisions," and Amending San Mateo Municipal Code Chapter 2.21, "Community Relations Commission," of Title 2 "Administration and Personnel," to Form an Administrative Citation Appeal Procedure Before an Impartial Hearing Officer for Administration Citations Related to Technical Building Codes and Health & Safety Codes

WHEREAS, California Government Code Section 53069.4 authorizes local agencies to make any violation of the San Mateo Municipal Code subject to administrative fines or penalties, including violations of technical building codes and health and safety codes by ordinance; and

WHEREAS, the ordinance must set forth the procedures for the imposition, enforcement, collection, and administrative review of a violation; and

WHEREAS, San Mateo Municipal Code Chapter 1.10 governs the City's procedures for the imposition, enforcement, collection, and review of administrative citations; and

WHEREAS, pursuant to San Mateo Municipal Code Section 1.10.060 and Chapter 2.21, the review of administrative citations is currently heard by the Community Relations Commission; and

WHEREAS, the Community Relations Commission does not possess the technical expertise related to violations of building codes and health and safety codes; and

WHEREAS, the City desires to establish an administrative review procedure for administrative citations related to violations of technical building codes and health and safety codes before an impartial hearing officer with a final appeal to City Council.

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

Section 1. Section 1.10.060 of the San Mateo Municipal Code is amended as follows:

1.10.060 APPEAL OF ADMINISTRATIVE CITATION.

(a) Persons receiving an administrative citation may appeal it within 10 working days from the date the administrative citation is served. The notice of appeal must be in writing, and accompanied by the nuisance abatement fee, and must specify the basis for the appeal. It must be received by the Director of the Community Development Department within 10 working days. If the deadline falls on a weekend or City holiday, then the deadline shall be extended until the next regular business day.

(b) The Community Relations Commission will hear and decide administrative citation appeals, except for administrative citation appeals relating to violations of Chapter 7.14, Chapters 23.06 through 23.56, Chapter 23.70, and Chapter 23.72 of this Code.

A hearing officer will hear and decide administrative citation appeals relating to violations of Chapter 7.14, Chapters 23.06 through 23.56, Chapter 23.70, and Chapter 23.72 of this Code. The City Manager, or his or her designee, shall appoint a hearing officer for administrative citation hearings under this section who shall not

be the citing enforcement officer. The evaluation, compensation, and/or other benefits of the hearing officer shall not be directly or indirectly conditioned upon the amount of the administrative fees or penalties, or the rulings upheld, revised, or otherwise issued by the hearing officer.

(c) As soon as practicable after receiving the written notice of appeal, the Director of the Community Development Department shall review it for sufficiency. If found to be complete and in conformance with this section, the City shall set the appeal hearing for the next available Community Relations Commission meeting, or for administrative citation appeals held pursuant to subsection (b) above, a hearing before a hearing officer. Written notice of the time and place for the hearing may be served by personal service, or first class mail to the address provided by the responsible party on the notice of appeal.

(d) The failure of any person with an interest in the property to receive such properly addressed notice of the hearing shall not affect the validity of any proceedings under this chapter. Service by first class mail shall be effective on the date of mailing.

(e) Failure of any person to file an appeal in accordance with the provisions of this section shall constitute a waiver of that person's rights to contest the merits of the citation and the imposition of the nuisance abatement fee.

(f) The Community Relations Commission or hearing officer shall conduct an orderly fair hearing and accept evidence on which persons commonly would rely in the conduct of their business affairs as follows:

(1) A valid citation and any additional report submitted on behalf of the City shall constitute presumptive evidence of the facts contained in those documents and prima facie evidence of the violation;

(2) The Community Relations Commission or hearing officer may conduct the hearing informally, both as to the rules of procedure and admission of evidence, and in any manner which will provide a fair hearing to obtain additional evidence;

(3) The owner, agent, responsible party, or any other interested person may present testimony or evidence concerning the violation and the means and time frame for correction; and

(4) The failure of any alleged violator to appear at the hearing after proper notice or, in the alternative, to present written or other evidence shall constitute an admission of the violation and an exhaustion of administrative remedies that will bar judicial review.

(g) The City shall establish all appropriate administrative regulations for conducting hearings and rendering decisions pursuant to this section.

(h) The Community Relations Commission or hearing officer shall determine whether to affirm or dismiss the administrative citation. The Commission or hearing officer may reduce, waive or conditionally reduce the nuisance abatement fee stated in the citations or any late fees assessed based on a showing of good cause. The Commission or hearing officer may impose conditions and deadlines for correction of violations and make such direction to enforcement officers to assure compliance.

(i) The Community Relations Commission or hearing officer shall make findings based on the record of the hearing and make a written decision based on the findings. The City shall preserve all exhibits submitted by the parties for a 180-day period and shall serve the decision by first class mail on the contestant within 10 working days after the hearing. The decision of the Commission or hearing officer may be appealed to the City Council in writing within 10 working days of the day the Commission's or hearing officer's decision is served. The appeal before the City Council will follow the same procedures and requirements as the underlying appeal hearing before the Community Relations Commission or hearing officer.

Section 2. Section 2.21.010 of the San Mateo Municipal Code is amended as follows:

2.21.010 ORGANIZATION.

The Community Relations Commission of the City shall consist of no more than five members appointed by the Council. In making appointments, the Council shall insure that the persons appointed are representative of the neighborhoods and ethnic communities to be served by the Commission as hereinafter provided.

Each member of the Community Relations Commission shall serve at the pleasure of the Council and for a term of four years, or until the appointment and qualification of a successor. No member shall be eligible for reappointment after serving two consecutive four-year terms.

Section 3. Section 2.21.020 of the San Mateo Municipal Code is amended as follows:

2.21.020 MEETINGS.

The Community Relations Commission shall elect a chair and vice-chair to serve at the pleasure of the Commission. The Commission may adopt reasonable rules and regulations for the conduct of its business. A regular time and place of meetings shall be established and adhered to in the manner of holding public meetings for legislative bodies in the state. All meetings shall be open to the public unless by law otherwise provided.

Section 4. Section 2.21.030 of the San Mateo Municipal Code is amended as follows:

2.21.030 POWERS—DUTIES.

The Community Relations Commission shall have the following powers and duties:

(a) To conduct public hearings pursuant to Chapter 7.16.

(b) Reserved.

(c) To hear requests from the Director of the Community Development Department, or his or her designee, for orders to abate violations of Title 25 or Title 27, as provided in Chapter 7.16.

(d) To hear appeals for administrative citations pursuant to Section 1.10.060, except for administrative citation appeals relating to violations of Chapter 7.14, Chapters 23.06 through 23.56, Chapter 23.70, and Chapter 23.72 of this Code.

(e) To study, investigate, mediate and hold public hearings on community-wide problems arising in this City, especially those which may result in intergroup tensions or discrimination because of race, religion, color, ancestry or place of birth.

(f) To provide oversight of Federal, State or other grant programs that implement public service, housing, and community development programs, and make recommendations on those programs which may be assigned to them by the Council.

(g) To work with organizations of similar intent formulated by public agencies having jurisdiction within the City and with the Human Relations Commission of the County. To this end, a member shall be assigned as liaison to each group and shall attend the meetings thereof and report thereon to the Commission. Any person assigned as liaison from the County Commission, or other such group, to this Community Relations Commission shall be an ex officio member but shall have no vote.

(h) Such other powers and duties as maybe prescribed from time to time by ordinance or resolution of the Council.

The Community Relations Commission shall make recommendations to the Council to correct, reduce or eliminate existing inequalities and disadvantages and prepare, encourage and coordinate programs of voluntary affirmative action to insure the complete utilization of the human resources of this community for the betterment of all its inhabitants.

Section 5. Section 2.21.050 of the San Mateo Municipal Code is amended as follows:

2.21.050 APPEALS.

Decisions of the Community Relations Commission regarding violations of the San Mateo Municipal Code and public nuisances may be appealed to the City Council as set forth in this Code.

Section 6. Environmental Determination. This City Council Action is not a project subject to CEQA, because it is an organizational or administrative activity that will not result in direct or indirect physical changes to the environment. (CEQA Guidelines Section 15378(b)(5).)

Section 7. 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 8. 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 9. Legislative History and Effective Date. This ordinance was introduced on Clerk to complete., and adopted on Clerk to complete., and shall be effective 30 days after its adoption.



CITY OF SAN MATEO

City Hall
330 W. 20th Avenue
San Mateo CA 94403
www.cityofsanmateo.org

Agenda Report

Agenda Number: 6

Section Name: CONSENT CALENDAR

Account Number: 10-131:

File ID: 22-6700-01

TO: City Council
FROM: Drew Corbett, City Manager
PREPARED BY: City Manager's Office
MEETING DATE: November 7, 2022

SUBJECT:

Sustainability-Related Amendments to the 2022 California Building Standards Code – Ordinance Adoption

RECOMMENDATION:

Adopt an Ordinance to amend the San Mateo Municipal Code Chapter 23.40 "Energy Code" to adopt the 2022 California Energy Code by reference and amend the San Mateo Municipal Code Chapter 23.70 "Green Building Code" to adopt the 2022 California Green Building Standards Code with local amendments to require enhanced electric vehicle charging infrastructure beyond state requirements, require all-electric new construction, and require electric-readiness and electric appliances during residential building remodels.

BACKGROUND:

On October 17, 2022, the City Council introduced the attached ordinance (Attachment 1) to amend the San Mateo Municipal Code Chapter 23.40 "Energy Code" to adopt the 2022 California Energy Code by reference and amend the San Mateo Municipal Code Chapter 23.70 "Green Building Code" to adopt the 2022 California Green Building Standards Code with local amendments to require enhanced electric vehicle charging infrastructure beyond state requirements, require all-electric new construction, and require electric-readiness and electric appliances during residential building remodels. Initially, the draft ordinance required air conditioner installations in conjunction with gas furnace replacements shall use heat pump air conditioner systems. At the October 17 City Council meeting, the City Council amended the ordinance to require all air conditioner installations shall use heat pump air conditioner systems; this revision was made on page 14 of the ordinance to reflect Council's direction.

At the October 17 City Council meeting, staff unintentionally misrepresented the Bay Area Reach Codes Model Code for electric vehicle (EV) reach code requirements for multifamily buildings with 100% affordable housing. Staff's presentation and agenda report stated new multifamily buildings would be required to install 15% Level 2 EVCS and 85% Low-Power Level 2 EV Ready and new multifamily buildings with 100% affordable housing would have slightly different requirements (15% Level 2 EVCS, 25% Low-Power Level 2 EV Ready, and 60% Level 1 EV Ready). Staff's presentation and report were based on an old version of the Bay Area Reach Codes Model Code. The Bay Area Reach Codes group no longer recommends a separate requirement for affordable housing projects. Instead, all new multifamily buildings would be required to install 15% Level 2 EVCS and 85% Low-Power Level 2 EV Ready. The ordinance includes an exception process to address cost concerns related to EV charging infrastructure. Projects can be granted an exception if EV infrastructure costs increase construction costs by \$400 per parking space for affordable housing projects and \$4,500 per parking space for market rate housing. The exception process uses a lower-cost threshold for affordable housing to ensure reach code requirements do not deter the construction of affordable housing. No changes were made to the ordinance since the error was in staff's presentation and agenda report and not in the draft ordinance.

Attachment 2 contains the amendments to the ordinance, reflected as tracked changes to the Green Building Code.

BUDGET IMPACT:

The proposed local amendments will not have a budgetary impact on the City since the City is required to enforce the California Green Building Code.

ENVIRONMENTAL DETERMINATION:

The adoption of the reach code amendments is categorically exempt from CEQA review because it consists of an action, as authorized by state or local ordinance, intended to reduce greenhouse gas emissions for the protection of the environment and the regulatory process involves procedures for protection of the environment. (CEQA Guidelines Section 15308.)

NOTICE PROVIDED

All meeting noticing requirements were met. The ordinance will 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 accordance with California Government Code section 6066.

ATTACHMENTS

Att 1 - Ordinance

Att 2 - Green Building Code - Track Changes

Att 3 – Public Comments

STAFF CONTACT

Andrea Chow, Sustainability Analyst

achow@cityofsanmateo.org

(650) 522-7007

**CITY OF SAN MATEO
DRAFT ORDINANCE**

An Ordinance amending San Mateo Municipal Code Chapter 23.24 “Energy Code,” of Title 23, “Building and Construction,” to adopt the California Energy Code, 2022 Edition, by reference and amending San Mateo Municipal Code Chapter 23.70 “Green Building Code,” of Title 23, “Building and Construction,” to adopt the California Green Building Standards Code, 2022 Edition, with Local Amendments

WHEREAS, the California Energy Code and Green Building Standards Code, 2022 Edition, have been released by the State and requires adoption by local jurisdictions; and

WHEREAS, the City of San Mateo’s (City) Climate Action Plan recommended the City review local amendments to the California Energy Code and Green Building Standards Code to promote building electrification and electric vehicle adoption; and

WHEREAS, the California Energy Commission advised local jurisdictions that local amendments requiring electrification are not energy conservation or efficiency standards and thus fall outside of the scope of the California Energy Commission and therefore the City desires to adopt the California Energy Code, 2022 Edition, by reference without local amendment; and

WHEREAS, the City desires to adopt the California Green Building Standards Code, 2022 Edition, by reference with local amendments to include electrification requirements; and

WHEREAS, the local amendments amend the California Green Building Standards Code to require enhanced electric vehicle charging infrastructure beyond state requirements, require all-electric new construction, and require electric-readiness and electric appliances during residential building remodels; and

WHEREAS, California Health and Safety Code Sections 17922, 17958, 17958.5, 17958.7, and 18941.5 authorizes the City to make local amendments to the California Green Building Standards Code upon express findings that the local amendments are reasonably necessary due to local climatic, geographical, or topographical conditions; and

WHEREAS, concurrent with this ordinance, the City Council of the City of San Mateo has adopted a resolution adopting express findings in support of local amendments to the California Green Building Standards Code, 2022 Edition.

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

Section 1. Section 23.24.010 of the San Mateo Municipal Code is amended as follows:

23.24.010 Adoption

(a) The California Energy Code, 2022 Edition, Title 24, Part 6 of the California Code of Regulations, as adopted and amended by the State of California, hereinafter called "Energy Code," is adopted as the rules, regulations and standards within this City as to all matters therein except as hereinafter modified or amended.

(b) One copy of the Energy Code shall at all times be kept on file in the office of the City Clerk.

Section 2. Section 23.24.020 of the San Mateo Municipal Code is repealed.

Section 3. Section 23.24.030 of the San Mateo Municipal Code is repealed.

Section 4. Section 23.24.040 of the San Mateo Municipal Code is repealed.

Section 5. Section 23.24.050 of the San Mateo Municipal Code is repealed.

Section 6. Section 23.24.060 of the San Mateo Municipal Code is repealed.

Section 7. Section 23.24.070 of the San Mateo Municipal Code is repealed.

Section 8. Section 23.24.080 of the San Mateo Municipal Code is repealed.

Section 9. Section 23.70.010 of the San Mateo Municipal Code is amended as follows:

23.70.010 Adoption

(a) The California Green Building Standards Code, 2022 Edition, Title 24, Part 11 of the California Code of Regulations, as adopted and amended by the State of California, hereinafter called "Green Building Code," is adopted as the rules, regulations and standards within this City as to all matters therein except as hereinafter modified or amended;

(b) One copy of the Green Building Code shall at all times be kept on file in the office of the City Clerk.

Section 10. Section 23.70.020 of the San Mateo Municipal Code is amended as follows:

23.70.020 Local Amendments to Definitions

(a) The most commonly used definitions of the Green Building Code are set forth below:

Addition. An extension or increase in floor area of an existing building or structure.

Alteration or Alter. Any construction or renovation to an existing structure other than repair for the purpose of maintenance or addition.

Electric Vehicle (EV). An automotive-type vehicle for on-road use, such as passenger automobiles, buses, trucks, vans, neighborhood electric vehicles, electric motorcycles, and the like, primarily powered by an electric motor that draws current from a rechargeable storage battery, fuel cell, photovoltaic array, or other source of electric current. Plug-in hybrid electric vehicles (PHEV) are considered electric vehicles. For purposes of the *California Electrical Code*, off-road, self-propelled electric vehicles, such as industrial trucks, hoists, lifts, transports, golf carts, airline ground support equipment, tractors, boats, and the like, are not included.

Electric Vehicle Charging Space (EV Space). A space intended for future installation of EV charging equipment and charging of electric vehicles.

Electric vehicle supply equipment (EVSE). The conductors, including the undergrounded, grounded, and equipment grounding conductors and the electric vehicles connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between premises wiring and the electric vehicle.

Newly Constructed (or New Construction). A newly constructed building (or new construction) does not include additions, alterations or repairs.

Off-Street Loading Spaces. An area, other than a public street, public way, or other property (and exclusive of off-street parking spaces), permanently reserved or set aside for the loading or unloading of motor vehicles, including ways of ingress and egress and maneuvering areas. Whenever the term "loading space" is used, it shall, unless the context clearly requires otherwise, be construed as meaning off-street loading space. This excludes designated passenger loading/unloading.

(b) Green Building Code Section 202 is amended to include the following definitions:

Affordable Housing. Residential buildings that entirely consist of units below market rate and whose rents or sales prices are governed by local agencies to be affordable based on area median income.

All-Electric Building. A building that contains no *combustion equipment* or plumbing for combustion equipment serving space heating (including fireplaces), water heating (including pools and spas), cooking appliances (including barbecues), and clothes drying, within the building or building property lines, and instead uses electric heating appliances for service.

Appliance Upgrade. The installation, relocation, or replacement of any appliance.

Automatic Load Management System (ALMS). A control system designed to manage load across one or more electric vehicle supply equipment (EVSE), circuits, panels and to share electrical capacity and/or automatically manage power at each connection point. ALMS systems shall be designed to deliver no less than 3.3 kVa (208/240 volt, 16-ampere) to each EV Capable, EV Ready or EVCS space served by the ALMS, and meet the requirements of California Electrical Code Article 625. The connected amperage to the building site for the EV charging infrastructure shall not be lower than the required connected amperage per California Green Building Standards Code, Title 24 Part 11.

Combustion Equipment. Any equipment or appliance used for space heating, water heating, cooking, clothes drying and/or lighting that uses *fuel gas*.

Direct Current Fast Charging (DCFC). A parking space provided with electrical infrastructure that meets the following conditions:

- (1) A minimum of 48 kVa (480 volt, 100-ampere) capacity wiring.

(2) Electric vehicle supply equipment (EVSE) located within three (3) feet of the parking space providing a minimum capacity of 80-ampere.

Electric Heating Appliance. A device that produces heat energy to create a warm environment by the application of electric power to resistance elements, refrigerant compressors, or dissimilar material junctions, as defined in the California Mechanical Code.

Electric Vehicle Charging Station (EVCS). A parking space that includes installation of electric vehicle supply equipment (EVSE) at an EV Ready space. An EVCS space may be used to satisfy EV Ready space requirements. EVSE shall be installed in accordance with the California Electrical Code, Article 625.

Fuel Gas. A gas that is natural, manufactured, liquefied petroleum, or a mixture of these, as defined in the California Mechanical Code.

Fuel Gas Infrastructure. Piping, other than service pipe, in or in connection with a building, structure or within the property lines of premises, extending from the point of delivery at the gas meter, service meter assembly, outlet of the service regulator, service shutoff valve, or final pressure regulator, whichever is applicable, as defined in the California Mechanical Code.

Laboratory. A room, building or area where the use and storage of hazardous materials are utilized for testing, analysis, instruction, research or developmental activities.

Level 1 EV Ready. A parking space that is served by a complete electric circuit with the following requirements:

(1) A minimum of 2.2 kVa (110/120 volt, 20-ampere) capacity wiring.

(2) A receptacle labeled “Electric Vehicle Outlet” or electric vehicle supply equipment located within three (3) feet of the parking space. If EVSE is provided the minimum capacity of the EVSE shall be 16-ampere.

(3) Conduit oversized to accommodate future Level 2 EV Ready (208/240 volt, 40-ampere) at each parking space.

Level 2 EV Capable. A parking space provided with electrical infrastructure that meets the following requirements:

(1) Conduit that links a listed electrical panel with sufficient capacity to a junction box or receptacle located within three (3) feet of the parking space.

(2) The conduit shall be designed to accommodate at least 8.3 kVa (208/240 volt, 40-ampere) per parking space. Conduit shall have a minimum nominal trade size of 1 inch inside diameter and may be sized for multiple circuits as allowed by the California Electrical Code. Conduit shall be installed at a minimum in spaces that will be inaccessible after construction, either trenched underground or where penetrations to walls, floors, or other partitions would otherwise be required for future installation of

branch circuits, and such additional elements deemed necessary by the Building Official. Construction documents shall indicate future completion of conduit from the panel to the parking space, via the installed inaccessible conduit.

(3) The electrical panel shall reserve a space for a 40-ampere overcurrent protective device space(s) for EV charging, labeled in the panel directory as “EV CAPABLE.”

(4) Electrical load calculations shall demonstrate that the electrical panel service capacity and electrical system, including any on-site distribution transformer(s), have sufficient capacity to simultaneously charge all EVs at all required EV spaces at a minimum of 40 amperes.

(5) The parking space shall contain signage with at least a 12” font adjacent to the parking space indicating the space is EV Capable.

Level 2 EV Ready. A parking space that is served by a complete electric circuit with the following requirements:

(1) A minimum of 8.3 kVa (208/240 volt, 40-ampere) capacity wiring.

(2) A receptacle labeled “Electric Vehicle Outlet” or electric vehicle supply equipment located within three feet of the parking space.

(3) If EVSE is provided the minimum capacity of the EVSE shall be 30-ampere.

Low Power Level 2 EV Ready. A parking space that is served by a complete electric circuit with the following requirements:

(1) A minimum of 4.1 kVA (208/240 Volt, 20-ampere) capacity wiring.

(2) A receptacle labeled “Electric Vehicle Outlet” or electric vehicle supply equipment located within three (3) feet of the parking space. If EVSE is provided the minimum capacity of the EVSE shall be 16-ampere.

(3) Conduit oversized to accommodate future Level 2 EV Ready (208/240 volt, 40-ampere) at each parking space.

Repair. Reconstruction, replacement, or renewal of any part of an existing building for the purpose of its maintenance or to correct damage, as defined in the California Existing Building Code.

(c) Green Building Code Section 202 is amended to delete the following definitions:

Electric Vehicle (EV) Capable Space. A vehicle space with electrical panel space and load capacity to support a branch circuit and necessary raceways, both underground and/or surface mounted, to support EV charging.

Electric Vehicle (EV) Ready Space. [HCD] A vehicle space which is provided with a branch circuit; any necessary raceways, both underground and/or surface mounted; to accommodate EV charging, terminating in a receptacle or a charger.

Level 2 Electric Vehicle Supply Equipment (EVSE). [HCD] The 208/240 Volt 40ampere branch circuit, and the electric vehicle charging connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the electric vehicle.

Low Power Level 2 Electric Vehicle [EV] Charging Receptable. [HCD] A 208/240 Volt 20- ampere minimum branch circuit and a receptacle for use by an EV driver to charge their electric vehicle or hybrid electric vehicle.

Section 11. Section 23.70.030 of the San Mateo Municipal Code is amended as follows:

23.70.030 Local Amendment Regarding Electric Vehicle Charging for New One- and Two-Family Dwellings and Town-Houses

(a) Green Building Code Section 4.106.4.1, "New one- and two-family dwellings and town-houses with attached private garages," is amended to read as follows:

4.106.4.1 New one- and two-family dwellings and town-houses with attached private garages.

(b) Green Building Code Section 4.106.4.1.1, "Identification," is amended to read as follows:

4.106.4.1.1 New Construction. One parking space provided shall be a *Level 2 EV Ready* space. If a second parking space is provided, it shall be provided with a *Level 1 EV Ready space*.

Section 12. Section 23.70.040 of the San Mateo Municipal Code is amended as follows:

23.70.040 Local Amendment Regarding Electric Vehicle Charging for New Multifamily Residential Construction

(a) Green Building Code Section 4.106.4 "Electric vehicle (EV) charging for new construction," is amended to read as follows:

4.106.4 Electric vehicle (EV) charging. New construction shall comply with Section 4.106.4.1 or 4.106.4.2, and 4.106.4.3, to facilitate future installation and use of EV chargers. Electric vehicle supply equipment (EVSE) shall be installed in accordance with the *California Electrical Code*, Article 625. For EVCS signs, refer to Caltrans Traffic Operations Policy Directive 13-01 (Zero Emission Vehicle Signs and Pavement Markings) or its successor(s). Calculation for spaces shall be rounded up to the nearest whole number.

Exceptions:

1. On a case-by-case basis, where the local enforcing agency has determined EV charging and infrastructure are not feasible based upon one or more of the following conditions:

1.1 Where there is no local utility power supply or the local utility is unable to supply

adequate power.

1.2 Where there is evidence suitable to the local enforcing agency substantiating that additional local utility infrastructure design requirements, directly related to the implementation of Section 4.106.4, may increase construction cost by an average of \$4,500 per parking space for market rate housing or \$400 per parking space for affordable housing. EV infrastructure shall be provided up to the level that would not exceed this cost for utility service.

1.3 Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU) without additional parking facilities and without electrical panel upgrade or new panel installation. ADUs and JADUs without additional parking but with electrical panel upgrades or new panels must have reserved breakers and electrical capacity according to the requirements of 4.106.4.1.

2. Projects with multifamily residential units that submitted Planning Applications prior to the effective date of this ordinance.

3. Parking spaces accessible only by automated mechanical car parking systems are not required to comply with this code section.

(b) Green Building Code Section 4.106.4.2, "New multifamily dwellings, hotels and motels and new residential parking facilities," is amended to read as follows:

4.106.4.2 New multifamily dwellings and new residential parking facilities. Requirements apply to parking spaces that are assigned or leased to individual dwelling units, as well as unassigned residential parking. Visitor or common area parking is not included.

(c) Green Building Code Section 4.106.4.2.1, "Multifamily development projects with less than 20 dwelling units; and hotels and motels with less than 20 sleeping units or guest rooms," is amended to read as follows:

4.106.4.2.1 New Construction. Fifteen percent (15%) of dwelling units with parking spaces shall be EVCS with Level 2 EV Ready. ALMS shall be permitted to reduce load when multiple vehicles are charging. Eighty-five percent (85%) of dwelling units with parking spaces shall be provided with a Low Power Level 2 EV Ready space. EV ready spaces and EVCS in multifamily developments shall comply with California Building Code, Chapter 11A, Section 1109A. EVCS shall comply with the accessibility provisions for EV chargers in the California Building Code, Chapter 11B.

Note: The total number of EV spaces should be one-hundred percent (100%) of dwelling units or one-hundred percent (100%) of parking spaces, whichever is less.

(d) Green Building Code Section 4.106.4.2.2, "Multifamily development projects with 20 or more dwelling units, hotels and motels with 20 or more sleeping units or guest rooms," is amended to read as follows:

4.106.4.2.2 Existing Buildings. When new parking facilities are added, or electrical systems or lighting of existing parking facilities are added or altered and the work requires a building permit, ten (10) percent

of the total number of parking spaces added or altered, shall be electric vehicle charging spaces (EV spaces) capable of supporting future Level 2 EVSE.

Notes:

1. Construction documents are intended to demonstrate the project's capability and capacity for facilitating future EV charging.
2. There is no requirement for EV spaces to be constructed or available until EV chargers are installed for use.

(e) Green Building Code Section 4.106.4.2.2.1 "Electric vehicle charging stations (EVCS)" is not adopted

(f) Green Building Code Section 4.106.4.2.2.1.1 "Location" is not adopted

(g) Green Building Code Section 4.106.4.2.2.1.2 "Electric vehicle charging stations (EVCS) dimensions" is not adopted

(h) Green Building Code Section 4.106.4.2.2.1.3 "Accessible EV spaces" is not adopted

(i) Green Building Code Section 4.106.4.2.3 "EV Space requirements" is not adopted

(j) Green Building Code Section 4.106.4.2.4 "Identification" is not adopted

(k) Green Building Code Section 4.106.4.2.5 "Electric Vehicle Ready Space Signage" is not adopted

(l) Green Building Code Section 4.106.4.3 "Electric vehicle charging for additions and alterations of parking facilities serving existing multifamily buildings," is amended, and adds new subsections to read as follows:

4.106.4.3 Electric vehicle charging stations (EVCS). Electric vehicle charging stations required by Section 4.106.4.2 shall comply with Section 4.106.4.3.

Exception: Electric vehicle charging stations serving public accommodations, public housing, motels, and hotels shall not be required to comply with this section. See *California Building Code*, Chapter 11B, for applicable requirements.

4.106.4.3.1 Location. EVCS shall comply with at least one of the following options:

1. The charging space shall be located adjacent to an accessible parking space meeting the requirements of the *California Building Code*, Chapter 11A, to allow use of the EV charger from the accessible parking space.
2. The charging space shall be located on an accessible route, as defined in the *California Building Code*, Chapter 2, to the building.

Exception: Electric vehicle charging stations designed and constructed in compliance with the *California Building Code*, Chapter 11B, are not required to comply with Section 4.106.4.3.1 and Section 4.106.4.3.2.

4.106.4.3.2 Dimensions. The charging spaces shall be designed to comply with the following:

1. The minimum length of each EV space shall be 18 feet (5486 mm).
2. The minimum width of each EV space shall be 9 feet (2743 mm).
3. One in every 25 charging spaces, but not less than one, shall also have an 8-foot (2438 mm) wide minimum aisle. A 5-foot (1524 mm) wide minimum aisle shall be permitted provided the minimum width of the EV space is 12 feet (3658 mm).
 - a. Surface slope for this EV space and the aisle shall not exceed 1 unit vertical in 48 units horizontal (2.083 percent slope) in any direction.

Exception: Where the City's Municipal or Zoning Code permits parking space dimensions that are less than the minimum requirements stated in this section 4.106.4.3.2, and the compliance with which would be infeasible due to particular circumstances of a project, an exception may be granted while remaining in compliance with California Building Code Section Table 11B-228.3.2.1 and 11B-812, as applicable.

(m) Green Building Code Section 4.106.4, "Electric vehicle (EV) charging for new construction," is amended to add a new subsection and read as follows:

4.106.4.4 Direct current fast charging stations. One DCFC may be substituted for up to five (5) EVCS to meet the requirements of 4.106.4.1 and 4.106.4.2. Where ALMS serve DCFC stations, the power demand from the DCFC shall be prioritized above Level 1 and Level 2 spaces.

Section 13. Section 23.70.050 of the San Mateo Municipal Code is amended as follows:

23.70.050 Local Amendment Regarding Electric Vehicle Charging for New Non-residential Construction

(a) Green Building Code Section 5.106.5.3, "Electric vehicle (EV) charging," is amended, and adds new subsections to read as follows:

5.106.5.3 Electric vehicle (EV) charging. Construction to provide electric vehicle infrastructure and facilitate electric vehicle charging shall comply with Section 5.106.5.3 and shall be provided in accordance with regulations in the *California Building Code* and the *California Electrical Code*. Accessible EVCS shall be provided in accordance with the *California Building Code Chapter 11B Section 11B-228.3*. For EVCS signs, refer to Caltrans Traffic Operations Policy Directive 13-01 (Zero Emission Vehicle Signs and Pavement Markings) or its successor(s). Calculation for spaces shall be rounded up to the nearest whole number.

Exceptions:

1. On a case-by-case basis where the local enforcing agency has determined compliance with this section is not feasible based upon one of the following conditions:
 - a. Where there is no local utility power supply.
 - b. Where the local utility is unable to supply adequate power.
 - c. Where there is evidence suitable to the local enforcement agency substantiating that additional local utility infrastructure design requirements, directly related to the implementation of Section 5.106.5.3, may increase construction cost by an average of

\$4,500 per parking space. EV infrastructure shall be provided up to the level that would not exceed this cost for utility service.

2. Parking spaces accessible only by automated mechanical car parking systems are not required to comply with this code section.

5.106.5.3.1 Nonresidential Occupancy Class B Offices – Shared Parking Space.

5.106.5.3.1.1 New Construction. Twenty percent (20%) of parking spaces shall be EVCS with Level 2 EV Ready. ALMS shall be permitted to reduce load when multiple vehicles are charging. Thirty percent (30%) of parking spaces provided shall be Level 2 EV Capable.

5.106.5.3.2 Hotel and Motel Occupancies – Shared Parking Facilities.

5.106.5.3.2.1 New Construction. Five percent (5%) of parking spaces provided shall be EVCS with Level 2 EV Ready. ALMS shall be permitted to reduce load when multiple vehicles are charging. Twenty-five percent (25%) of parking spaces provided shall be Low Power Level 2 EV Ready space. Ten percent (10%) of parking spaces provided shall be Level 2 EV Capable.

5.106.5.3.3 All Other Nonresidential Occupancies – Shared Parking Facilities.

5.106.5.3.3.1 New Construction. Ten percent (10%) of parking spaces provided shall be EVCS with Level 2 EV Ready. ALMS shall be permitted to reduce load when multiple vehicles are charging. Ten percent (10%) of parking spaces provided shall be Level 2 EV Capable.

5.106.5.3.4 Direct current fast charging stations. One DCFC may be substituted for up to five (5) EVCS to meet the requirements of 5.106.5.3.1, 5.106.5.3.2, and 5.106.5.3.3. Where ALMS serve DCFC stations, the power demand from the DCFC shall be prioritized above Level 1 and Level 2 spaces.

(b) Green Building Code Section 5.106.5.4 “Electric vehicle (EV) charging: medium-duty and heavy-duty,” is amended to read as follows:

5.106.5.4 Electric vehicle (EV) charging readiness. Construction shall comply with Section 5.106.5.4.1 to facilitate future installation of electric vehicle supply equipment (EVSE). Construction for warehouses, grocery stores and retail stores with planned off-street loading spaces shall also comply with Section 5.106.5.4.1 for future installation of medium- and heavy-duty EVSE. Accessible EVCS shall be provided in accordance with the *California Building Code Chapter 11B Section 11B-228.3*. For EVCS signs, refer to Caltrans Traffic Operations Policy Directive 13-01 (Zero Emission Vehicle Signs and Pavement Markings) or its successor(s).

Exceptions:

1. On a case-by-case basis where the local enforcing agency has determined compliance with this section is not feasible based upon one of the following conditions:
 - a. Where there is no local utility power supply.
 - b. Where the local utility is unable to supply adequate power.
 - c. Where there is evidence suitable to the local enforcing agency substantiating that additional local utility infrastructure design requirements, directly related to the

implementation of Section 5.106.5.3, may increase construction cost by an average of \$4,500 per parking space. EV infrastructure shall be provided up to the level that would not exceed this cost for utility service.

Section 14. Section 23.70.060 of the San Mateo Municipal Code is amended as follows:

23.70.060 Local Amendment Regarding All-Electric Requirements for New Residential Construction

(a) Green Building Code Section 4.106 “Site Development,” is amended to include new subsections to read as follows:

4.106.5 All-electric buildings. New construction buildings shall comply with Section 4.106.5.1 or 4.106.5.2 so that they do not use combustion equipment or are ready to accommodate installation of electric heating appliances.

4.106.5.1 New construction. All newly constructed buildings shall be *all-electric buildings*.

Exceptions:

If the applicant establishes that there is not an all-electric prescriptive compliance pathway for the building under the California Building Energy Efficiency Standards, and that the building is not able to achieve the performance compliance standard applicable to the building under the Energy Efficiency Standards using commercially available technology and an approved calculation method, then the local enforcing agency may grant a modification. The applicant shall comply with Section 4.106.5.2.

Inactive *Fuel Gas Infrastructure* may be extended to spaces that are anticipated to qualify for the exceptions contained in this chapter. The inactive *Fuel Gas Infrastructure* shall not be activated, have a meter installed, or otherwise used unless the exemptions specified in this chapter have been confirmed as part of the issuance of a building permit. If the *Fuel Gas Infrastructure* is no longer serving one of the exceptions contained in this chapter, it shall either be capped, otherwise terminated, or removed by the entity previously entitled to the exemption, in a manner pursuant to all applicable Codes.

The City of San Mateo shall have the authority to approve alternative materials, design and methods of construction or equipment per California Building Code Section 104.

4.106.5.2 Requirements for *combustion equipment*.

Where *combustion equipment* is allowed per Exceptions under 4.106.5.1, the construction drawings shall indicate electrical infrastructure and physical space accommodating the future installation of an *electrical heating appliance* in the following ways, as certified by a registered design professional or licensed electrical contractor:

1. Branch circuit wiring, electrically isolated and designed to serve all electrical heating appliances in accordance with manufacturer requirements and the California Electrical Code, including the appropriate voltage, phase, minimum amperage, and an electrical

receptacle or junction box within five feet of the appliance that is accessible with no obstructions. Appropriately sized conduit may be installed in lieu of conductors; and

2. Labeling of both ends of the unused conductors or conduit shall be with “For Future Electrical Appliance”; and

3. Reserved circuit breakers in the electrical panel for each branch circuit, appropriately labeled (i.e. “Reserved for Future Electric Range”), and positioned on the opposite end of the panel supply conductor connection; and

4. Connected subpanels, panelboards, switchboards, busbars, and transformers shall be sized to serve the future electrical heating appliances. The electrical capacity requirements shall be adjusted for demand factors in accordance with the California Electric Code; and

5. Physical space for future electrical heating appliances, including equipment footprint, and if needed a pathway reserved for routing of ductwork to heat pump evaporator(s), shall be depicted on the construction drawings. The footprint necessary for future electrical heating appliances may overlap with non-structural partitions and with the location of currently designed combustion equipment.

Section 15. Section 23.70.070 of the San Mateo Municipal Code is amended as follows:

23.70.070 Local Amendment Regarding All-Electric Requirements for New Nonresidential Construction

(a) Green Building Code Section 5.106 “Site Development” is amended to include new subsections as follows:

5.106.13 All-electric buildings. New construction buildings shall comply with Section 5.106.13.1 or 5.106.13.2 so that they do not use *combustion equipment* or are ready to facilitate future electrification.

5.106.13.1. New construction. All newly constructed buildings shall be *all-electric buildings*.

Exceptions:

1. Nonresidential buildings containing kitchens located in a place of public accommodation, as defined in the California Building Code Chapter 2, may apply to the local enforcing agency for a modification to install *commercial food heat-processing equipment* served by *fuel gas*. The local enforcing agency may grant the modification if they find:

a. A business-related need to cook with *combustion equipment*; and

b. The need cannot be achieved equivalently with an *electric heating appliance*; and

c. The applicant has installed energy efficient equipment based on Energy Star or California Energy Wise qualifications, as available.

d. The applicant shall comply with Section 5.106.13.2.

2. Laboratory areas within Non-Residential Buildings may contain non-electric Space Conditioning Systems. To take advantage of this exception, an applicant shall provide third party verification that the All-electric space heating requirement is not cost effective and feasible.

3. If the applicant establishes that there is not an all-electric prescriptive compliance pathway for the building under the California Building Energy Efficiency Standards, and that the building is not able to achieve the performance compliance standard applicable to the building under the Energy Efficiency Standards using commercially available technology and an approved calculation method, then the local enforcing agency may grant a modification. The applicant shall comply with Section 5.106.13.2

Inactive *Fuel Gas Infrastructure* may be extended to spaces that are anticipated to qualify for the exceptions contained in this chapter. The inactive *Fuel Gas Infrastructure* shall not be activated, have a meter installed, or otherwise used unless the exemptions specified in this chapter have been confirmed as part of the issuance of a building permit. If the *Fuel Gas Infrastructure* is no longer serving one of the exceptions contained in this chapter, it shall either be capped, otherwise terminated, or removed by the entity previously entitled to the exemption, in a manner pursuant to all applicable Codes.

The City of San Mateo shall have the authority to approve alternative materials, design and methods of construction or equipment per California Building Code Section 104.

5.106.13.2. Requirements for *combustion equipment*. Where *combustion equipment* is allowed per exceptions under Section 5.106.13.1, the construction drawings shall indicate electrical infrastructure and physical space accommodating the future installation of an *electrical heating appliance* in the following ways, as certified by a registered design professional or licensed electrical contractor:

1. Branch circuit wiring, electrically isolated and designed to serve all electrical heating appliances in accordance with manufacturer requirements and the California Electrical Code, including the appropriate voltage, phase, minimum amperage, and an electrical receptacle or junction box within five feet of the appliance that is accessible with no obstructions. Appropriately sized conduit may be installed in lieu of conductors; and
2. Labeling of both ends of the unused conductors or conduit shall be with “For Future Electrical Appliance”; and
3. Reserved circuit breakers in the electrical panel for each branch circuit, appropriately labeled (i.e “Reserved for Future Electric Range”), and positioned on the opposite end of the panel supply conductor connection; and
4. Connected subpanels, panelboards, switchboards, busbars, and transformers shall be sized to serve the future electrical heating appliances. The electrical capacity requirements shall be adjusted for demand factors in accordance with the California Electric Code; and
5. Physical space for future electrical heating appliances, including equipment footprint, and if needed a pathway reserved for routing of ductwork to heat pump evaporator(s), shall be depicted on the construction drawings. The footprint necessary for future electrical heating

appliances may overlap with non-structural partitions and with the location of currently designed combustion equipment.

Section 16. Section 23.70.080 of the San Mateo Municipal Code is amended as follows:

23.70.080 Local Amendment Regarding Electrification Requirements for Existing Residential Buildings

(a) Green Building Code Section 4.106 “Site Development” is amended to include new subsections as follows:

4.106.5.3 Existing one- and two-family dwellings.

4.106.5.3.1 Space cooling *appliance upgrades* shall use electricity for space heating, unconnected to *fuel gas infrastructure*. Any other space heating system serving the space shall be removed or configured to provide supplemental heat.

4.106.5.3.2 Alterations and additions that include water heater *appliance upgrades* shall be all-electric, unconnected to fuel gas infrastructure.

4.106.5.3.3 Kitchen alterations shall include a 240v, 50 ampere circuit and receptacle installed within 6 feet of the cooktop, oven, and/or range location.

4.106.5.3.4 Alterations to areas designated for the installation of laundry equipment shall include a 240v, 30 ampere circuit and receptacle installed within 6 feet of clothes drying appliance location.

4.106.5.4 Existing residential buildings.

4.106.5.4.1 Alterations or additions that involve or require an increase to the capacity of electrical panels or transformers as part of the scope, the electrical panel shall include reserved physical space for overcurrent protection devices, and transformers shall include reserved electrical capacity, as calculated per California Electric Code Section 220 for the following current or proposed appliances, as applicable to the project site, that will not be connected to *fuel gas infrastructure*:

1. Electric water heaters meeting the requirements of the California Energy Code.
2. Electric space heater and air-conditioner meeting the requirements of the California Energy Code.
3. Electric pool and/or spa water heater.
4. Electric clothes dryer.
5. Electric cooking equipment.
6. Electric vehicle charger

Exceptions:

1. Buss bar electrical capacity shall not be required to exceed the proposed utility electrical service to the building. Capacity and overcurrent protection spaces shall be reserved in the priority listed above to the extent allowable under the proposed buss bar capacity.
2. Reserved electric vehicle charger panel capacity may be shared with one of the following: water heater, clothes dryer, or cooking equipment.
3. Electrical panels with internet-connected overcurrent protection devices that monitor circuit load and manage power distribution.

4.106.5.4.2 Existing *fuel gas infrastructure* shall not be extended to any appliance, system or device within the building or building property. Inactive *fuel gas infrastructure* shall not be activated or otherwise operated.

Exceptions: The following are exempt from the provisions of Section 4.106.5.3 “Existing one- and two-family dwellings” and Section 4.106.5.4 “Existing residential buildings,”

1. Where meeting the provisions of Section 4.106.5.3 or 4.106.5.4 would necessitate an increase in capacity for an electrical panel, feeders, transformer, or electrical service that is not part of the *appliance upgrade* scope, in order to meet the requirements of the California Electrical Code. To qualify for this exception, applicant must provide a calculation conforming to the California Electrical Code.
2. Economic hardship exemptions shall be provided if the replacement cost for an all-electric system, including all incentives, is greater than 110 percent of a like-for-like fuel gas system replacement, including the future costs of electrification retrofits. The building official shall consult with the Community Development Director in deciding whether to approve an economic hardship exemption.

Section 17. Section 23.70.090 of the San Mateo Municipal Code is added to Chapter 23.70 as follows:

23.70.090 Expiration

These local code amendments shall sunset when the California Green Building Standards Code, 2022 Edition, is no longer in effect.

Section 18. Environmental Determination. In accordance with California Environmental Quality Act (CEQA) Guidelines, section 15308, adoption of this ordinance is categorically exempt from CEQA, because adoption of these green building standards is authorized by the state and is intended to assure the protection of the environment by reducing greenhouse gas emissions.

Section 19. 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 20. 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 California Government Code section 6066.

Section 21. Legislative History and Effective Date. This ordinance was introduced on Clerk to complete., and adopted on Clerk to complete., and shall be effective January 1, 2023.

Chapter 23.70 GREEN BUILDING CODE

23.70.010 Adoption

(a) The California Green Building Standards Code, 2022~~19~~ Edition, Title 24, Part 11 of the California Code of Regulations, as adopted and amended by the State of California, hereinafter called "Green Building Code," is adopted as the rules, regulations and standards within this City as to all matters therein except as hereinafter modified or amended;

(b) One copy of the Green Building Code shall at all times be kept on file in the office of the City Clerk.

23.70.020 Local Amendments to Definitions

~~(a) The definitions contained Chapter 2, "Definitions" of the state Green Building Code are adopted.~~

~~(b)~~(a) The most commonly used definitions of the Green Building Code are set forth below:

ADDITION. An extension or increase in floor area of an existing building or structure.

ALTERATION OR ALTER. Any construction or renovation to an existing structure other than repair for the purpose of maintenance or addition.

Electric Vehicle (EV). An automotive-type vehicle for on-road use, such as passenger automobiles, buses, trucks, vans, neighborhood electric vehicles, electric motorcycles, and the like, primarily powered by an electric motor that draws current from a rechargeable storage battery, fuel cell, photovoltaic array, or other source of electric current. Plug-in hybrid electric vehicles (PHEV) are considered electric vehicles. For purposes of the *California Electrical Code*, off-road, self-propelled electric vehicles, such as industrial trucks, hoists, lifts, transports, golf carts, airline ground support equipment, tractors, boats, and the like, are not included.

Electric Vehicle Charging Space (EV Space). A space intended for future installation of EV charging equipment and charging of electric vehicles.

Electric vehicle supply equipment (EVSE). The conductors, including the undergrounded, grounded, and equipment grounding conductors and the electric vehicles connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between premises wiring and the electric vehicle.

NEWLY CONSTRUCTED (or NEW CONSTRUCTION). A newly constructed building (or new construction) does not include additions, alterations or repairs.

OFF-STREET LOADING SPACES. An area, other than a public street, public way, or other property (and exclusive of off-street parking spaces), permanently reserved or set aside for the loading or unloading of motor vehicles, including ways of ingress and egress and maneuvering areas. Whenever the term

"loading space" is used, it shall, unless the context clearly requires otherwise, be construed as meaning off-street loading space. This excludes designated passenger loading/unloading.

~~(c)(b) Chapter 2 "Definitions," Green Building Code~~ Section 202 of the state Green Building Code is amended to include the following definition~~s~~:

AFFORDABLE HOUSING. Residential buildings that entirely consist of units below market rate and whose rents or sales prices are governed by local agencies to be affordable based on area median income.

ALL-ELECTRIC BUILDING. A building that contains no *combustion equipment* or plumbing for combustion equipment serving space heating (including fireplaces), water heating (including pools and spas), cooking appliances (including barbeques), and clothes drying, within the building or building property lines, and instead uses electric heating appliances for service.

APPLIANCE UPGRADE. The installation, relocation, or replacement of any appliance.

AUTOMATIC LOAD MANAGEMENT SYSTEM (ALMS). A control system designed to manage load across one or more electric vehicle supply equipment (EVSE), circuits, panels and to share electrical capacity and/or automatically manage power at each connection point. ALMS systems shall be designed to deliver no less than 3.3 kVa (208/240 volt, 16-ampere) to each EV Capable, EV Ready or EVCS space served by the ALMS, and meet the requirements of California Electrical Code Article 625. The connected amperage to the building site for the EV charging infrastructure shall not be lower than the required connected amperage per California Green Building Standards Code, Title 24 Part 11.

COMBUSTION EQUIPMENT. Any equipment or appliance used for space heating, water heating, cooking, clothes drying and/or lighting that uses *fuel gas*.

DIRECT CURRENT FAST CHARGING (DCFC). A parking space provided with electrical infrastructure that meets the following conditions:

- i. A minimum of 48 kVa (480 volt, 100-ampere) capacity wiring.
- ii. Electric vehicle supply equipment (EVSE) located within three (3) feet of the parking space providing a minimum capacity of 80-ampere.

ELECTRIC HEATING APPLIANCE. A device that produces heat energy to create a warm environment by the application of electric power to resistance elements, refrigerant compressors, or dissimilar material junctions, as defined in the California Mechanical Code.

ELECTRIC VEHICLE CHARGING STATION (EVCS). A parking space that includes installation of electric vehicle supply equipment (EVSE) at an EV Ready space. An EVCS space may be used to satisfy EV Ready space requirements. EVSE shall be installed in accordance with the California Electrical Code, Article 625.

FUEL GAS. A gas that is natural, manufactured, liquefied petroleum, or a mixture of these, as defined in the California Mechanical Code.

FUEL GAS INFRASTRUCTURE. Piping, other than service pipe, in or in connection with a building, structure or within the property lines of premises, extending from the point of delivery at the gas meter,

service meter assembly, outlet of the service regulator, service shutoff valve, or final pressure regulator, whichever is applicable, as defined in the California Mechanical Code.

LABORATORY. A room, building or area where the use and storage of hazardous materials are utilized for testing, analysis, instruction, research or developmental activities.

LEVEL 1 EV READY. A parking space that is served by a complete electric circuit with the following requirements:

- i. A minimum of 2.2 kVa (110/120 volt, 20-ampere) capacity wiring.
- ii. A receptacle labeled "Electric Vehicle Outlet" or electric vehicle supply equipment located within three (3) feet of the parking space. If EVSE is provided the minimum capacity of the EVSE shall be 16-ampere.
- iii. Conduit oversized to accommodate future Level 2 EV Ready (208/240 volt, 40-ampere) at each parking space.

LEVEL 2 EV CAPABLE. A parking space provided with electrical infrastructure that meets the following requirements:

- i. Conduit that links a listed electrical panel with sufficient capacity to a junction box or receptacle located within three (3) feet of the parking space.
- ii. The conduit shall be designed to accommodate at least 8.3 kVa (208/240 volt, 40-ampere) per parking space. Conduit shall have a minimum nominal trade size of 1 inch inside diameter and may be sized for multiple circuits as allowed by the California Electrical Code. Conduit shall be installed at a minimum in spaces that will be inaccessible after construction, either trenched underground or where penetrations to walls, floors, or other partitions would otherwise be required for future installation of branch circuits, and such additional elements deemed necessary by the Building Official. Construction documents shall indicate future completion of conduit from the panel to the parking space, via the installed inaccessible conduit.
- iii. The electrical panel shall reserve a space for a 40-ampere overcurrent protective device space(s) for EV charging, labeled in the panel directory as "EV CAPABLE."
- iv. Electrical load calculations shall demonstrate that the electrical panel service capacity and electrical system, including any on-site distribution transformer(s), have sufficient capacity to simultaneously charge all EVs at all required EV spaces at a minimum of 40 amperes.
- v. The parking space shall contain signage with at least a 12" font adjacent to the parking space indicating the space is EV Capable.

LEVEL 2 EV READY. A parking space that is served by a complete electric circuit with the following requirements:

- i. A minimum of 8.3 kVa (208/240 volt, 40-ampere) capacity wiring.
- ii. A receptacle labeled "Electric Vehicle Outlet" or electric vehicle supply equipment located within three (3) feet of the parking space. If EVSE is provided the minimum capacity of the EVSE shall be 30-ampere.

LOW POWER LEVEL 2 EV READY. A parking space that is served by a complete electric circuit with the following requirements:

- i. A minimum of 4.1 kVA (208/240 Volt, 20-ampere) capacity wiring.
- ii. A receptacle labeled "Electric Vehicle Outlet" or electric vehicle supply equipment located within three (3) feet of the parking space. If EVSE is provided the minimum capacity of the EVSE

shall be 16-ampere.

- ~~i.iii.~~ Conduit oversized to accommodate future Level 2 EV Ready (208/240 volt, 40-ampere) at each parking space.

REPAIR. Reconstruction, replacement, or renewal of any part of an existing building for the purpose of its maintenance or to correct damage, as defined in the California Existing Building Code.

~~**Level 2 EVSE.** An EVSE capable of charging at 30 amperes or higher at 208 or 240 VAC. An EVSE capable of simultaneously charging at 30 amperes for each of two vehicles shall be counted as two Level 2 EVSE.~~

(c) Green Building Code Section 202 is amended to delete the following definitions:

ELECTRIC VEHICLE (EV) CAPABLE SPACE. A vehicle space with electrical panel space and load capacity to support a branch circuit and necessary raceways, both underground and/or surface mounted, to support EV charging.

ELECTRIC VEHICLE (EV) READY SPACE. [HCD] A vehicle space which is provided with a branch circuit; any necessary raceways, both underground and/or surface mounted; to accommodate EV charging, terminating in a receptacle or a charger.

LEVEL 2 ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE). [HCD] The 208/240 Volt 40ampere branch circuit, and the electric vehicle charging connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the electric vehicle.

LOW POWER LEVEL 2 ELECTRIC VEHICLE (EV) CHARGING RECEPTACLE. [HCD] A 208/240 Volt 20-ampere minimum branch circuit and a receptacle for use by an EV driver to charge their electric vehicle or hybrid electric vehicle.

23.70.030 Local Amendment Regarding Electric Vehicle Charging For New One- and Two-Family Dwellings and Town-Houses

- (a) Green Building Code Section 4.106.4.1, "New one- and two-family dwellings and town-houses with attached private garages," is amended to ~~require the Tier 1 and Tier 2 requirement per Section A4.106.8.1 and A4.106.8.1.1 of the Green Building Code as follows~~read as follows:

4.106.4.1 New one- and two-family dwellings and town-houses with attached private garages.

- (b) Green Building Code Section 4.106.4.1.1, "Identification," is amended to read as follows:

4.106.4.1.1 New Construction One parking space provided shall be a Level 2 EV Ready space. If a second parking space is provided, it shall be provided with a Level 1 EV Ready space.

~~.(1) Tier 1 and Tier 2. For each dwelling unit, a dedicated 208/240-volt branch circuit shall be installed in the raceway required by Section 4.106.4.1. The branch circuit and associated overcurrent protective device shall be rated at 40 amperes minimum. Other electrical components, including a receptacle or blank cover, related to this section shall be installed in accordance with the California Electrical Code.~~

~~A4.106.8.1.1 Identification. The service panel or sub-panel circuit directory shall identify the overcurrent protective device designated for future EV charging purposes as "EV READY" in accordance with the *California Electrical Code*. The receptacle or blank cover shall be identified as "EV READY."~~

23.70.040 Local Amendment Regarding Electric Vehicle Charging For New Multifamily Residential Construction

(a) Green Building Code Section 4.106.4 "Electric vehicle (EV) charging for new construction," is amended to read as follows:

4.106.4 Electric vehicle (EV) charging. New construction shall comply with Section 4.106.4.1 or 4.106.4.2, and 4.106.4.3, to facilitate future installation and use of EV chargers. Electric vehicle supply equipment (EVSE) shall be installed in accordance with the *California Electrical Code*, Article 625. For EVCS signs, refer to Caltrans Traffic Operations Policy Directive 13-01 (Zero Emission Vehicle Signs and Pavement Markings) or its successor(s). Calculation for spaces shall be rounded up to the nearest whole number.

Exceptions:

1. On a case-by-case basis, where the local enforcing agency has determined EV charging and infrastructure are not feasible based upon one or more of the following conditions:
 - 1.1. Where there is no local utility power supply or the local utility is unable to supply adequate power.
 - 1.2. Where there is evidence suitable to the local enforcing agency substantiating that additional local utility infrastructure design requirements, directly related to the implementation of Section 4.106.4, may increase construction cost by an average of \$4,500 per parking space for market rate housing or \$400 per parking space for affordable housing. EV infrastructure shall be provided up to the level that would not exceed this cost for utility service.
2. Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU) without additional parking facilities and without electrical panel upgrade or new panel installation. ADUs and JADUs without additional parking but with electrical panel upgrades or new panels must have reserved breakers and electrical capacity according to the requirements of 4.106.4.1.
3. Projects with multifamily residential units that submitted Planning Applications prior to the effective date of this ordinance.
4. Parking spaces accessible only by automated mechanical car parking systems are not required to comply with this code section.

~~(b) Green Building Code Section 4.106.4.2, "New multifamily dwellings, hotels and motels and new residential parking facilities," is amended to read~~ as follows:

(b)

Tier 1: 15 percent of the total number of parking spaces on a building site, provided for all types of parking facilities, but in no case less than one, shall be electric vehicle charging spaces (EV spaces) capable of supporting future electric vehicle supply equipment (EVSE). Calculations for required number of EV spaces shall be rounded up to the nearest whole number.

Requirements related to EV spaces for multifamily residential projects can be found in Green Building Code Sections 4.106.4.2.3 "Single EV space required" and 4.106.4.2.4 "Multiple EV spaces required."

4.106.4.2 New multifamily dwellings and new residential parking facilities. Requirements apply to parking spaces that are assigned or leased to individual dwelling units, as well as unassigned residential parking. Visitor or common area parking is not included.

(c) Green Building Code Section 4.106.4.2.1, "Multifamily development projects with less than 20 dwelling units; and hotels and motels with less than 20 sleeping units or guest rooms," is amended to read as follows:

4.106.4.2.1 New Construction. Fifteen percent (15%) of dwelling units with parking spaces shall be EVCS with Level 2 EV Ready. ALMS shall be permitted to reduce load when multiple vehicles are charging. Eighty-five percent (85%) of dwelling units with parking spaces shall be provided with a Low Power Level 2 EV Ready space. EV ready spaces and EVCS in multifamily developments shall comply with California Building Code, Chapter 11A, Section 1109A. EVCS shall comply with the accessibility provisions for EV chargers in the California Building Code, Chapter 11B.

Note: The total number of EV spaces should be one-hundred percent (100%) of dwelling units or one-hundred percent (100%) of parking spaces, whichever is less.

(d) Green Building Code Section 4.106.4.2.2, "Multifamily development projects with 20 or more dwelling units, hotels and motels with 20 or more sleeping units or guest rooms," is amended to read as follows:

4.106.4.2.2 Existing Buildings. When new parking facilities are added, or electrical systems or lighting of existing parking facilities are added or altered and the work requires a building permit, ten (10) percent of the total number of parking spaces added or altered, shall be electric vehicle charging spaces (EV spaces) capable of supporting future Level 2 EVSE.

Notes:

- 1.** Construction documents are intended to demonstrate the project's capability and capacity for facilitating future EV charging.
- 2.** There is no requirement for EV spaces to be constructed or available until EV chargers are installed for use.

(e) Green Building Code Section 4.106.4.2.2.1 "Electric vehicle charging stations (EVCS)" is not adopted

(f) Green Building Code Section 4.106.4.2.2.1.1 "Location" is not adopted

(g) Green Building Code Section 4.106.4.2.2.1.2 “Electric vehicle charging stations (EVCS) dimensions” is not adopted

(h) Green Building Code Section 4.106.4.2.2.1.3 “Accessible EV spaces” is not adopted

(i) Green Building Code Section 4.106.4.2.3 “EV Space requirements” is not adopted

(j) Green Building Code Section 4.106.4.2.4 “Identification” is not adopted

(k) Green Building Code Section 4.106.4.2.5 “Electric Vehicle Ready Space Signage” is not adopted

(e) Green Building Code Section 4.106.4.3 “Electric vehicle charging for additions and alterations of parking facilities serving existing multifamily buildings,” is amended, and adds new subsections to read as follows:

(l)

4.106.4.3 Electric vehicle charging stations (EVCS). Electric vehicle charging stations required by Section 4.106.4.2 shall comply with Section 4.106.4.3.

Exception: Electric vehicle charging stations serving public accommodations, public housing, motels, and hotels shall not be required to comply with this section. See *California Building Code*, Chapter 11B, for applicable requirements.

4.106.4.3.1 Location. EVCS shall comply with at least one of the following options:

1. The charging space shall be located adjacent to an accessible parking space meeting the requirements of the *California Building Code*, Chapter 11A, to allow use of the EV charger from the accessible parking space.
2. The charging space shall be located on an accessible route, as defined in the *California Building Code*, Chapter 2, to the building.

Exception: Electric vehicle charging stations designed and constructed in compliance with the *California Building Code*, Chapter 11B, are not required to comply with Section 4.106.4.3.1 and Section 4.106.4.3.2.

4.106.4.3.2 Dimensions. The charging spaces shall be designed to comply with the following:

1. The minimum length of each EV space shall be 18 feet (5486 mm).
2. The minimum width of each EV space shall be 9 feet (2743 mm).
3. One in every 25 charging spaces, but not less than one, shall also have an 8- foot (2438 mm) wide minimum aisle. A 5-foot (1524 mm) wide minimum aisle shall be permitted provided the minimum width of the EV space is 12 feet (3658 mm).
 - a. Surface slope for this EV space and the aisle shall not exceed 1 unit vertical in 48 units horizontal (2.083 percent slope) in any direction.

Exception: Where the City’s Municipal or Zoning Code permits parking space dimensions that are less than the minimum requirements stated in this section 4.106.4.3.2, and the compliance

with which would be infeasible due to particular circumstances of a project, an exception may be granted while remaining in compliance with California Building Code Section Table 11B-228.3.2.1 and 11B-812, as applicable.

(m) Green Building Code Section 4.106.4, "Electric vehicle (EV) charging for new construction," is amended to add a new subsection and read as follows:

4.106.4.4 Direct current fast charging stations. One DCFC may be substituted for up to five (5) EVCS to meet the requirements of 4.106.4.1 and 4.106.4.2. Where ALMS serve DCFC stations, the power demand from the DCFC shall be prioritized above Level 1 and Level 2 spaces.

23.70.050 Local Amendment Regarding Electric Vehicle Charging for New Non-residential Construction

(a) Green Building Code Section 5.106.5.3-3, "~~EV charging space calculation~~Electric vehicle (EV) charging," is amended, and adds new subsections to read as follows require increased standards for new non-residential buildings with ten parking spaces or more as follows:

5.106.5.3 Electric vehicle (EV) charging. Construction to provide electric vehicle infrastructure and facilitate electric vehicle charging shall comply with Section 5.106.5.3 and shall be provided in accordance with regulations in the *California Building Code* and the *California Electrical Code*. Accessible EVCS shall be provided in accordance with the *California Building Code Chapter 11B Section 11B-228.3*. For EVCS signs, refer to Caltrans Traffic Operations Policy Directive 13-01 (Zero Emission Vehicle Signs and Pavement Markings) or its successor(s). Calculation for spaces shall be rounded up to the nearest whole number.

Exceptions:

1. On a case-by-case basis where the local enforcing agency has determined compliance with this section is not feasible based upon one of the following conditions:

- a. Where there is no local utility power supply.
- b. Where the local utility is unable to supply adequate power.
- c. Where there is evidence suitable to the local enforcement agency substantiating that additional local utility infrastructure design requirements, directly related to the implementation of Section 5.106.5.3, may increase construction cost by an average of \$4,500 per parking space. EV infrastructure shall be provided up to the level that would not exceed this cost for utility service.

2. Parking spaces accessible only by automated mechanical car parking systems are not required to comply with this code section.

5.106.5.3.1 Nonresidential Occupancy Class B Offices – Shared Parking Space.

5.106.5.3.1.1 New Construction. Twenty percent (20%) of parking spaces shall be EVCS with Level 2 EV Ready. ALMS shall be permitted to reduce load when multiple vehicles are charging. Thirty percent (30%) of parking spaces provided shall be Level 2 EV Capable.

5.106.5.3.2 Hotel and Motel Occupancies – Shared Parking Facilities.

5.106.5.3.2.1 New Construction. Five percent (5%) of parking spaces provided shall be EVCS with Level 2 EV Ready. ALMS shall be permitted to reduce load when multiple vehicles are charging. Twenty-five percent (25%) of parking spaces provided shall be Low Power Level 2 EV Ready space. Ten percent (10%) of parking spaces provided shall be Level 2 EV Capable.

5.106.5.3.3 All Other Nonresidential Occupancies – Shared Parking Facilities.

5.106.5.3.3.1 New Construction. Ten percent (10%) of parking spaces provided shall be EVCS with Level 2 EV Ready. ALMS shall be permitted to reduce load when multiple vehicles are charging. Ten percent (10%) of parking spaces provided shall be Level 2 EV Capable.

5.106.5.3.4 Direct current fast charging stations. One DCFC may be substituted for up to five (5) EVCS to meet the requirements of 5.106.5.3.1, 5.106.5.3.2, and 5.106.5.3.3. Where ALMS serve DCFC stations, the power demand from the DCFC shall be prioritized above Level 1 and Level 2 spaces.

(b) Green Building Code Section 5.106.5.4 “Electric vehicle (EV) charging: medium-duty and heavy-duty,” is amended to read as follows:

5.106.5.4 Electric vehicle (EV) charging readiness. Construction shall comply with Section 5.106.5.4.1 to facilitate future installation of electric vehicle supply equipment (EVSE). Construction for warehouses, grocery stores and retail stores with planned off-street loading spaces shall also comply with Section 5.106.5.4.1 for future installation of medium- and heavy-duty EVSE. Accessible EVCS shall be provided in accordance with the *California Building Code Chapter 11B Section 11B-228.3*. For EVCS signs, refer to Caltrans Traffic Operations Policy Directive 13-01 (Zero Emission Vehicle Signs and Pavement Markings) or its successor(s).

Exceptions:

1. On a case-by-case basis where the local enforcing agency has determined compliance with this section is not feasible based upon one of the following conditions:

- a. Where there is no local utility power supply.**
- b. Where the local utility is unable to supply adequate power.**
- c. Where there is evidence suitable to the local enforcing agency substantiating that additional local utility infrastructure design requirements, directly related to the implementation of Section 5.106.5.3, may increase construction cost by an average of \$4,500 per parking space. EV infrastructure shall be provided up to the level that would not exceed this cost for utility service.**

(1) Ten percent of the total number of parking spaces provided for all types of parking facilities shall be EV spaces capable of supporting future EVSE. Calculations for the required number of EV spaces shall be rounded up to the nearest whole number.

(2) Five percent of the total number of parking spaces provided for all types of parking facilities shall be equipped with Level 2 EVSE. Calculations for the required number of spaces with Level 2 EVSE shall be rounded up to the nearest whole number.

~~Requirements related to EV spaces for nonresidential projects can be found in Green Building Code Sections 5.106.5.3.1 "Single charging space requirements" and 5.106.5.3.2 "Multiple charging space requirements."~~

23.70.060 Local Amendment Regarding All-Electric Requirements for New Residential Construction

(a) Green Building Code Section 4.106 "Site Development," is amended to include new subsections to read as follows:

4.106.5 All-electric buildings. New construction buildings shall comply with Section 4.106.5.1 or 4.106.5.2 so that they do not use combustion equipment or are ready to accommodate installation of electric heating appliances.

4.106.5.1 New construction. All newly constructed buildings shall be *all-electric buildings*.

Exceptions:

If the applicant establishes that there is not an all-electric prescriptive compliance pathway for the building under the California Building Energy Efficiency Standards, and that the building is not able to achieve the performance compliance standard applicable to the building under the Energy Efficiency Standards using commercially available technology and an approved calculation method, then the local enforcing agency may grant a modification. The applicant shall comply with Section 4.106.5.2.

Inactive *Fuel Gas Infrastructure* may be extended to spaces that are anticipated to qualify for the exceptions contained in this chapter. The inactive *Fuel Gas Infrastructure* shall not be activated, have a meter installed, or otherwise used unless the exemptions specified in this chapter have been confirmed as part of the issuance of a building permit. If the *Fuel Gas Infrastructure* is no longer serving one of the exceptions contained in this chapter, it shall either be capped, otherwise terminated, or removed by the entity previously entitled to the exemption, in a manner pursuant to all applicable Codes.

The City of San Mateo shall have the authority to approve alternative materials, design and methods of construction or equipment per California Building Code Section 104.

4.106.5.2 Requirements for *combustion equipment*.

Where *combustion equipment* is allowed per Exceptions under 4.106.5.1, the construction drawings shall indicate electrical infrastructure and physical space accommodating the future installation of an *electrical heating appliance* in the following ways, as certified by a registered design professional or licensed electrical contractor:

1. Branch circuit wiring, electrically isolated and designed to serve all electrical heating appliances in accordance with manufacturer requirements and the California Electrical Code, including the appropriate voltage, phase, minimum amperage, and an electrical receptacle or junction box within five feet of the appliance that is accessible with no obstructions. Appropriately sized conduit may be installed in lieu of conductors; and
2. Labeling of both ends of the unused conductors or conduit shall be with "For Future Electrical Appliance"; and

3. Reserved circuit breakers in the electrical panel for each branch circuit, appropriately labeled (i.e. "Reserved for Future Electric Range"), and positioned on the opposite end of the panel supply conductor connection; and
4. Connected subpanels, panelboards, switchboards, busbars, and transformers shall be sized to serve the future electrical heating appliances. The electrical capacity requirements shall be adjusted for demand factors in accordance with the California Electric Code; and
5. Physical space for future electrical heating appliances, including equipment footprint, and if needed a pathway reserved for routing of ductwork to heat pump evaporator(s), shall be depicted on the construction drawings. The footprint necessary for future electrical heating appliances may overlap with non-structural partitions and with the location of currently designed combustion equipment.

23.70.060 — Local Amendment Regarding ~~Ee~~ Electric Vehicle Space Design Requirements

Green Building Code Section 4.106.4.2, "New multifamily dwellings," and Section 5.106.5.3.3, "EV charging space calculation" are amended to require EV space design requirements as follows:

For all projects subject to Title 24, Part 2, Chapter 11B, construction documents shall indicate how many accessible EV spaces would be required under the California Code of Regulations Title 24, Chapter 11B, if applicable, in order to convert EV spaces to include EVSE. Construction documents shall also demonstrate that the facility is designed such that compliance with accessibility standards, including Chapter 11B accessible routes, will be feasible for the required accessible EV Space at the time of EVSE installation. Surface slope for any area designated for accessible EV Space shall meet slope requirements in Chapter 11B and vertical clearance requirements in Chapter 11B at the time of original building construction.

23.70.070 Local Amendment Regarding All-Electric Requirements for New Nonresidential Construction

(a) Green Building Code Section 5.106 "Site Development" is amended to include new subsections and read as follows:

5.106.13 All-electric buildings. New construction buildings shall comply with Section 5.106.13.1 or 5.106.13.2 so that they do not use *combustion equipment* or are ready to facilitate future electrification.

5.106.13.1. New construction. All newly constructed buildings shall be *all-electric buildings*.

Exceptions:

1. Nonresidential buildings containing kitchens located in a place of public accommodation, as defined in the California Building Code Chapter 2, may apply to the local enforcing agency for a modification to install *commercial food heat-processing equipment served by fuel gas*. The local enforcing agency may grant the modification if they find:
 - a. A business-related need to cook with *combustion equipment*; and
 - b. The need cannot be achieved equivalently with an *electric heating appliance*; and

- c. The applicant has installed energy efficient equipment based on Energy Star or California Energy Wise qualifications, as available.
 - d. The applicant shall comply with Section 5.106.13.2.
- 2. Laboratory areas within Non-Residential Buildings may contain non-electric Space Conditioning Systems. To take advantage of this exception, an applicant shall provide third party verification that the All-electric space heating requirement is not cost effective and feasible.
- 3. If the applicant establishes that there is not an all-electric prescriptive compliance pathway for the building under the California Building Energy Efficiency Standards, and that the building is not able to achieve the performance compliance standard applicable to the building under the Energy Efficiency Standards using commercially available technology and an approved calculation method, then the local enforcing agency may grant a modification. The applicant shall comply with Section 5.106.13.2

Inactive *Fuel Gas Infrastructure* may be extended to spaces that are anticipated to qualify for the exceptions contained in this chapter. The inactive *Fuel Gas Infrastructure* shall not be activated, have a meter installed, or otherwise used unless the exemptions specified in this chapter have been confirmed as part of the issuance of a building permit. If the *Fuel Gas Infrastructure* is no longer serving one of the exceptions contained in this chapter, it shall either be capped, otherwise terminated, or removed by the entity previously entitled to the exemption, in a manner pursuant to all applicable Codes.

The City of San Mateo shall have the authority to approve alternative materials, design and methods of construction or equipment per California Building Code Section 104.

5.106.13.2. Requirements for *combustion equipment*. Where *combustion equipment* is allowed per exceptions under Section 5.106.13.1, the construction drawings shall indicate electrical infrastructure and physical space accommodating the future installation of an *electrical heating appliance* in the following ways, as certified by a registered design professional or licensed electrical contractor:

- 1. Branch circuit wiring, electrically isolated and designed to serve all electrical heating appliances in accordance with manufacturer requirements and the California Electrical Code, including the appropriate voltage, phase, minimum amperage, and an electrical receptacle or junction box within five feet of the appliance that is accessible with no obstructions. Appropriately sized conduit may be installed in lieu of conductors; and
- 2. Labeling of both ends of the unused conductors or conduit shall be with “For Future Electrical Appliance”; and
- 3. Reserved circuit breakers in the electrical panel for each branch circuit, appropriately labeled (i.e “Reserved for Future Electric Range”), and positioned on the opposite end of the panel supply conductor connection; and
- 4. Connected subpanels, panelboards, switchboards, busbars, and transformers shall be sized to serve the future electrical heating appliances. The electrical capacity requirements shall be adjusted for demand factors in accordance with the California Electric Code; and

5. Physical space for future electrical heating appliances, including equipment footprint, and if needed a pathway reserved for routing of ductwork to heat pump evaporator(s), shall be depicted on the construction drawings. The footprint necessary for future electrical heating appliances may overlap with non-structural partitions and with the location of currently designed combustion equipment.

23.70.070 — Modifications

If an applicant for a Covered Project believes that circumstances exist that make it infeasible to meet the requirements of this Chapter, the applicant may request a modification set forth in Section 23.06.015 of the Municipal Code. In applying for the modification, the burden is on the Applicant to show infeasibility. The Building Official may grant a modification to exempt the applicant from these requirements if he or she makes either of the following findings:

(a) Where there is insufficient electrical supply; or

(b) Where there is evidence substantiating that additional local utility infrastructure design requirements, directly related to the implementation of these requirements, may have a significant adverse impact the construction cost of the project.

23.70.080 Local Amendment Regarding Electrification Requirements for Existing Residential Buildings Expiration

- (a) Green Building Code Section 4.106 “Site Development” is amended to include new subsections and read as follows:

4.106.5.3 Existing one- and two-family dwellings.

4.106.5.3.1 Space cooling *appliance upgrades* shall use electricity for space heating, unconnected to *fuel gas infrastructure*. Any other space heating system serving the space shall be removed or configured to provide supplemental heat.

4.106.5.3.2 Alterations and additions that include water heater *appliance upgrades* shall be all-electric, unconnected to fuel gas infrastructure.

4.106.5.3.3 Kitchen alterations shall include a 240v, 50 ampere circuit and receptacle installed within 6 feet of the cooktop, oven, and/or range location.

4.106.5.3.4 Alterations to areas designated for the installation of laundry equipment shall include a 240v, 30 ampere circuit and receptacle installed within 6 feet of clothes drying appliance location.

4.106.5.4 Existing residential buildings.

4.106.5.4.1 Alterations or additions that involve or require an increase to the capacity of electrical panels or transformers as part of the scope, the electrical panel shall include reserved physical space for overcurrent protection devices, and transformers shall include reserved

electrical capacity, as calculated per California Electric Code Section 220 for the following current or proposed appliances, as applicable to the project site, that will not be connected to fuel gas infrastructure:

1. Electric water heaters meeting the requirements of the California Energy Code.
2. Electric space heater and air-conditioner meeting the requirements of the California Energy Code.
3. Electric pool and/or spa water heater.
4. Electric clothes dryer.
5. Electric cooking equipment.
6. Electric vehicle charger

Exceptions:

1. Buss bar electrical capacity shall not be required to exceed the proposed utility electrical service to the building. Capacity and overcurrent protection spaces shall be reserved in the priority listed above to the extent allowable under the proposed buss bar capacity.
2. Reserved electric vehicle charger panel capacity may be shared with one of the following: water heater, clothes dryer, or cooking equipment.
3. Electrical panels with internet-connected overcurrent protection devices that monitor circuit load and manage power distribution.

4.106.5.4.2 Existing *fuel gas infrastructure* shall not be extended to any appliance, system or device within the building or building property. Inactive *fuel gas infrastructure* shall not be activated or otherwise operated.

Exceptions: The following are exempt from the provisions of Section 4.106.5.3 “Existing one- and two-family dwellings” and Section 4.106.5.4 “Existing residential buildings,”

1. Where meeting the provisions of Section 4.106.5.3 or 4.106.5.4 would necessitate an increase in capacity for an electrical panel, feeders, transformer, or electrical service that is not part of the appliance upgrade scope, in order to meet the requirements of the California Electrical Code. To qualify for this exception, applicant must provide a calculation conforming to the California Electrical Code.
- 1.2. Economic hardship exemptions shall be provided if the replacement cost for an all-electric system, including all incentives, is greater than 110 percent of a like-for-like fuel gas system replacement, including the future costs of electrification retrofits. The building official shall consult with the Community Development Director in deciding whether to approve an economic hardship exemption.

Expiration

~~These local code amendments shall sunset the when the California Green Building Standards Code, 2022 Edition, is no longer in effect.~~23.70.090 Expiration [new section]

These local code amendments shall sunset when the California Green Building Standards Code, 2022 Edition, is no longer in effect.

From: Wendy Chou [REDACTED]
Sent: Sunday, October 23, 2022 4:55 PM
To: City Council (San Mateo) <CityCouncil@cityofsanmateo.org>; Drew Corbett <dcorbett@cityofsanmateo.org>; Kathy Kleinbaum <kkleinbaum@cityofsanmateo.org>; Andrea Chow <achow@cityofsanmateo.org>
Subject: Gratitude for October 17 reach codes vote

Dear Mayor Bonilla and City Council Members,

Congratulations on making a historic decision at the last Council meeting (Oct 17) and patiently hearing comments from constituents. You showed an understanding of the gravity of the climate crisis -- and how cities can protect public health by voting for stronger reach codes.

I am a parent of a 10-year-old and I am terribly concerned about our city's vulnerability to climate impacts, both now and during my son's longer lifetime. One of my biggest concerns is our vulnerability to poor air quality during the extended wildfire season. There's also the mental stress from feeling powerless before extreme and unpredictable environmental conditions (which also raise costs from the perspective of insurance premiums). Finally, I worry about compounded effects (e.g. drought + heat waves, Covid + air quality, sea level rise flooding + earthquake evacuation) that are far more difficult to face than individual effects.

Thankfully, the Reach Code that you're adopting is a strong step to addressing these distressing climate impacts -- and it will also make our homes healthier by avoiding unnecessary fossil fuel use. I believe that other Bay Area localities will likely follow suit, expanding the effect of this one city. Measures like this make me very proud to live in San Mateo and grateful for your action.

Sincerely,

Wendy Chou
Resident of Westwood Knolls East
[REDACTED]

From: James Higbie [REDACTED]
Sent: Monday, October 24, 2022 6:07 PM
To: City Council (San Mateo) <CityCouncil@cityofsanmateo.org>; Drew Corbett <dcorbett@cityofsanmateo.org>; Kathy Kleinbaum <kkleinbaum@cityofsanmateo.org>; Andrea Chow <achow@cityofsanmateo.org>
Subject: Reach Codes

Dear Mayor Bonilla and City Council Members,

Thank you very much for your leadership on climate and health with the new Reach Code that you voted on, on October 17th. As a father and a San Mateo resident, I am very concerned about our city's and region's vulnerability to the effects of climate change, especially wildfire and particulate pollution, which are bad now and set to get much worse.

The Reach Code that you're adopting is a practical and inspiring step toward addressing the climate crisis that will make our homes healthier by avoiding unnecessary fossil fuel use. Measures like this make me proud to live in San Mateo and grateful for your action.

Sincerely,

James Higbie

From: Ivana Sebastian [REDACTED]
Sent: Monday, October 24, 2022 8:11 AM
To: Robert Whitehair [REDACTED]
Cc: Amourence Lee <alee@cityofsanmateo.org>; City Council (San Mateo) <CityCouncil@cityofsanmateo.org>
Subject: Re: Reach Codes

Hello good morning. My original email was sent to the city council regarding heavy burden of electrical costs. I don't recall authorizing Ms Lee, or city council members, to give out my contact information to people that are not on the city council. Please respect my wishes and do not forward my email address to individuals that are not on the city council. I see this individual "Robert" has a gmail account.

Thank you, much appreciated.

Ivana Sebastian

On Wed, Oct 19, 2022, 12:37 PM Robert Whitehair [REDACTED] wrote:

Council Member Lee - Thank you for this introduction.

Dear Mr. Sebastian

It's nice to meet you by email.

I would be very happy to talk with you further about the current City of San Mateo Reach Codes proposal (applicable to new construction and remodels only), and about electrification in general, as my wife and I have fully electrified our home.

My wife and I have owned a home in San Mateo for 40 years. We are both retired, not wealthy or rich, and last May we took out our handy dandy earthquake wrench and shut off the gas to our 1951 home.

In her email to you on October 17, Council Member Lee did a great job of explaining the Reach Codes proposal applicable to remodels. These consist of five limited measures, which include certain triggered electric upgrades in connection with **remodels** only.

These measures are either **cost neutral, or more affordable**, as compared to replacing gas equipment with new gas equipment. This is due to great local rebates (including new rebates and financing announced by [Peninsula Clean Energy](#) (PCE)

this week, and rebates and tax credits in the Inflation Reduction Act (IRA).

I love my electric appliances! In particular, my heat pump HVAC system, which provides both heating and cooling, has been a blessing as temperatures have risen and heat waves have worsened.

I know that some concerns have been raised about grid capacity for electrification. Both Peninsula Clean Energy, which provides clean electricity to San Mateo, and PG&E, which provides the infrastructure through which the electricity is delivered, have stated that the grid has the capacity for electrification. Moreover, PG&E has stated that the grid will be upgraded continually.

If you have other concerns about the effects of electrification or if you want to discuss my own experience with electrification, please reach out to me by return email.

Thank you,

Robert Whitehair

From: sue [REDACTED]
Sent: Thursday, October 27, 2022 9:34 AM
To: City Council (San Mateo) <CityCouncil@cityofsanmateo.org>; Drew Corbett <dcorbett@cityofsanmateo.org>; Kathy Kleinbaum <kkleinbaum@cityofsanmateo.org>; Andrea Chow <achow@cityofsanmateo.org>
Subject: Reach Codes

Dear Mayor Bonilla and City Council Members, I was so excited that you passed the new Reach Codes on October 17th. I am a mother and a long time San Mateo resident of San Mateo. I have always been concerned about climate change and have driven electric cars and have solar on our rooftop for over 10 years. But the climate change consequences that we've seen over the last few years- drought, more extreme wildfires... have made me realize that person action is not enough, we need action at all levels of government to mitigate these events. The Reach Code that you're adopting is a practical step to addressing the climate crisis that will make our homes healthier by avoiding unnecessary fossil fuel use. Measures like this make me proud to live in San Mateo and grateful for your action. Thank you very much for your leadership on climate and health. Sincerely, Sue Blockstein 734 Oregon Ave

From: Kathy Battat [REDACTED]
Sent: Monday, October 17, 2022 11:56 AM
To: City Council (San Mateo) <CityCouncil@cityofsanmateo.org>; Drew Corbett <dcorbett@cityofsanmateo.org>; Kathy Kleinbaum <kkleinbaum@cityofsanmateo.org>; Andrea Chow <achow@cityofsanmateo.org>
Subject: Reach Codes

Dear Mayor Bonilla, City Council Members, City Manager, Assistant City Manager and Sustainability Staff,

Thank you to the leadership of the City Council, City Staff, and the Sustainability and Infrastructure Commissioners on strong Reach Codes for the City San Mateo. I support the proposal for all-electric new construction, as well as the proposed five measures for remodels of existing residential buildings.

I request that the current proposal for existing buildings be strengthened to include The San Mateo Climate Action Team's suggested revisions to the remodel measures, including the following:

1. Existing Building Reach Code. Please add a remodel trigger for installation of heat pump HVAC for heating and cooling.
2. Existing Building Reach Code. Please clarify that new or replacement air conditioning is a sufficient trigger for the requirement of installation of heat pump HVAC.
3. Revision to Status Update to Staff's Work plan for #27 of City Objectives. Please revise the status update to reflect that the Council has directed Staff to study and develop over the course of 3-6 months, a full Reach Code for existing buildings based on the Bay Area Reach Codes Group's model ordinance that would take effect on January 1, 2025.

I urge you to adopt Staff's proposed Reach Codes for new construction and existing buildings this fall, and that the above minor revisions be incorporated into said Reach

Codes.

Additionally, I encourage Council members and Staff do everything necessary to meet the commitments made to the community to adopt the Bay Area Reach Codes Group's full model code for existing buildings in 3-6 months from 9/19/22, and for said ordinance to take effect on January 1, 2025.

Please also communicate to constituents the benefits of taking full advantage of the Inflation Reduction Act, as well as local rebates to go electric when appliances fail, as compared to the cost of buying new gas appliances. Many members of the community, and some candidates for local offices, are either not aware of this and/or are declining to acknowledge this when electrification cost concerns get raised.

Sincerely,

Kathy Battat
Sierra Club, Loma Prieta Chapter Environmental Legislative Action committee member

From: Claire Shintani [REDACTED]
Sent: Monday, October 31, 2022 1:23 PM
To: City Council (San Mateo) <CityCouncil@cityofsanmateo.org>; Drew Corbett <dcorbett@cityofsanmateo.org>; Kathy Kleinbaum <kkleinbaum@cityofsanmateo.org>; Andrea Chow <achow@cityofsanmateo.org>
Subject: Strong Support for Proposed Reach Codes

Dear Mayor Bonilla and City Council Members,

My name is Claire Shintani and I am eighteen years old. I was born and raised in San Mateo, but have departed from my hometown for the first time in my life to attend college.

I wanted to voice my appreciation for your leadership on climate and health with the new Reach Code that you voted on, on October 17th. Over the past few months, I have been attending City Council Meetings virtually from my dorm room because the issue of climate change means so much to me. While I no longer live in San Mateo, my younger sister does and I am very concerned about our city's vulnerability to climate impacts because we're already experiencing extreme heat and drought due to climate change.

The Reach Code that you're adopting is a practical step to addressing the climate crisis that will make us healthier by avoiding unnecessary fossil fuel use. Measures like this make me proud to call San Mateo my home. Again, I am very grateful for your action.

Sincerely,
Claire

From: Sarah Hubbard [REDACTED]
Sent: Sunday, October 23, 2022 10:59 AM
To: City Council (San Mateo) <CityCouncil@cityofsanmateo.org>; Drew Corbett <dcorbett@cityofsanmateo.org>; Kathy Kleinbaum <kkleinbaum@cityofsanmateo.org>; Andrea Chow <achow@cityofsanmateo.org>
Subject: Support Proposed Reach Codes

Dear Mayor Bonilla and City Council Members,

Thank you very much for your leadership on climate and health with the new Reach Code that you voted on, October 17th. I am a Mother, CSM Student, longtime San Mateo resident, and VOTER and I am very concerned about our city's vulnerability to climate impacts. We're already experiencing extreme heat and drought due to climate change, and need leaders to make and enforce carbon emission reduction policies.

The Reach Code that you're adopting is a practical step to addressing the climate crisis and will make our homes healthier by avoiding unnecessary fossil fuel use. Measures like this make me proud to live in San Mateo and grateful for your action.

Sincerely,

Sarah Hubbard ([she/her/hers](#))

From: Michelle Hudson [REDACTED]
Sent: Sunday, October 23, 2022 4:59 PM
To: City Council (San Mateo) <CityCouncil@cityofsanmateo.org>; Drew Corbett <dcorbett@cityofsanmateo.org>; Kathy Kleinbaum <kkleinbaum@cityofsanmateo.org>; Andrea Chow <achow@cityofsanmateo.org>
Subject: Thank you for Leadership on Reach Codes

Dear Mayor Bonilla and City Council Members,

Thank you very much for your leadership on climate and health with the new Reach Code that you approved by vote on October 17, 2022. I am a Mother and a longtime San Mateo resident. I am very concerned about our City's vulnerability to climate impacts because we're already experiencing extreme weather events and increasingly severe wildfires, the effects of which are harmful to our health, especially that of our children and vulnerable populations, and the economic well-being of our community.

The Reach Code that you're adopting is a practical step to addressing the climate crisis that will make our homes healthier by avoiding unnecessary fossil fuel use. Measures like this make me proud to live in San Mateo and grateful for your action.

Sincerely,
Michelle Hudson

From: Robert Whitehair [REDACTED]
Sent: Monday, October 24, 2022 10:31 AM
To: City Council (San Mateo) <CityCouncil@cityofsanmateo.org>
Cc: Drew Corbett <dcorbett@cityofsanmateo.org>; Kathy Kleinbaum <kkleinbaum@cityofsanmateo.org>; Andrea Chow <achow@cityofsanmateo.org>; Michelle Hudson [REDACTED]
Subject: Thank you for Reach Codes

Dear Mayor Bonilla and City Council Members,

Thank you very much for your leadership on climate and health, with the new Reach Code ordinance for existing residential buildings remodels that you approved at first reading on October 17, 2022.

I am 75 years old with asthma and COPD from growing up in a home with a gas wall furnace, gas stove, gas water heater, and even a portable gas heater. We can avoid this for future generations.

Paul Hawken, author of the important books *Drawdown*, and *Regeneration: Ending the Climate Crisis in One Generation* has said that Americans will end the climate crisis when it becomes an obvious existential threat to continued life on the planet.

That is where we now find ourselves!

Devastating climate-caused famine, wildfires, flooding and widespread loss of plant and animal species are a direct result of human activity, primarily the use of fossil fuels. But no single individual, person, group, industry, government or company is solely to blame. All of us can and must urgently do something about the impending peril to our lives.

The Reach Code that you're adopting is a practical step that will make our homes healthier by eliminating fossil fuel use. Measures like this make me proud to have owned a home in San Mateo for 40 years.

I am so grateful for your action and your combined 30+ years of service on the council.

Best wishes to you all.

Sincerely
Robert Whitehair

From: Mary Rose LeBaron [REDACTED]
Sent: Thursday, October 20, 2022 4:27 PM
To: City Council (San Mateo) <CityCouncil@cityofsanmateo.org>
Subject: Thank you for strong REACH codes

Dear City Council,

Thank you very much for approving Staff's proposal for Reach Codes for new construction and remodels of existing residential buildings, and agreeing with the requested revision from the San Mateo Climate Action Team (SMCAT) to strengthen heat pump requirements for existing buildings.

Even these small policies will make a difference. Your actions give us hope. Thank you for being part of collective actions across our city, state, nation and globe that will give us a fighting chance at battling back the worst of climate destabilization. We need strong leaders in government who understand the dire situation we are in. My family and I appreciate your ability to visualize and implement a piece of a new system that honors human life, across generations, and will put people above profits of fossil fuel companies and their ilk.

Kind regards,
Mary Rose LeBaron

From: Sunny Zhang [REDACTED]
Sent: Sunday, October 23, 2022 11:53 PM
To: City Council (San Mateo) <CityCouncil@cityofsanmateo.org>; Drew Corbett <dcorbett@cityofsanmateo.org>; Kathy Kleinbaum <kkleinbaum@cityofsanmateo.org>; Andrea Chow <achow@cityofsanmateo.org>
Subject: Thank you for your vote for Reach Codes

Dear Mayor Bonilla and City Council Members,

Thank you very much for your leadership on climate and health with the new Reach Code that you voted on, October 17th. I am a San Mateo resident and I am very concerned about our city's vulnerability to climate impacts, because we're already experiencing extreme heat and drought due to climate change.

The Reach Code that you're adopting is a practical step to addressing the climate crisis that will make our homes healthier by avoiding unnecessary fossil fuel use. Measures like this make me proud to live in San Mateo and grateful for your action.

Sincerely,

Sunny Zhang
[REDACTED]



CITY OF SAN MATEO

City Hall
330 W. 20th Avenue
San Mateo CA 94403
www.cityofsanmateo.org

Agenda Report

Agenda Number: 7

Section Name: CONSENT CALENDAR

Account Number: 10-111:

File ID: 22-6805

TO: City Council
FROM: Drew Corbett, City Manager
PREPARED BY: City Clerk's Office
MEETING DATE: November 07, 2022

SUBJECT:
Mosquito Vector Control District - Reappointment

RECOMMENDATION:

Reappoint Ed Degliantoni as a member of the Board of Trustees of the San Mateo County Mosquito & Vector Control District for a two-year term beginning January 1, 2023 and ending December 31, 2024.

BACKGROUND:

Ed Degliantoni has represented the City of San Mateo on the San Mateo County Mosquito & Vector Control District ("District") since September 21, 2015. The District contacted the City to ask about reappointment, and Mr. Degliantoni expressed interest in pursuing another two-year term. The District offers either a two-year or four-year appointment.

BUDGET IMPACT:

There is no budget impact from this action.

ENVIRONMENTAL DETERMINATION:

This reappointment is not a project subject to CEQA, because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines Section 15378(b)(5).)

NOTICE PROVIDED

All meeting noticing requirements were met.

ATTACHMENTS

Att 1 - District Letter

STAFF CONTACT

Patrice Olds, City Clerk
polds@cityofsanmateo.org
(650) 522-7042



**SAN MATEO COUNTY
MOSQUITO & VECTOR
CONTROL DISTRICT**

Protecting public health since 1916

1351 Rollins Road
Burlingame, CA 94010

phone (650) 344-8592
fax (650) 344-3843

www.smcmvcd.org

September 22, 2022

City of San Mateo
Attn: Patrice Olds, City Clerk
330 West 20th Avenue
San Mateo, CA 94403

'22 SEP 28 1:20PM

Dear Patrice Olds,

The current term of office for Ed Degliantoni, representative to the Board of Trustees of this District from the City of San Mateo, will expire on December 31, 2022.

It is kindly requested that the City Council make an appointment or reappointment for the next term following January 1, 2023, through December 31, 2024, or through December 31, 2026. According to the California Health and Safety Code, Section 2020-2030, which dictates appointments to Vector Control District Boards:

- The city council of each city or town may appoint one person to the board of trustees.
- The term of office for a member of the board of trustees shall be for a term of two or four years, at the discretion of the appointing authority.
- Terms of office begin at noon on the first Monday in January.

The common law incompatibility of office doctrine was addressed in SB 1588 (2002), and now, a City Council member may be appointed to the Board of Trustees.

Once an appointment has been made, please forward a letter to that fact indicating the term length (two or four years).

Thank you for your attention to this request,

DocuSigned by:
Brian Weber

046572F497EE46B
Brian Weber, District Manager



CITY OF SAN MATEO

City Hall
330 W. 20th Avenue
San Mateo CA 94403
www.cityofsanmateo.org

Agenda Report

Agenda Number: 8

Section Name: CONSENT CALENDAR

Account Number: 10-315!

File ID: 22-6661

TO: City Council
FROM: Drew Corbett, City Manager
PREPARED BY: Community Development Department
MEETING DATE: November 07, 2022

SUBJECT:

Art in Public Places 2022 Report & Plan, Renewal of Civic Arts Committee, and Reappointment of Committee Members - Approve

RECOMMENDATION:

Approve the Art in Public Places 2022 Report & Plan, renew the Civic Arts Committee for two years, reappoint the current Civic Arts Committee members, and approve the expenditure of \$10,000 from the Art in Public Places Fund for the Equity Art Project artist selection process.

BACKGROUND:

The City of San Mateo's Art in Public Places Ordinance (Ordinance) was approved in July 2005 to promote the development of cultural and artistic resources within the community (Chapter 23.60, "Art in Public Places"). Annual reporting is required by the Ordinance and each year an Art in Public Places Report and Plan (Report) is prepared for review by the Civic Arts Committee (Committee), which was established in 2005, and approval by the City Council. The report provides information about projects that have been completed during the calendar year, projects that are currently in progress, pipeline projects, and administrative activities. The 2021 Report was approved by City Council on November 1, 2021.

The Civic Arts Committee reviewed the 2022 Report at their September 12, 2022 meeting and have forwarded their recommendation of approval for the Report and renewal of the Civic Arts Committee and reappointment of the current members.

Administration

One of the requirements of the Ordinance is for private developers of projects over a \$3 million valuation to either install an art piece of a certain value or pay a fee in-lieu of the art piece. In-lieu fees are placed in the Art in Public Places Fund (Fund), and can be used for Ordinance administration, art acquisition, installation, and/or improvement, maintenance of City-owned public art, development of an Art in Public Places Master Plan (Master Plan), and other public art related activities. On November 15, 2021, as part of the City's comprehensive fee study, the Ordinance was revised to increase the art obligation/in-lieu fee amount from 0.5% to 1.19% of the total building valuation, excluding the value of land acquisition and off-site improvement costs. The fee will automatically increase annually in line with the other City fee increases, which are based on the Construction Cost Index for the San Francisco Area. The purpose of the increase was to ensure City costs to administer the program are fully recovered.

Planning

On November 1, 2021, the City Council approved the 2021 Report and with that, the Civic Arts Committee (Committee) request to move ahead with the development of a Master Plan. To date, staff has begun researching various jurisdictions similar to San Mateo that have developed art master plans, or are in progress of doing so, to see where we may gain insights from others. Next steps include the collaboration of City departments to identify the subjects and activities to

include in a Request for Proposals (RFP) for a consultant to facilitate the process and help the City develop the proposed draft plan.

Art

The Equity Art Project has made slow progress for several reasons, including resource availability. However, with the closing of B Street blocks for a permanent pedestrian mall and support of the Committee in Fall 2021, the mall has been identified as a unique and large enough space to use for this project. Staff is drafting the Request for Qualifications (RFQ) and the subsequent request for proposals for the project. This RFQ will require approval of funds up to \$10,000 to provide stipends to selected applicants and other expenses for community feedback activities. At their September 12, 2022 meeting, the Committee reviewed a draft RFQ in study session and provided feedback to staff. The final draft has been shared with the DEI Task Force and the CAC are scheduled to review the final RFQ and approve the release at their meeting on November 14, 2022.

Committee Renewal and Terms

The Civic Arts Committee is a special committee subject to the provisions of Section 6.09 of the City Charter that states that the terms of such committees are not to exceed two years but may be extended by action of the Council for a period not exceeding the original term of the committee. The City Attorney interprets this provision to mean that the Committee may be renewed by the Council every two years for a two-year period and the current committee members may be reappointed. There are no term limits in place for this committee although the ex-officio City Council representative and the representative of the Planning Commission are subject to the existing terms of those bodies. Current members are:

- City Arts of San Mateo Representative – Dianne Whitaker
- AIA Architect Representative - Robert Gooyer
- Professional Artist Representative - Ginger Slonaker
- Planning Commission Representative - Seema Patel
- Chamber of Commerce Representative - Stephen Tabler

BUDGET IMPACT:

The Art in Public Places 2022 Report and Plan includes \$10,000 budgeted from the Art in Public Places Fund for the Equity Art Project to provide stipends for selected applicants and other expenses for community feedback activities.

ENVIRONMENTAL DETERMINATION:

This approval of the report, renewal of the committee, or reappointment of committee members are not projects subject to CEQA, because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines Section 15378(b)(5).)

NOTICE PROVIDED

All meeting noticing requirements were met.

ATTACHMENTS

Att 1 - Art in Public Places 2022 Report & Plan

STAFF CONTACT

Heather Stewart, Senior Management Analyst
hstewart@cityofsanmateo.org
(650) 522-7164



Art in Public Places

2022 REPORT & PLAN

INSIDE

PG. 2

- Art in Public Places Program
- Art in Public Places Fund
- Program Policy

PG. 3

- Completed Projects

PG. 4

- Developer Art Values
- Equity Public Art Project
- In-Progress & Pipeline Projects



CHABAD NP

NORTH PENINSULA CHABAD
115 MONTE DIABLO, SAN MATEO

Artist: Greg Zall

Dimensions: 6'5" high x 4' wide

Materials: 3/16" gauge aluminum

Color: Cinnagold Dust

Developers: ChabadNP

Completed in August 2022

For his design of the screen for Chabad in San Mateo, Greg responded to the clients' wish for arboreal imagery with a branch and pomegranate graphic that borrows from both traditional American quilt patterns and Jewish iconography. The environmental nature of the

art also speaks to the functionality of the screen which is to both filter sunlight and temper solar gain entering the sanctuary. The work will be a beautiful addition to the building that can be enjoyed by the congregants, the children attending the pre-school, and the members of the community.

ART IN PUBLIC PLACES PROGRAM

DESCRIPTION OF ART IN PUBLIC PLACES ORDINANCE AND PROGRAM

The City of San Mateo's Art in Public Places Ordinance (Ordinance) was approved in July 2005 to promote the development of cultural and artistic resources within the community (Chapter 23.60, "Art in Public Places"). Annual reporting is required by the Ordinance and each year an Art in Public Places Report and Plan (Report) is prepared for review by the Civic Arts Committee (CAC), which was established in 2005, and approval by the City Council. The report provides information about projects that have been completed during the calendar year, projects that are currently in progress, pipeline projects, and administrative activities.

ART IN PUBLIC PLACES FUND

FUND SOURCES, USES, & FUND BALANCE

One of the requirements of the Ordinance is for private developers of projects over a \$3 million valuation to either install an art piece of a certain value or pay a fee in-lieu of the art piece. Should the art value not meet the obligated amount, the balance is required to be paid in-lieu. In-lieu fees are placed in the Art in Public Places Fund (Fund), and can be used for Ordinance administration, art acquisition, installation, and/or improvement, maintenance of City-owned public art, development of an Art in Public Places Master Plan (Master Plan), and other public art related activities.

Any art related activities that need expenditure of these funds requires a recommendation of approval from the Civic Arts Committee to the City Council and the Council's approval.

In recent years, several project developers chose to pay the in-lieu fee. As a result, the fund balance in the Art in Public Places Capital Improvement Program (CIP) account is approximately \$995,000.

CHANGES TO ART IN PUBLIC PLACES FEE

On November 15, 2021, as part of the City's comprehensive fee study, the Ordinance was revised to increase the art obligation/in-lieu fee amount from 0.5% to 1.19% of the total building valuation, excluding the value of land acquisition and off-site improvement costs.

The fee will automatically increase annually in line with the other City fee increases, which are based on the Construction Cost Index for the San Francisco Area. The purpose of the increase was to ensure City costs to administer the program are fully recovered.

PROGRAM POLICY

PUBLIC ART MASTER PLAN

On November 1, 2021, the City Council approved the 2021 Report and with that, the Civic Arts Committee (CAC) request to move ahead with the development of a Master Plan.

To date, staff has begun researching various jurisdictions similar to San Mateo that have developed art master plans, or are in progress of doing so, to see where we may gain insights from others.

Next steps include the collaboration of City departments to identify the subjects and activities to include in a Request for Proposals (RFP) for a consultant to facilitate the process and help the City develop the proposed draft plan.

A Master Plan Art is intended to align all public art related activities with current practices that meet the City's interests and needs.

The Civic Arts Committee will lead this effort and community engagement will be a vital component of the development of the Master Plan.

COMPLETED PROJECTS

ART INSTALLED BY DEVELOPERS AT THEIR PROJECT LOCATIONS

Two projects paid the in-lieu fee, and two projects fully completed their art installations in 2022: ChabadNP at 115 Monte Diablo, as highlighted on the front page, and Windy Hill Properties at 406 E. 3rd Ave shown below. Formal completion of art projects requires installation in accordance with the approved proposal and final inspections for all art related building permits, the provision of financial documents confirming the obligated expenditures, and a recorded Covenant of Public Art Maintenance with San Mateo County to establish the property owner's obligation to maintain the art.

WAVE

406 E. 3RD AVENUE
SAN MATEO, CA 94401

Artist: Rachel Rodi

Dimensions: 8' high x 40" wide x 1" thick

Materials: translucent resin panels & stainless steel

Developers: Windy Hill Properties

Completed in March 2022

"Our concept is inspired by the beauty of the Bay waters and the vast railways that connect the Bay and San Mateo with the extended Bay area and the United States at large. Our design is a dynamic, airy, interactive resin and stainless steel sculpture that visually transforms as you move around it. The shape, line work and form of the sculpture symbolize ocean waves and currents, positive movement, travel, journeys, and exploration. The sculpture is independently beautiful in both day and night through translucent, colorful resin that radiates when lit."



DEVELOPER ART VALUES

VALUE OF COMPLETED PROJECTS

The value of the two (2) art projects completed this year totaled \$207,705. That reflects an approximate 20% greater expenditure than the total obligated value.

In-lieu payments from 303 Baldwin and The Carey School projects totaled \$386,989.

The total installed art valuation for all projects in the current Art in Public Places Program totals \$6,083,166. That results in \$960,254 greater than the required art investment.

Program in-lieu contributions to date has totaled to \$1,147,221. These in-lieu fees help to sustain the Art in Public Places Fund for public art acquisitions, maintenance for existing city-own art, and other art related activities.

EQUITY PUBLIC ART PROJECT

SUPPORTING RACIAL EQUITY

In July 2020, the City Council adopted a resolution reaffirming the City of San Mateo's commitment to racial equality and equity. The Council discussed the concept of a community mural or other community art project that would reflect and promote racial equity and diversity.

The Equity Art Project has made slow progress for several reasons, including resource availability. However, with the closing of B Street blocks for a permanent pedestrian mall and support of the CAC in Fall 2021, the mall has been identified as a unique and large enough space to use for this project.

Staff is drafting the Request for Qualifications (RFQ) and the subsequent request for proposals for the project. The draft has been shared with the DEI Task Force and the CAC for review and comments prior to release. This RFQ will require approval of funds up to \$10,000 to provide stipends to selected applicants and other expenses for community feedback activities.

IN-PROGRESS & PIPELINE PROJECTS

This group of developer projects includes projects that have received Planning approval and have indicated intent to install art and are working on their proposals. Others are determining the project's plans to meet the public art obligations. More information for these projects can be found on the [What's Happening in Development](#) page on the City's website.

IN-PROGRESS

- 480 E. 4th Ave: Kiku Crossing - MidPen Housing & City-Owned Downtown site for Affordable Housing & Parking Garage
- 210 S. Fremont: Four-story, 15-unit residential condominium building.
- 2940 S. Norfolk: Hampton Inn & Suites

PIPELINE PROJECTS

The projects listed below have been identified as projects large enough that are expected to be obligated to provide art or pay the in-lieu fees. These few pipeline projects are those with project approval and have contacted staff regarding their art interests and obligations.

- 180 E 3rd Ave: Three-story retail and office building in Downtown
- Block 21 – 500 E. 3rd Ave: Six-story mixed-use building with office and 111 residential units
- Peninsula Heights: A 290-unit residential development along Campus Drive
- Hayward Park: A five-story residential building with 191 residential units



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Agenda Report

Agenda Number: 9

Section Name: CONSENT CALENDAR

Account Number: 10-201:

File ID: 22-6783

TO: City Council

FROM: Drew Corbett, City Manager

PREPARED BY: Finance Department

MEETING DATE: November 07, 2022

SUBJECT:

Enterprise Resource Planning System Replacement Project – Change Order

RECOMMENDATION:

Approve a change order to the agreement with Collaborative Solutions for adding 1099-G and Dunning Letter services in the amount of \$14,700, for a revised contract agreement total of \$1,298,720.

BACKGROUND:

The City Council awarded contract to Collaborative Solutions in February 2022 as a part of the Enterprise Resource Planning (ERP) system replacement project in the amount of \$1,284,020. Implementation is in phases, with Phase 1 covering the core financial elements, including accounting, accounts payable, accounts receivable, and financial reporting. Phase 1 began in March 2022 and went live on November 1, 2022. During Phase 1 implementation, two additional needs were identified in order to ensure compliance with required tax reporting and best management practices for accounts receivable.

The City is required to issue a 1099-G for property owners that receive a reimbursement through the City's sewer lateral program. Change Order C01 anticipates 50 hours of work to create one custom business form layout and one additional new advanced report, which will be performed at the Principal Consultant role at an hourly rate of \$210 for a total cost of \$10,500.

In addition, a Dunning Letter, which is a collections notice, is requested to streamline the process of following up with past due accounts receivable invoices. Change Order C01 anticipates 20 hours of work to create the Dunning Letter, which will be performed at the Principal Consultant role at an hourly rate of \$210 for a total cost of \$4,200.

BUDGET IMPACT:

The ERP replacement project is projected to have adequate savings in project management costs to offset the total cost of \$14,700 for Change Order C01, so no supplemental budget appropriations are required.

ENVIRONMENTAL DETERMINATION:

This change order is not a project subject to CEQA, because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines Section 15378(b)(5).)

NOTICE PROVIDED

All meeting noticing requirements were met.

ATTACHMENTS

Att 1 - Change Order

STAFF CONTACT

Rich Lee, Director, Finance
rlee@cityofsanmateo.org
(650) 522-7102

Project Change Order

This Change Order form is used for requesting, documenting and approving changes to the Workday deployment or other applicable service offering, including, but not limited to, changes to the project's Scope, changes for a major configuration element, project timeline/schedule changes, integration specifications changes, addition of resources or any other deliverable change from the originally planned Workday deployment or applicable service offering.

Summary

Client:	City of San Mateo
SOW/Project Name:	PROJ_55571 / City of San Mateo, CA - FINS - Phase 1
Change Order #:	C01
Project Manager (Client):	Stacey Mansker-Young, Plante Moran
Project Sponsor (Client):	Rich Lee, Finance Director
Engagement Manager (CSLLC):	Silviu Nedea, Collaborative Solutions, LLC ("CSLLC")
Acceptance Due Date:	10/21/2022
Change Type:	Change in Scope (additional hours added)
Impact Assessed by:	Karen Stalnaker, Silviu Nedea
Priority:	Medium
Billing:	Bill under current project
Contract Line Type:	Fixed Fee Installment/Milestone
Is new PO# required?	No new PO# needed

Request Description

Create a new advanced report for a 1099-G form. This form is not needed before 1/1/2023 and will be delivered after the 11/1/2022 Financials Go-Live.

Create a custom Dunning Letter BIRT layout for formatting changes and inclusion of invoice line details.

Business Purpose / Reason for Change

1099-G forms are only issued for Sewer Lateral Reimbursement payments. Workday is not capable of producing 1099-G forms and a custom report can be produced as a work around.

Dunning letter change has been requested to allow for past due and final notice invoices to be sent without having to stamp them manually. Inclusion of invoice detail on the dunning letter will avoid manual intervention by combining multiple documents together for inclusion in mailing envelopes.

Impact Assessment

Project Activities Affected:	50 hours to create (1) one new advanced report and BIRT layout for a 1099-G form. 20 hours to create a custom Dunning Letter BIRT layout																
Deliverables Affected:	<p>Use BIRT to create one (1) custom business form layout and create one (1) additional new advanced report.</p> <ul style="list-style-type: none">• Use the Supplier Tax Authority Form Type• Customer would have to advise what spend categories comprise the box on the 1099-G (unique from the existing 1099 MISC mapping)• Create a custom report aggregating the spend based on the spend categories above• Use BIRT to create a custom report design layout for 1099-G form and allow PDF document to be printed <p>Use BIRT to create (1) one new business form layout for Dunning letter, modeled after Workday delivered layout with requested enhancements.</p>																
Project Schedule Impact:	No schedule impact																
Pricing Matrix	<p>The following is the Pricing Matrix:</p> <table><tr><th>Role</th><th>Rate</th><th>Hours</th><th>Cost</th></tr><tr><td>Principal Consultant</td><td>\$210</td><td>50</td><td>\$10,500</td></tr><tr><td></td><td>\$210</td><td>20</td><td>\$4,200</td></tr><tr><td>Total</td><td></td><td>70</td><td>\$14,700</td></tr></table>	Role	Rate	Hours	Cost	Principal Consultant	\$210	50	\$10,500		\$210	20	\$4,200	Total		70	\$14,700
Role	Rate	Hours	Cost														
Principal Consultant	\$210	50	\$10,500														
	\$210	20	\$4,200														
Total		70	\$14,700														

Payment Terms

The total amount of CO1 will be added to the Deploy Stage Milestone payment due on 11/4/2022. Payments for this change order will be made according to the milestone payment schedule below:

Fixed Fee and Invoicing			
Event	Invoice Date	Invoice Amount	Revised Amount (After C01)
Plan Stage: Delivery of Plan Artifacts	4/8/2022	\$192,603	
Architect Stage: Sign off	6/3/2022	\$192,603	
Configure Stage: Delivery of End to End Tenant	7/15/2022	\$256,804	
Test Stage: Completion of End to End Test	9/23/2022	\$256,804	

Deploy Stage: Completion of Push to Production (Go Live)	11/4/2022	\$321,005	\$335,705
Post Production Support: Completion of Project	12/16/2022	\$64,201	
Total Payments		\$ 1,284,020	\$1,298,720
Estimated Expenses		\$0	
Grand Total		\$ 1,284,020	\$1,298,720

Assumptions

- All Assumptions from the SOW dated 21 February 2022 apply to this Change Order

Authorization

City of San Mateo Authorization Signature	Collaborative Solutions, LLC Authorization Signature
Name	Name
Job Title	Job Title
Date	Date



CITY OF SAN MATEO

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Agenda Report

Agenda Number: 10

Section Name: CONSENT CALENDAR

Account Number: 10-466

File ID: 22-6686

TO: City Council

FROM: Drew Corbett, City Manager

PREPARED BY: Public Works Department

MEETING DATE: November 07, 2022

SUBJECT:
Private Development and Right-of-Way Support Services – Agreement

RECOMMENDATION:

Approve an agreement with CSG Consultants, Inc. for private development and right-of-way support services in the amount of \$150,000 for a term from December 1st, 2022, through December 1st, 2023, and authorize the Public Works Director to execute the agreement in substantially the form presented.

BACKGROUND:

On January 6, 2019, the Public Works Director approved an agreement with CSG Consultants, Inc. (CSG) for private development and right-of-way support services for \$48,000 to address a significant increase in the number of permits and planning applications that required Public Works staff review. CSG was selected through a competitive process after the City solicited proposals from 11 different engineering firms. Of the 11 firms solicited, CSG was the only proposal received. The agreement with CSG includes building permit and planning application reviews and has been amended multiple times; however, it recently expired prior to seeking another amendment. Due to CSG's expertise, staff is recommending approval of a new agreement in the amount of \$150,000.

The annual number of building permit and planning applications submitted to the City has increased in recent years. Public Works staff reviewed 74 planning applications during fiscal year 2018-19, 104 planning applications during fiscal year 2019-20, and 125 planning applications during fiscal year 2020-21, which is a 67% increase in three years. In addition, Public Works staff reviewed 670, 752, and 950 building permits, 2018-19, 2019-20, and 2020-21, respectively, which is a 42% increase in three years. Staff anticipates permit volume to stay at these levels or continue to increase. Accordingly, staff continues to need outside consulting services to assist with the review and processing of applications within the required timeframes.

Costs associated with staff time and consultant services required to review and process applications and permits are paid by fees collected from the building permit applicants and planning application deposits. All costs associated with CSG's review of the applications are recovered by the City. To ensure the City is providing cost-effective services for residents and developers, staff reviews CSG's hourly charges to project accounts to verify plan reviews are completed efficiently. Based on the historic level of effort and expenditures to date, the \$150,000 amount is estimated to be sufficient for support from CSG staff for the new agreement term.

Staff recommends approval of the agreement with CSG to meet the City's immediate level of service requirements for building permits, planning applications, and right-of-way permit reviews. Staff plans to undergo another competitive process in the form of a Request for Proposals (RFP) for these services in the next year.

BUDGET IMPACT:

There is no net fiscal impact for this agreement, as the costs for consulting services will be paid by deposits collected from applicants or from permitting fees.

ENVIRONMENTAL DETERMINATION:

This agreement is not a project subject to CEQA, because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines Section 15378(b)(5).)

NOTICE PROVIDED

All meeting noticing requirements were met.

ATTACHMENTS

Att 1 - Agreement

STAFF CONTACT

Tracy Scramaglia, Senior Engineer
tscramaglia@cityofsanmateo.org
(650) 522-7316

Jay Yu, Engineering Manager
jyu@cityofsanmateo.org
(650) 522-7323

**AGREEMENT WITH CSG CONSULTANTS INC.
FOR PROFESSIONAL CONSULTANT SERVICES
FOR
PRIVATE DEVELOPMENT AND RIGHT-OF-WAY SUPPORT SERVICES**

This Agreement, made and entered into this day of _____, by and between the **CITY OF SAN MATEO**, a municipal corporation existing under the laws of the State of California ("CITY"), and CSG Consultants, Inc., a corporation ("CONSULTANT"), whose address is 550 Pilgrim Drive, Foster City, CA 94404.

RECITALS:

A. CITY desires certain professional services hereinafter described.

B. CITY desires to engage CONSULTANT to provide these professional services by reason of its qualifications and experience for performing such services and CONSULTANT has offered to provide the required services on the terms and in the manner set forth herein.

NOW, THEREFORE, IT IS AGREED as follows:

SECTION 1 - SCOPE OF SERVICES

The scope of services to be performed by CONSULTANT under this Agreement is as described in Exhibit A to this Agreement, attached and incorporated by reference.

SECTION 2 - DUTIES OF CONSULTANT

CONSULTANT shall be responsible for the professional quality, technical accuracy and coordination of all work furnished by CONSULTANT under this Agreement. CONSULTANT shall, without additional compensation, correct or revise any errors or deficiencies in its work.

CONSULTANT represents that it is qualified to furnish the services described under this Agreement.

CONSULTANT shall be responsible for employing or engaging all persons necessary to perform the services of CONSULTANT.

CONSULTANT agrees to comply with the City's minimum wage ordinance as codified in Municipal Code Chapter 5.92, which differs from the state minimum wage and includes a Consumer Price Index escalator.

SECTION 3 - DUTIES OF CITY

CITY shall provide pertinent information regarding its requirements for the project.

CITY shall examine documents submitted by CONSULTANT and shall render decisions pertaining thereto promptly, to avoid unreasonable delay in the progress of CONSULTANT's work.

SECTION 4 - TERM

The services to be performed under this Agreement shall commence on December 1, 2022 and be completed on or about December 1, 2023.

SECTION 5 - PAYMENT

Payment shall be made by CITY only for services rendered and upon submission of a payment request upon completion and CITY approval of the work performed. In consideration for the full performance of the services set forth in Exhibit A, CITY agrees to pay CONSULTANT a fee in an amount of \$150,000, pursuant to rates stated in Exhibit B to this Agreement, attached and incorporated by reference.

SECTION 6 - TERMINATION

Without limitation to such rights or remedies as CITY shall otherwise have by law, CITY shall have the right to terminate this Agreement or suspend work on the Project for any reason, upon ten (10) days' written notice to CONSULTANT. CONSULTANT agrees to cease all work under this Agreement upon receipt of said written notice.

Upon termination and upon CITY's payment of the amount required to be paid, documents become the property of CITY, and CONSULTANT shall transfer them to CITY upon request without additional compensation.

SECTION 7 - OWNERSHIP OF DOCUMENTS

All documents prepared by CONSULTANT in the performance of this Agreement, although instruments of professional service, are and shall be the property of CITY, whether the project for which they are made is executed or not.

SECTION 8 - CONFIDENTIALITY

All reports and documents prepared by CONSULTANT in connection with the performance of this Agreement are confidential until released by CITY to the public. CONSULTANT shall not make any such documents or information available to any individual or organization not employed by CONSULTANT or CITY without the written consent of CITY before any such release.

SECTION 9 - INTEREST OF CONSULTANT

CONSULTANT covenants that it presently has no interest, and shall not acquire any interest, direct or indirect, financial or otherwise, which would conflict in any manner or degree with the performance of the services under this Agreement.

SECTION 10 - CONSULTANT'S STATUS

It is expressly agreed that in the performance of the professional services required under this Agreement, CONSULTANT shall at all times be considered an independent contractor as defined in Labor Code Section 3353, under control of the CITY as to the result of the work but not the means by which the result is accomplished. Nothing herein shall be construed to make CONSULTANT an agent or employee of CITY while providing services under this Agreement.

SECTION 11 - INDEMNITY

CONSULTANT agrees to hold harmless and indemnify CITY, its elected and appointed officials, employees, and agents from and against any and all claims, loss, liability, damage, and expense arising out of CONSULTANT's performance of this Agreement, except those claims arising out of CITY's sole negligence or willful misconduct. CONSULTANT agrees to defend City, its elected and appointed officials, employees, and agents against any such claims.

SECTION 12 - INSURANCE

CONSULTANT shall procure and maintain for the duration of the contract and three years thereafter (five years for building or major improvements) the insurance specified in Exhibit C to this Agreement.

SECTION 13 - NON-ASSIGNABILITY

Both parties hereto recognize that this Agreement is for the personal services of CONSULTANT and cannot be transferred, assigned, or subcontracted by CONSULTANT without the prior written consent of CITY.

SECTION 14 - RELIANCE UPON PROFESSIONAL SKILL OF CONSULTANT

It is mutually understood and agreed by and between the parties hereto that CONSULTANT is skilled in the professional calling necessary to perform the work agreed to be done under this Agreement and that CITY relies upon the skill of CONSULTANT to do and perform the work in the most skillful manner, and CONSULTANT agrees to thus perform the work. The acceptance of CONSULTANT's work by CITY does not operate as a release of CONSULTANT from said obligation.

SECTION 15 - WAIVERS

The waiver by either party of any breach or violation of any term, covenant, or condition of this Agreement or of any provisions of any ordinance or law shall not be deemed to be a waiver of such term, covenant, condition, ordinance or law or of any subsequent breach or violation of the same or of any other term, condition, ordinance, or law. The subsequent acceptance by either party of any fee or other money which may become due hereunder shall not be deemed to be a waiver of any preceding breach or violation by the other party of any term, covenant, or condition of this Agreement or of any applicable law or ordinance.

SECTION 16 - SEVERABILITY

If any term or portion of this Agreement is held to be invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions of this Agreement shall continue in full force and effect.

SECTION 17 - COSTS AND ATTORNEY FEES

Attorney fees in total amount not exceeding \$5000, shall be recoverable as costs (by the filing of a cost bill) by the prevailing party in any action or actions to enforce the provisions of this Agreement. The above \$5000 limit is the total of attorney fees recoverable whether in the trial court, appellate court, or otherwise, and regardless of the number of attorneys, trials, appeals, or actions. It is the intent of this Agreement that neither party shall have to pay the other more than \$5000 for attorney fees arising out of an action, or actions to enforce the provisions of this Agreement.

SECTION 18 - NON-DISCRIMINATION

CONSULTANT warrants that it is an Equal Opportunity Employer and shall comply with applicable regulations governing equal employment opportunity. Neither CONSULTANT nor any of its subcontractors shall discriminate in the employment of any person because of race, color, national origin, ancestry, physical handicap, medical condition, marital status, sex, or age, unless based upon a bona fide occupational qualification pursuant to the California Fair Employment and Housing Act.

SECTION 19 - MEDIATION

Should any dispute arise out of this Agreement, any party may request that it be submitted to mediation. The parties shall meet in mediation within 30 days of a request. The mediator shall be agreed to by the mediating parties; in the absence of an agreement, the parties shall each submit one name from mediators listed by either the American Arbitration Association, the State Mediation and Conciliation Service, or other agreed-upon service. The mediator shall be selected by a blind draw.

The cost of mediation shall be borne equally by the parties. Neither party shall be deemed the prevailing party. No party shall be permitted to file a legal action without first meeting in mediation and making a good faith attempt to reach a mediated settlement. The mediation process, once commenced by a meeting with the mediator, shall last until agreement is reached by the parties but not more than 60 days, unless the maximum time is extended by the parties.

SECTION 20 - LITIGATION

CONSULTANT shall testify at CITY'S request if litigation is brought against CITY in connection with CONSULTANT's services under this Agreement. Unless the action is brought by CONSULTANT, or is based upon CONSULTANT's wrongdoing, CITY shall compensate CONSULTANT for preparation for testimony, testimony, and travel at CONSULTANT's standard hourly rates at the time of actual testimony.

SECTION 21 - NOTICES

All notices hereunder shall be given in writing and mailed, postage prepaid, addressed as follows:

To CITY:	Tracy Scramaglia, Senior Engineer City of San Mateo 330 W. 20th Avenue San Mateo, CA 94403
To CONSULTANT:	CSG Consultants, Inc. Attn: Hatem Ahmed 550 Pilgrim Drive Foster City, CA 94404

SECTION 22 - AGREEMENT CONTAINS ALL UNDERSTANDINGS; AMENDMENT

This document represents the entire and integrated agreement between CITY and CONSULTANT and supersedes all prior negotiations, representations, and agreements, either written or oral.

This document may be amended only by written instrument, signed by both CITY and CONSULTANT.

SECTION 23 - AUTHORITY TO ENTER INTO AGREEMENT

CONSULTANT has all requisite power and authority to conduct its business and to execute, deliver, and perform the Agreement. Each party warrants that the individuals who have signed this Agreement have the legal power, right, and authority to make this Agreement and to bind each respective party.

SECTION 24 - GOVERNING LAW AND VENUE

This Agreement shall be governed by the laws of the State of California and, in the event of litigation, venue will be in the County of San Mateo.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, CITY OF SAN MATEO and CSG Consultants, Inc. have executed this Agreement the day and year first above written.

CITY OF SAN MATEO

CONSULTANT

Azalea Mitch
Public Works Director

Date

Cyrus Kianpour 10/25/2022

Cyrus Kianpour
Its Authorized Agent
President

Date

If a Corporation, can be either 1) President or 2) Vice President plus an additional corporate officer (i.e., Secretary, Treasurer) who shall sign below.

APPROVED AS TO FORM

ADDITIONAL CORPORATE
OFFICER
(if necessary per the above)

Linh Nguyen
Assistant City Attorney

Date

Nourdin Khayata 10/25/2022

Nourdin Khayata
Secretary

Date

Attachments:

Exhibit A: Scope of Services
Exhibit B: Fee Rates
Exhibit C: Insurance Requirements

EXHIBIT A

SCOPE OF SERVICES

SCOPE OF WORK – LAND DEVELOPMENT PLAN CHECK

CSG will perform plan checking duties for planning applications and building permits under the supervision of City staff.

Typical duties will include:

- Review tentative maps, tentative parcel maps, architectural review, and other entitlement applications. Coordinate review with City staff and/or outside agencies as needed;
- Review final maps and improvement plans. Review will include evaluation of required records, studies, grading and improvement plan, and additional materials submitted by the design professional. Confirm that plans conform to City standard design criteria, conditions of approval, and infrastructure or other master plans;
- The proposed staff will meet with the applicant/representative and City staff to review comments or to delineate the standards which are not being met, in order to facilitate timely completion of the review and meeting the maximum goal of two plan checks;
- Participate in the evaluation of construction erosion control and post-construction water quality control for compliance with the storm water quality management permit;
- Confirm that the developer has obtained necessary permits or approvals from other public agencies as needed, and that plans conform to the City's NPDES Municipal Regional Permit requirements for storm water treatment and retention;
- Review and recommend approval of engineering bond estimates and subdivision guarantees. Assist City staff in preparing subdivision improvement agreements, other agreements (including stormwater treatment measure and landscape maintenance agreements), and staff reports;
- Meet with developers, consultants, and other agencies on behalf of staff, as requested;
- Plan review comments and conditions of approval will be provided utilizing Energov software.

EXHIBIT B**FEE RATES****2022 Engineering Division Hourly Rates**

CSG services are billed on a time-and-materials basis according to our Standard Rates, shown below.

Professional Engineering Services	2022 Hourly Rate
Engineering Trainee	\$70
Administrative Assistant	\$80
Analyst	\$135
Engineering Designer/CASp Inspection & Consultation	\$145
Construction Inspector	\$150
Senior Analyst	\$160
Assistant Resident Engineer	\$175
Assistant Engineer	\$150
Associate Engineer	\$180
Senior Construction Inspector	\$165
Senior Engineer	\$205
Senior Land Surveyor	\$205
Resident Engineer	\$210
Structure Representative	\$210
Senior Structural Engineer	\$225
Senior Project Manager	\$225
Principal Engineer	\$240
Senior Principal Engineer	\$260
Two-Person Survey Crew	\$340
Sustainability Program Management Services	Hourly Rate
Sustainability Program Analyst	\$140
Sustainability Program Senior Analyst	\$165
Sustainability Program Manager	\$195

All hourly rates include overhead costs including, but not limited to, salaries, benefits, Workers Compensation Insurance, travel and office expenses. CSG will coordinate the pickup and return of plans to and from CSG offices. Overtime work will be billed at 1.5x the hourly rates indicated in the table above. On each anniversary of the contract start date, CSG will initiate a rate increase based on change in CPI-U for the applicable region. CSG will mail/email an invoice every month for services rendered during the previous month.

EXHIBIT C

INSURANCE REQUIREMENTS

MINIMUM SCOPE OF INSURANCE

Coverage shall be at least as broad as:

1. **Commercial General Liability (CGL):** Insurance Services Office (ISO) Form CG 00 01 12 07 covering CGL on an "occurrence" basis, including products-completed operations, personal & advertising injury, with limits no less than **\$2,000,000** per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
2. **Automobile Liability:** ISO Form Number CA 00 01 covering any auto (Code 1), or if CONSULTANT has no owned autos, hired, (Code 8) and non-owned autos (Code 9), with limit no less than **\$1,000,000** per accident for bodily injury and property damage.
3. **Workers' Compensation:** as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than **\$1,000,000** per accident for bodily injury or disease.
4. **Professional Liability (Errors and Omissions):** Insurance appropriate to the CONSULTANT's profession, with limit no less than **\$1,000,000** per occurrence or claim, **\$2,000,000** aggregate

If the CONSULTANT maintains higher limits than the minimums shown above, the City requires and shall be entitled to coverage for the higher limits maintained by the CONSULTANT.

Other Insurance Provisions

The insurance policies are to contain, or be endorsed to contain, the following provisions:

Additional Insured Status

The City, its elected and appointed officials, employees, and agents are to be covered as insureds on the auto policy for liability arising out of automobiles owned, leased, hired or borrowed by or on behalf of the CONSULTANT; and on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of the CONSULTANT including materials, parts or equipment furnished in connection with such work or operations. General liability coverage can be provided in the form of an endorsement to the CONSULTANT's insurance (at least as broad as ISO Form CG 20 10, 11 85 or both CG 20 10 and CG 20 37 forms if later revisions used).

Primary Coverage

For any claims related to this contract, the **CONSULTANT's insurance coverage shall be primary** insurance as respects the City, its elected and appointed officials, employees, and agents. Any insurance or self-insurance maintained by the City, its elected and appointed officials, employees, or agents shall be excess of the CONSULTANT's insurance and shall not contribute with it.

Notice of Cancellation

Each insurance policy required above shall provide that **coverage shall not be canceled, except after thirty (30) days' prior written notice** (10 days for non-payment) has been given to the City.

Waiver of Subrogation

CONSULTANT hereby grants to City a waiver of any right to subrogation which any insurer of said CONSULTANT may acquire against the City by virtue of the payment of any loss under such insurance. CONSULTANT agrees to obtain any endorsement that may be necessary to effect this waiver of subrogation, but this provision applies regardless of whether or not the City has received a waiver of subrogation endorsement from the insurer.

Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to and approved by the City. The City may require the CONSULTANT to purchase coverage with a lower deductible or retention or provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention.

Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII, unless otherwise acceptable to the City.

Verification of Coverage

CONSULTANT shall furnish the City with original certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the City before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the CONSULTANT's obligation to provide them. The City reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.



CITY OF SAN MATEO

City Hall
330 W. 20th Avenue
San Mateo CA 94403
www.cityofsanmateo.org

Agenda Report

Agenda Number: 11

Section Name: CONSENT CALENDAR

Account Number: 10-467

File ID: 22-6761

TO: City Council
FROM: Drew Corbett, City Manager
PREPARED BY: Public Works Department
MEETING DATE: November 07, 2022

SUBJECT:

Landscape Services for Marina Lagoon Maintenance Project Habitat Mitigation Monitoring Plan - Agreement

RECOMMENDATION:

Approve an agreement with WRA Landscape Restoration, Inc. for the implementation of the Marina Lagoon Maintenance Project Habitat Mitigation Monitoring Plan in an amount not to exceed \$93,080; establish a contingency reserve of \$9,300; and authorize the Public Works Director to execute the agreement in substantially the form presented and issue change orders within the contingency amount.

BACKGROUND:

The City is issued permits from U.S. Army Corps of Engineers (Corps); Regional Water Quality Control Board (RWQCB); California Department of Fish and Wildlife; and Bay Conservation and Development Commission for the Marina Lagoon Maintenance Project, which includes construction, maintenance, and improvement of public and private boat docks; stormwater outfalls; fences; bank protection; sand replenishment; debris removal; and aquatic vegetation harvesting. The Section 401 Water Quality Certification issued by the RWQCB for the Marina Lagoon Maintenance Project requires habitat mitigation to be completed per the approved Habitat Mitigation Monitoring Plan (HMMP).

The primary scope for this agreement is to remove non-native invasive plants within a 0.3-acre area adjacent to the Marina Lagoon shoreline and re-vegetate the area with native plantings as described in the Planting Plan and HMMP for the Marina Lagoon Maintenance Project. The contractor will provide landscape restoration services including site preparation, invasive plant removal, native plant out-planting, plant protection, invasive plant control, replanting, and site maintenance and will comply with relevant permit conditions associated with the Marina Lagoon Maintenance Project.

Staff selected WRA Landscape Restoration Inc. (WRA-LR) as the best overall value to the City through a formal Request for Proposals process. WRA-LR submitted the lowest of five proposals and have an established working relationship with WRA Environmental Consultants, Inc., who are contracted separately to provide professional consulting services for the related Marina Lagoon Mitigation Monitoring and Annual Reporting Project. WRA-LR has carried out habitat restoration projects on both public and private lands throughout the Bay Area for the past 40 years and is a licensed contracting business (CSLB# 1068767) specializing in ecological restoration and land management solutions in California's unique array of native vegetation communities. Based on the above, staff recommends award of the agreement to WRA Landscape Restoration, Inc.

BUDGET IMPACT:

There are sufficient funds for this agreement within the Public Works fiscal year 2022-23 operating budget.

ENVIRONMENTAL DETERMINATION:

This contract for services is categorically exempt from CEQA as an “existing facility,” because it consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use. (CEQA Guidelines Section 15301.)

NOTICE PROVIDED

All meeting noticing requirements were met.

ATTACHMENTS

Att 1 - Agreement

STAFF CONTACT

Sarah Scheidt, Regulatory Compliance Manager, Public Works Engineering Division
sscheidt@cityofsanmateo.org
(650) 522-7385

**AGREEMENT WITH WRA LANDSCAPE RESTORATION, INC.
FOR LANDSCAPING SERVICES
FOR
MARINA LAGOON MAINTENANCE PROJECT HABITAT MONITORING MITIGATION PLAN**

This Agreement, made and entered into this day of _____, by and between the **CITY OF SAN MATEO**, a municipal corporation existing under the laws of the State of California ("CITY"), and **WRA Landscape Restoration, Inc.**, a corporation ("CONTRACTOR"), whose address is 2169-G East Francisco Blvd., San Rafael, CA 94901.

RECITALS:

- A. CITY desires certain landscaping services hereinafter described.
- B. CITY desires to engage CONTRACTOR to provide these landscaping services by reason of its qualifications and experience for performing such services and CONTRACTOR has offered to provide the required services on the terms and in the manner set forth herein.

NOW, THEREFORE, IT IS AGREED as follows:

SECTION 1 - SCOPE OF SERVICES

The scope of services to be performed by CONTRACTOR under this Agreement is as described in Exhibit A to this Agreement, which is attached and incorporated by reference.

SECTION 2 - DUTIES OF CONTRACTOR

CONTRACTOR shall be responsible for the professional quality, technical accuracy and coordination of all work furnished by CONTRACTOR under this Agreement. CONTRACTOR shall, without additional compensation, correct or revise any errors or deficiencies in its work.

CONTRACTOR represents that it is qualified to furnish the services described under this Agreement.

CONTRACTOR shall be responsible for employing or engaging all persons necessary to perform the services of CONTRACTOR.

CONTRACTOR and his subcontractors shall comply with State's Prevailing Wage Laws.

CONTRACTOR agrees to comply with the City's minimum wage ordinance as codified in Municipal Code Chapter 5.92, which differs from the state minimum wage and includes a Consumer Price Index escalator.

CONTRACTOR or subcontractor shall not be qualified to bid on, be listed in a bid proposal, or engage in the performance of any contract for public work unless currently registered and qualified to perform public work pursuant to Section 1725.5 of the Labor Code. For the work performed for the City, the CONTRACTOR and his subcontractors shall pay the workers at the prevailing wage rate as

determined by the California Department of Industrial Relations, for this locality. This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

SECTION 3 - DUTIES OF CITY

CITY shall provide pertinent information regarding its requirements for the project. CITY shall examine documents submitted by CONTRACTOR and shall render decisions pertaining thereto promptly, to avoid unreasonable delay in the progress of CONTRACTOR's work.

SECTION 4 - TERM

The services to be performed under this Agreement shall commence on November 7th, 2022, and be completed on December 31, 2025.

SECTION 5 - PAYMENT

Payment shall be made by CITY only for services rendered and upon submission of a payment request upon completion and CITY approval of the work performed. In consideration for the full performance of the services set forth in Exhibit A, CITY agrees to pay CONTRACTOR in an amount not to exceed \$93,080 pursuant to the rates stated in Exhibit B, attached and incorporated by reference.

SECTION 6 – TERMINATION

Without limitation to such rights or remedies as CITY shall otherwise have by law, CITY shall have the right to terminate this Agreement or suspend work on the Project for any reason, upon ten (10) days' written notice to CONTRACTOR. CONTRACTOR agrees to cease all work under this Agreement upon receipt of said written notice.

SECTION 7 - OWNERSHIP OF DOCUMENTS

All documents prepared by CONTRACTOR in the performance of this Agreement are and shall be the property of CITY, whether the project for which they are made is executed or not.

SECTION 8 - CONFIDENTIALITY

All reports and documents prepared by CONTRACTOR in connection with the performance of this Agreement are confidential until released by CITY to the public. CONTRACTOR shall not make any such documents or information available to any individual or organization not employed by CONTRACTOR or CITY without the written consent of CITY before any such release.

SECTION 9 - INTEREST OF CONTRACTOR

CONTRACTOR covenants that it presently has no interest, and shall not acquire any interest, direct or indirect, financial or otherwise, which would conflict in any manner or degree with the performance of the services under this Agreement.

SECTION 10 - CONTRACTOR'S STATUS

It is expressly agreed that in the performance of the services required under this Agreement, CONTRACTOR shall at all times be considered an independent contractor as defined in Labor Code Section 3353, under control of the CITY as to the result of the work but not the means by which the result is accomplished. Nothing herein shall be construed to make CONTRACTOR an agent or employee of CITY while providing services under this Agreement.

SECTION 11 - INDEMNITY

CONTRACTOR agrees to hold harmless and indemnify CITY, its elected and appointed officials, employees, and agents from and against any and all claims, loss, liability, damage, and expense arising out of CONTRACTOR's performance of this Agreement, except for those claims arising out of CITY's sole negligence or willful misconduct. CONTRACTOR agrees to defend City, its elected and appointed officials, employees, and agents against any such claims.

SECTION 12 - INSURANCE

Contractor shall procure and maintain for the duration of the contract the insurance specified in Exhibit C to this Agreement.

SECTION 13 - NONASSIGNABILITY

Both parties hereto recognize that this Agreement is for the personal services of CONTRACTOR and cannot be transferred, assigned, or subcontracted by CONTRACTOR without the prior written consent of CITY.

SECTION 14 - RELIANCE UPON SKILL OF CONTRACTOR

It is mutually understood and agreed by and between the parties hereto that CONTRACTOR is skilled in the performance of the work agreed to be done under this Agreement and that CITY relies upon the skill of CONTRACTOR to do and perform the work in the most skillful manner, and CONTRACTOR agrees to thus perform the work. The acceptance of CONTRACTOR's work by CITY does not operate as a release of CONTRACTOR from said obligation.

SECTION 15 - WAIVERS

The waiver by either party of any breach or violation of any term, covenant, or condition of this Agreement or of any provisions of any ordinance or law shall not be deemed to be a waiver of such term, covenant, condition, ordinance or law or of any subsequent breach or violation of the same or of any other term, condition, ordinance, or law. The subsequent acceptance by either party of any fee or other money which may become due hereunder shall not be deemed to be a waiver of any preceding breach or violation by the other party of any term, covenant, or condition of this Agreement or of any applicable law or ordinance.

SECTION 16 - COSTS AND ATTORNEY FEES

Attorney fees in total amount not exceeding \$5000, shall be recoverable as costs (by the filing of a cost bill) by the prevailing party in any action or actions to enforce the provisions of this Agreement. The above \$5000 limit is the total of attorney fees recoverable whether in the trial court, appellate court, or otherwise, and regardless of the number of attorneys, trials, appeals, or actions. It is the intent of this provision that neither party shall have to pay the other more than \$5000 for attorney fees arising out of an action, or actions to enforce the provisions of this Agreement.

SECTION 17 - NON-DISCRIMINATION

CONTRACTOR warrants that it is an Equal Opportunity Employer and shall comply with applicable regulations governing equal employment opportunity. Neither CONTRACTOR nor any of its subcontractors shall discriminate in the employment of any person because of race, color, national origin, ancestry, physical handicap, medical condition, marital status, sex, or age, unless based upon a bona fide occupational qualification pursuant to the California Fair Employment and Housing Act.

SECTION 18 - MEDIATION

Should any dispute arise out of this Agreement, any party may request that it be submitted to mediation. The parties shall meet in mediation within 30 days of a request. The mediator shall be agreed to by the mediating parties; in the absence of an agreement, the parties shall each submit one name from mediators listed by either the American Arbitration Association, the State Mediation and Conciliation Service, or other agreed-upon service. The mediator shall be selected by a blind draw.

The cost of mediation shall be borne equally by the parties. Neither party shall be deemed the prevailing party. No party shall be permitted to file a legal action without first meeting in mediation and making a good faith attempt to reach a mediated settlement. The mediation process, once commenced by a meeting with the mediator, shall last until agreement is reached by the parties but not more than 60 days, unless the maximum time is extended by the parties.

SECTION 19 - LITIGATION

CONTRACTOR shall testify at CITY's request if litigation is brought against CITY in connection with CONTRACTOR's services under this Agreement. Unless the action is brought by CONTRACTOR, or is based upon CONTRACTOR's wrongdoing, CITY shall compensate CONTRACTOR for preparation for testimony, testimony, and travel at CONTRACTOR's standard hourly rates at the time of actual testimony.

SECTION 20 - NOTICES

All notices hereunder shall be given in writing and mailed, postage prepaid, addressed as follows:

To CITY: Sarah Scheidt
City of San Mateo
1949 Pacific Blvd.
San Mateo, CA 94403

To CONTRACTOR: WRA Landscape Restoration, Inc.
Attn: Jason M. Mills
2169-G East Francisco Blvd.
San Rafael, CA 94901

**SECTION 21 - AGREEMENT CONTAINS ALL
UNDERSTANDINGS; AMENDMENT**

This document represents the entire and integrated agreement between CITY and CONTRACTOR and supersedes all prior negotiations, representations, and agreements, either written or oral.

This document may be amended only by written instrument, signed by both CITY and CONTRACTOR.

SECTION 22 - GOVERNING LAW AND VENUE

This Agreement shall be governed by the laws of the State of California and, in the event of litigation, venue will be in the County of San Mateo.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, CITY OF SAN MATEO and WRA Landscape Restoration, Inc. have executed this Agreement the day and year first above written.

CITY OF SAN MATEO

CONTRACTOR

Azalea Mitch
Public Works Director

Date

Mr. Geoffrey Smick	Date
Chief Executive Officer	

APPROVED AS TO FORM

Linh Nguyen
Assistant City Attorney
CITY OF SAN MATEO

Attachments:

Exhibit A:	Scope of Services
Exhibit B:	Payment Rates
Exhibit C:	Insurance Requirements

EXHIBIT A

SCOPE OF SERVICES

Exhibit A -Scope of Services and Contractor Responsibilities

1. SCOPE OF WORK

All work is to be completed per the “Habitat Mitigation Monitoring Plan – Final, Marina Lagoon Maintenance Project, San Mateo, California” (HMMP; Attachment A) dated March 2022, as specified in the Section 401 Water Quality Certification (in Attachment B) for the project and as shown in the Planting Plan (Figure 7) dated October 13, 2021 (Attachment C). The Contractor shall be required to comply with conditions and best management practices (BMP’s) associated with all regulatory permits and authorizations associated with the Project. All site preparation and protection measures are to be installed prior to any ground-disturbing activities. A list of conditions and BMP’s are included as an appendix to this RFP. Copies of all project permits received to-date are included in Attachment B. Project permits include Section 401 Water Quality Certification, Section 1600 Lake and Streambed Alteration Agreement, and National Marine Fisheries Service Letter of Concurrence. The Section 404 Regional General Permit 7 is pending and will be sent to the Contractor upon receipt.

The primary intent of the project is to remove non-native invasive plants within a 0.3-acre area adjacent to the Marina Lagoon shoreline and revegetate this area with native plantings as described in the HMMP and Planting Plan. Irrigation for the native plantings will be provided by the City, and no irrigation installation is required as part of this RFP. The Contractor is responsible for locating and avoiding the existing City irrigation system during implementation activities described in this Scope of Work. The Contractor will be responsible for ensuring that no soil enters the adjacent waterway during implementation or for one year after implementation. Any necessary sediment control measures required to meet the requirement are incidental to Task 2 – Invasive Plant Removal.

A City-designated consultant will provide construction oversight services, and the Contractor will coordinate with the consultant as needed to meet the requirements of the contract and ensure that work is done in accordance with the HMMP, Planting Plan, and permit documents. During the three-year monitoring period, success of the plantings and invasive species presence will be monitored by the City designated consultant. The designated consultant will oversee the installation of replacement plantings and additional invasive species management as required.

TASK DESCRIPTIONS

Task 1: Mobilization - WRA-LR will conduct the tasks as outlined including preliminary coordination, photographic documentation, securing the mitigation area during construction, providing portable restroom facilities for WRA- LR staff, attending preconstruction meeting and inspections with the City, and discussions of the irrigation schedule.

Task 2: Invasive Plant Control - WRA-LR has advanced skills in identifying, mapping, prioritizing, planning, and directing invasive species control. Our restoration technicians are well trained to differentiate between native and invasive species so as not to cause unnecessary damage to the resources we are helping to protect. Our depth of experience in carrying out this work enables us to work with land managers to develop effective maintenance plans for invasive plant control or make recommendations for specific species to reach optimal long-term results. We have worked with an array of highly problematic invasive species prevalent in this region which allows us to prescribe the most appropriate methodology of control for each individual species, whether it be manual, mechanical, or chemical means. We practice integrated pest management (IPM) principles in our invasive plant management, to provide the most effective treatment with the least environmental impact. WRA is a state licensed pest control business with a licensed QAL on staff who oversees our herbicide work. We consult with a register PCA for specified prescriptions when herbicides are required for treatment which we do not anticipate on this project from the noxious weeds listed in the plan.

The Contractor will remove non-native and invasive species ranked by California Invasive Plant Council (Cal-IPC) as highly invasive from the 0.3-acre Planting Area. The primary non-native, invasive plant species is ice plant (*Carpobrotus edulis*), but other invasive species are also present. The City-designated consultant will help identify and flag the invasive species to be removed. All ice plant will be removed by hand or via small mechanical machinery. This includes all loose stem fragments. If necessary for follow-up control, herbicide may be used. Herbicides approved for use near aquatic habitats will be used and applied in accordance with manufacturer directions and best management practices, such as use of handheld sprayers on low wind days, to reduce potential for indirect impacts. Contractor is responsible for ensuring that no native vegetation, including saltgrass (*Distichlis spicata*) near the shoreline, is damaged. Herbicide treatments will be performed by a licensed pest control business in the state of California. All biomass debris will be removed and disposed of legally as green waste. The Contractor will be responsible for removing 100 percent of the invasive species within the 0.3-acre project area prior to installing native plants. The estimate for the task accounts for a full team to service the site for the 0.3 acres of *Carpobrotus edulis* manually with the material removed with tarps. Biomass will then be removed with the use of a dump trailer to a local green waste facility. The estimate for this task reflects the cost of the labor to remove the material well as the cost to dispose of it.

Tasks 3-8. Out-Planting - WRA LR has a wide variety of planting equipment including auger drills for areas with tough or compacted soils. Our team has experience with planting on steep banks and will form depressions for each of the upland out-planted container stock to help capture water. Deep holes will need to be dug and soil should be loosened to aid in survivorship. The scope of work for this task will meet the spacing specifications for the site as listed in the site plan. The plan calls for the planting of six hundred and twenty-seven native plants in D-cell to 1- gallon containers. WRA will procure the plants from a certified local native nursery. We will schedule planting of the container stock for the onset of the rainy season and allow two days with the full team to complete the work. The estimate for this task reflects the cost of the labor to install them as well as the cost to procure them.

The Contractor will install the plants according to the planting detail provided in the Planting Plan and will be responsible for supplying the specified compost. The Contractor will be required to water all plants upon installation and will coordinate with the City-designated consultant to determine an on-going irrigation schedule. The City will supply spray irrigation for the 0.3-acre planting area.

Task 9: Mulch - Arbor mulch or a similar weed free product will be spread evenly to 2 ft. diameter around each of the plants over the weed mats to help plants hold water and restrict the establishment of competition from surrounding weedy vegetation. The estimate for this task reflects the cost of the labor to deliver and spread the mulch as well as the material expense of the mulch itself.

Task 10: 120 Day Guarantee Period - Upon completion and acceptance of all invasive plant removal and plant installation activities, the 120-day guarantee period will begin. The Contractor will be required to replace any dead plants at the end of the guarantee period. In addition, the Contractor will be responsible for removing any weed species within the Planting Area that are rated as "High" by the Cal-IPC during this period. The estimate for the task accounts for the team to service the site in case there are any unforeseen needs. We can reduce the task budget through allocating a half-sized team of 2-3 staff for a site visit to assess survivorship and invasive establishment following the 120-day guarantee period.

Task 11: Annual Invasive Species Management - The estimate for the task accounts for the team to service the site with a combination of manual, mechanical, or chemical to achieve less than 10% cover for Cal IPC high rated species found on the site. We can help to optimize the maintenance budget through addressing the most problematic species controls during the most critical times for suppression from March to September. We can reduce the task budget through allocating a half-sized team of 2-3 staff to make two visits to the site per year for the first three years of establishment. The final year of monitoring for which success criteria must be met is 2025.

Task 12: Task Replacement Planting - The scope of replacement planting work for this task will follow the spacing and survivorship specifications of the site as listed in the plan. The cost reflects the amount of labor necessary to procure the plant material as well as conduct replanting. We are allocating a day with our half team of 2-3 workers to complete the replanting efforts annually per year for three years.

Alt 1. Protection: WRA has experience with installing plant protection to meet the specific needs for each of our restoration sites. We recommend utilizing 4' deer exclusionary fencing supported with 6' T-stakes to surround the planting areas rather than individual cages to reduce labor and material costs. Predatory decoys may also be utilized within the planting areas to deter geese and other herbivores from entering the restoration area. The estimate for this task reflects the cost of the direct materials as well as the labor for our team to procure and install them.

2. SPECIFICATIONS

These specifications are intended to cover all labor, material, standards of landscaping, and mechanical workmanship to be employed in the work called for in these specifications or reasonably implied by terms of same. Work or materials of a minor nature which may not be specifically mentioned, but which may be reasonably assumed as necessary for the completion of this work, shall be performed by the Contractor as if described in the specifications.

3. SUPERVISION OF CONTRACT

All work shall meet with the approval of the Public Works Director or their designee. There shall be periodic meetings with the Contractor and City's designee to determine progress of the work and to establish items that may require attention.

Any specific problem area which does not meet the conditions of the specifications set forth herein shall be called to the attention of the Contractor in writing and if not corrected, payment to the Contractor will be withheld until condition is corrected in a satisfactory manner as set forth in these specifications.

4. DISPOSAL

The Contractor shall dispose of all cuttings, weeds, leaves, trash and other debris from the operation as work progresses and shall pay all disposal fees. The City shall in no way be responsible for the disposal.

5. RECORDS

Contractor shall keep accurate records of all pesticide use (see Attachment D).

6. LANDSCAPE LICENSE

The Contractor shall hold a valid and current California C27 License and submit copy thereof to the City.

7. EXAMINATION OF SITE AND WORK

City makes no representation about the order or condition of the work area, nor does the City warrant that the work area will be free from defects, either apparent or hidden, at the commencement of or at any time during the term of the Contract. Contractor must examine the location, physical conditions, and surroundings of which these factors will influence the performance of the contract work. By entering into the Contract, Contractor shall be deemed to have agreed to accept the condition of the work area in its "as is" condition with the intent to upgrade or modify existing deficiencies to Contract specifications.

8. WORKMANSHIP AND SUPERVISION

The Contractor shall provide a work force sufficient to complete the work as specified.

- A. Competent and experienced workers shall perform the work.
- B. The work force shall include a thoroughly skilled, experienced and competent supervisor who shall be responsible for adherence to the specifications. Supervisors and foremen must communicate effectively both in written and oral English, and shall be present at all times during Contract operations. Any order given to these supervisors or foremen shall be deemed as delivered to the Contractor.
- C. All pesticide/herbicide operations, where required, shall be performed or supervised by a California State Licensed Pest Control Applicator through written communication by a California State licensed Pest Control Advisor. **The Contractor shall be responsible for compliance with all Federal, State and local laws and regulations regarding pesticide usage, as well as the City's Integrated Pest Management Policy.** Contractor shall provide copies to the City of his/her license and registration of both of his/her Pest Control Advisors and Pest Control Operators licenses. Contractor shall submit a copy of the "Pesticide Use Summary" to the City on a monthly basis. Payment of monthly invoice will be withheld unless a Pesticide Use report is submitted.
- D. Persons employed by the Contractor who are found unsatisfactory by the City shall be discharged or reassigned by the Contractor upon fifteen (15) days written notice from the City.

9. REPAIRING DAMAGED WORK

- A. The Contractor will report without delay any damage to City equipment or property and shall be held responsible for the replacement of any such damage caused by the Contractor's act hereunder. Watering, pesticide spraying and other maintenance specifications shall not be done at a time when it might damage parked cars or at times when activities in the Contract area might be inconvenienced or disrupted.
- B. Repairs to the irrigation system resulting from damage by other than the Contractor's operation (e.g., vandalism) shall be reported promptly to the City's representative or their designee together with an estimate of costs for correction of the condition. The City's representative or their designee may authorize repair by the Contractor and the City will pay the Contractor for this work.
- C. Replacement of plant materials damaged or destroyed by City forces, or as a result of accident or vandalism, shall be reported promptly to the City's representative or their designee together with an estimate of costs for replacement. The City's representative or their designee may authorize replacement by the Contractor, and the City will pay the Contractor for the cost of the replacement including the cost of labor.

10. SAFETY REQUIREMENT

- A. All work performed under this Contract shall be performed in such a manner as to provide maximum safety to the public and where applicable, comply with all safety standards required by CAL-OSHA. The City's representative or their designee reserves the right to issue restraining or cease and desist orders to the Contractor when unsafe or harmful acts are observed or reported relative to the performance of the work under this Contract.
- B. The Contractor shall maintain all work sites free of hazards to persons and/or property resulting from Contractor's

operations. Any hazardous condition noted by the Contractor, which is not the result of his/her operations, shall be immediately reported to the City's representative or their designee.

11. UNDERGROUND EXCAVATIONS

Contractor shall be responsible for locating all underground utility lines to insure the safety of his/her work crew and to protect in place existing utility equipment before commencing any excavation. Contractor shall contact the City and **Underground Service Alert (USA) at 1-800-422-4133** at least 48 hours prior to commencing any excavation.

12. TRAFFIC AND ACCESS.

The Contractor may be required to provide traffic control plans stamped by a licensed traffic engineer registered in the State of California or C31 licensed contractor. Submit all required traffic control plans at least 10 working days prior to beginning of any fieldwork

13. GENERAL SPECIFICATIONS

- A. All operations will be conducted so as to provide maximum safety for the public and minimize disruption to the public. The Contractor is to follow all City noise ordinances.
- B. Leaves, glass, paper, weeds, and any other debris will be removed from landscaped areas and disposed of offsite.
- C. Contractor will clean sidewalks, roadways, and any other areas littered or soiled by their maintenance operations. Any spills of gasoline, oils, fertilizer or toxic material shall be immediately and properly mitigated and then the City's representative or their designee is to be notified.
- D. The Contractor shall maintain the premises clean of weeds, litter and debris at all times. Upon completion of any work, the Contractor shall remove remaining excess materials, waste, rubbish, debris, and his construction and installation equipment from the premises. The Contractor shall not use existing City trash containers to deposit litter. Contractor shall supply his own trash liners and bags as needed.
- E. Repairs. All portions of existing facilities, including irrigation systems, which are damaged or altered in any way, as a result of the performance of work under these Specifications during the term of the Contract, shall be repaired and replaced in kind and in an approved manner. All work of this kind shall be performed by the Contractor at no cost to the City and shall be as indicated by the City's representative. Repairs to facilities shall be made immediately after damage or alternation occurs, unless otherwise instructed. *A comprehensive testing and check of all irrigation systems shall be made approximately thirty (30) days prior to the end of the Contract and any repairs deemed the responsibility of the Contractor shall be made by the Contractor prior to the end of the Contract.* If the Contractor does not make repairs to the satisfaction of the City, deductions shall be made from the Contract payment in the amount to cover the cost to eliminate the discrepancies, as determined by the City's representative or their designee.

Attachments:

Attachment A – Habitat Mitigation Monitoring Plan – Final, Marina Lagoon Maintenance Project, San Mateo, California

Attachment B – Project Permits

Attachment C – Figure 7 Planting Plan, Details, and Notes (Two sheets)

Attachment D – Integrated Pest Management Plan

Attachment A

**Habitat Mitigation and Monitoring Plan –
Final, Marina Lagoon Maintenance Project, San Mateo, California**

HABITAT MITIGATION MONITORING PLAN - FINAL

MARINA LAGOON MAINTENANCE PROJECT, SAN MATEO, CALIFORNIA

Prepared For:

Sarah Scheidt
City of San Mateo Public Works Department
330 West 20th Avenue
San Mateo, California 94403

Prepared By:

WRA, Inc.
2169-G East Francisco Boulevard
San Rafael, California 94901

Contact:

Gregory Sproull
(415) 454-8868
sproull@wra-ca.com

WRA Project: 31027

Date: March 2022



CWA Section 401 Regulatory Permit- Condition 19
Marina Lagoon Maintenance Project

The Project proposes to mitigate for permanent impacts (fill) to approximately 0.06 acre of jurisdictional Waters of the U.S./state over the span of five years. Though the Project would also temporarily impact 0.39 acre of jurisdictional waters for dock and bank repair and sediment removal, such work would be temporary. Sediment removal is occurring in areas with silt accumulation and benthic communities are not present and are not likely to be impacted if present in adjacent areas. In addition, aquatic vegetation harvesting to remove noxious submergent vegetation is incorporated into the Project and will improve water quality in the Lagoon. Below is a mitigation plan that would offset Project-related activities (maximum amount of impacts) that would occur over a 5-year span.

Potential impacts will be reduced through implementation of the Project's avoidance and minimization measures and best management practices. In addition to these measures, the Project also proposes to remove non-native vegetation (primarily ice plant [*Carpobrotus edulis*]; a "highly invasive" non-native species per the California Invasive Plant Council [Cal-IPC]) from a 0.61-acre portion of the Project Area (herein referred to as the Mitigation Area). The Mitigation Area is located between an existing trail and the shoreline in the northern portion of the Project Area (see Figure 1). The Mitigation Area contains several existing trees but all available land that is suitable for planting (approximately 0.3 acre) will be planted with native vegetation.

The proposed plant palette that would be implemented for planting is provided below. The plantings would be dominated by native scrub species that are suitable for proliferation, and both locally common and locally available. This work would expand the existing riparian habitat and provide a riparian transition zone that is currently not present. No planting would occur near the shoreline fringe, where native salt grass (*Distichlis spicata*) occurs. Plantings in the Mitigation Area would receive hydrology from an existing irrigation system. Removing ice plant and planting native scrub from the shoreline to the trail will create a barrier to prevent future ice plant invasion. Due to these factors, the Mitigation Area is ideal for invasive species removal and the long-term success of native planting.

Beyond the removal of nonnative vegetation and the planting of native vegetation across a 0.3-acre area, the Project also proposes to implement a trash cleanup program. Trash cleanup will occur on an annual basis. In addition, aquatic vegetation removal (a component of the proposed Project) will improve water quality and ecological conditions, which will benefit the lagoon. All invasive species removal and mitigation planting within the Mitigation Area will be conducted in Year 1.

MITIGATION IMPLEMENTATION PLAN

1.1. Invasive Species Removal

Invasive species removal efforts in the Mitigation Area will focus on dominant non-native species (e.g., ice plant) that have a "high" invasive potential and ecological impacts by the Cal-IPC. All ice plant will be removed by hand or via small mechanical machinery. If necessary for follow-up control, herbicide may be used. Herbicides approved for use near aquatic habitats will be used and applied in accordance with manufacturer directions and best management practices, such as use of hand held sprayers on low wind days, to reduce potential for indirect impacts.

1.2. Planting Plan

Plants to be installed within the Mitigation Area will be native scrub species that are found near the Marina Lagoon or are ecologically appropriate for the site. The proposed plant palette and

CWA Section 401 Regulatory Permit- Condition 19
Marina Lagoon Maintenance Project

recommended spacing are provided below in Table 1. The plant material type, size, and spacing are planned to encourage quick establishment of native species and to discourage colonization by nonnative, invasive species. The location of plantings will be field-fit within the 0.61-acre Mitigation Area at a future date. Plant species not found on-site but known to grow in similar environments may be used with a preference for material started from local sources or plant stock gathered from San Mateo County. Locations of the plantings will be field fit at the time of planting.

Table 1. Proposed Riparian Enhancement Planting Palette

Species Scientific Name	Species Common Name	Container Size	On-Center Spacing (feet)
<i>Lupinus albifrons</i>	silver lupine	1 gallon	4
<i>Baccharis pilularis</i>	coyote brush	1 gallon	6
<i>Baccharis pilularis</i> 'Pigeon Point'	dwarf coyote brush	1 gallon	6
<i>Frangula californica</i> 'Eve Case'	Eve Case coffeeberry	1 gallon	4
<i>Eriogonum fasciculatum</i>	California buckwheat	1 gallon	3
<i>Artemisia californica</i>	California sage brush	1 gallon	5

Plantings can occur any time of year if soil and flow conditions are suitable. Foliage protection cages will be installed, if needed, to protect the plants from wildlife browsing. Plants will be irrigated via an existing on-site irrigation system. A qualified biologist or restoration specialist will provide the recommended frequency for irrigation. Mulching will be used as appropriate for moisture control and reduction of invasive plant species encroachment.

1.3. Monitoring

Monitoring activities will be conducted annually for a three-year monitoring period after planting is completed. Permanent photo-documentation points will be established at several locations to visually track the progress toward meeting final success criteria described below. Data collected during annual monitoring includes number and species planted, square footage planted, plant vigor, percent cover, and the number or percent of plants surviving. In addition, relative percent cover of Cal-IPC high species will be visually determined to document success of invasive species management within the Mitigation Area. Data collection will be done via quadrat sampling (0.5 square meter) along two transect lines. Ten quadrats will be placed along each transect at a randomly generated interval between 1-10.

Plant vigor will be determined by assigning a vigor rating of good, fair or poor to each plant. Dead plants will not be assigned a vigor rating. The ratings are defined below.

- Good: a seedling with less than 25% of its aboveground growth exhibiting one or more of the factors listed above.
- Fair: a seedling with 25–75% of its aboveground growth exhibiting one or more of the factors listed above.
- Poor: a seedling with more than 75% of its aboveground growth exhibiting one or more of the factors listed above.
- Dead: a seedling that is no longer visible or that does not appear capable of growth.

1.4. Success Criteria

The overall measurement of meeting success criteria and whether mitigation objectives have been achieved will focus on vegetative cover and density of the planted areas and not on individual plant survival. However, until the final year in which success is reviewed, performance towards success criteria will focus on individual plant success and cover to help document trends and plant establishment. Invasive species management will be monitored as well, and performance success will be measured as relative cover of Cal-IPC high species within the Mitigation Area. All non-native vegetation removal will occur within the 0.30-acre planting area in the Mitigation Area. The success criteria and annual performance standards are outlined in Table 2, below.

If plants fail to survive and overall success criteria will not be met, corrective actions will be taken including replanting. A qualified biologist or restoration specialist will advise on the number of new plantings needed to achieve the success criteria based on survival rate and additional vegetative cover needed to reach success criteria. If replanting is required, the monitoring period for those plants will start over from Year 1; however, the monitoring schedule will remain unchanged for all surviving plants.

Table 2. Success criteria for plantings in the Mitigation Area.

Monitoring Parameter	Year	Success Criterion
Plant survival (percentage of plants in good or fair condition)	1	90% plant survival
	2	85% plant survival
Plant vigor	1-3	Surviving plants must be in good or fair condition
Vegetative cover (shrubs only)	2-3	Demonstrate trend of increasing cover
	3	50% canopy cover of riparian shrubs with dominance of native riparian woody species
Invasive Species Management	1-3	Less than 10% relative cover Cal-IPC high species

1.5. Reporting

Annual reports discussing actual impact amounts and mitigation actions (plantings, invasive species management, trash clean-up activities), monitoring methodology, and results will be submitted to the RWQCB and CDFW by December 31 of each year of the maintenance activities and until success criteria describe above, have been satisfied. These reports will assess the progress of mitigation activities toward meeting success criteria. Annual monitoring and reporting will include the following: species and quantities planted, square footage planted, plant vigor, height of scrub species planted, percent cover, the number or percent of plants surviving, and relative percent cover of Cal-IPC high species; quantity by species of plants replaced annually; photos from designated photo points and other relevant information pertaining to the revegetation effort; a summary of invasive species control actions; and a summary of trash clean-up activities conducted. If necessary, recommendations to help achieve final success criteria will be made in the Annual Report. The final annual report will describe the success in meeting the success criteria. All monitoring and report preparation shall be conducted by a qualified biologist.

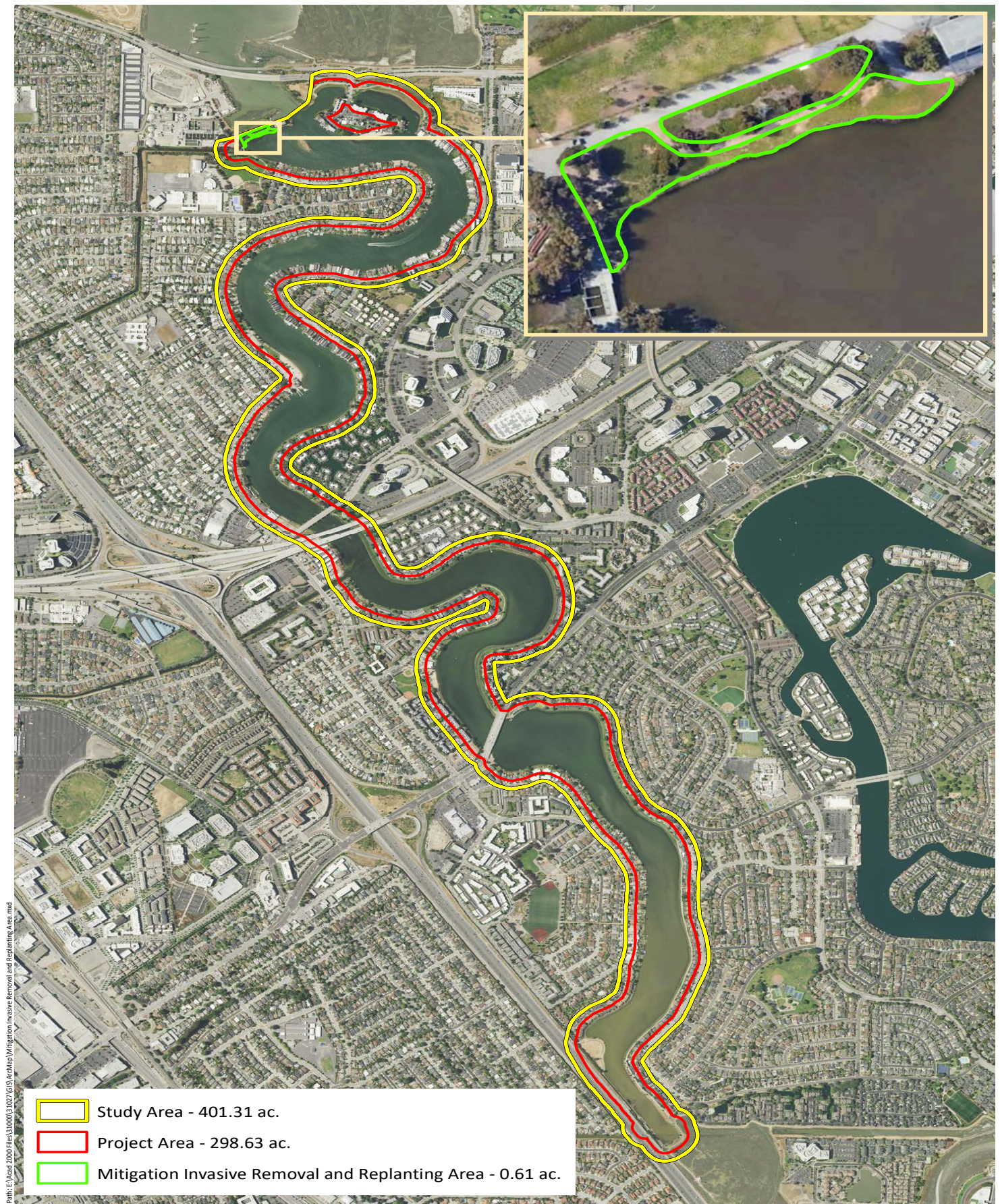


Figure 1. Mitigation Invasive Removal and Replanting Area

1. GENERAL MEASURES AND BEST MANAGEMENT PRACTICES

This section provides a list of General Measures and BMPs that have been incorporated into the Project to limit the temporary impacts of operation and maintenance work. The General Measures are listed below and the BMPs are tiered by maintenance task and Project work windows.

1.1. General Measures

- Weather: Work within the Lagoon will be restricted to periods of low rainfall (less than 0.25 inch of rain in a 24-hour period). In addition, no work will occur during a dry-out period of 24 hours after wet weather (at least 0.25 inch of rain in a 24-hour period). National Weather Service 72-hour precipitation forecasts will be considered when planning maintenance activities.
- Salt Marsh Habitat: No coastal salt marsh vegetation will be impacted or removed from the project site and access areas. Sediment removal work near salt marsh habitat will be conducted to the greatest extent possible at low tide.
- Invasive Species and Biological Contamination: To prevent the movement of invasive plant and animal species, fungi, and other biotic agents from external ecological regions, equipment used will be washed prior to entry and staging onto construction sites. Any equipment that will enter the water during construction will be decontaminated before and after construction to prevent the spread of aquatic diseases, such as ranavirus, and invasive aquatic species, such as quagga mussel. Workers will also decontaminate waders, boots and other clothing that will come in direct contact with the water.
- Vegetation Protection: Conduct work in a manner that will prevent any adverse impacts to adjacent vegetation, including limiting mechanical equipment to existing disturbed roads and footpaths. It also includes employing BMPs such as installing fiber rolls and silt fencing along the outboard edge of the Lagoon or work areas to clearly mark the area and assure that no sediments drift outside of the work area.
- Hazardous Spills and Waste: All equipment should be in good proper running order to prevent leading or spilling of potentially hazardous or toxic products. This includes hydraulic fuel, diesel, gasoline and other petroleum products.
- Storage of fuels and petroleum projects will comply with safe operating procedures, including containment facilities in case of a spill.
- Contractors will have emergency spill equipment available whenever working on or near water.
- Contractors will maintain work areas free of food-related trash items such as wrappers, cans, bottles, and food scraps. Food-related trash items will be disposed of in solid, closed containers (trash cans) and removed at the end of each work day.
- The contractor shall keep construction activities under surveillance, management and control to avoid pollution of surface water and to minimize interference with disturbance to, and damage of fish and wildlife.
- Concrete Handling: Containment structures to control the placement of wet concrete and to prevent it from entering into the Lagoon outside of those structures will be utilized. The containment structures will be inspected to ensure that no concrete or other debris enters the Lagoon outside of those structures. Runoff from the concrete will not be allowed to enter the Lagoon at any time. No concrete will be poured within the high flow line if the 7-day weather forecast indicates any chance of rain.
- Poured concrete will be excluded from the water for a period of 30 days after it is poured. During that time the poured concrete will be kept moist, and runoff from the concrete will not be allowed to enter the Lagoon. Approved commercial sealants may be applied to the

*CWA Section 401 Regulatory Permit
Marina Lagoon Maintenance Project BMPs*

poured concrete surface. If sealant is used, water will be excluded from the site until the sealant is dry.

- Erosion Control: Silt control measures will be utilized throughout all phases of the Project where silt and/or earthen fill could enter the Lagoon. Silt control structures will be monitored daily for effectiveness and repaired or replaced as needed.
- Revegetation of Disturbed Areas: All areas of disturbed soil which drain to the Lagoon will be planted with locally-collected native plants appropriate for the soil and hydrological conditions of the site. Locally native wildflower and/or shrub seeds may also be included in the planting mix. Invasive plant species, including those categorized as “High” and “Moderate” in the California Invasive Plant Council's Inventory Database, will not be planted, seeded or otherwise introduced.
- Public Access: The proposed Project will result in closing or re-routing pedestrian access on an interim basis while project related activity is under way. The City will make every effort to minimize the impact to public access during projects. Signs will be posted at the nearest public access entrances informing the public why areas are closed, when they will be open, possible detours, and when project construction will be complete.
- Dust and Noise: Minimize impacts on the adjacent public parks' public access areas, including dust control requirements, assuring that noise levels do not exceed the City's Noise Ordinance (2004-16), and locating the access and transport areas so as to minimize impacts on existing vegetation.
- Construction Schedule: The hours of construction will be limited to between 8 AM and 5 PM on weekdays to minimize disturbance to neighboring properties.
- Post-project Conditions: The City will make any necessary repairs to public parks and access points impacted by proposed Project activities to assure that the Project Area will be returned to its original state.
- Maintenance activities will primarily be conducted in the low water period (January and February) to reduce work in open water habitat.
- Maintenance activities in tidal waters is limited to September and October. This period is when special-status fish species, including longfin smelt, are unlikely to occur in the region, and freshwater inputs are at the lowest point in the year.
- Maintenance activities are restricted to periods of low tide over two days when inundation of the work area is limited and a silt or turbidity curtain will be put in place. Work at low tide and with a turbidity curtain will limit suspended sediments and turbidity to the work area.

Attachment B
Project Permits



Water Boards

San Francisco Bay Regional Water Quality Control Board



GAVIN NEWSON
GOVERNOR



JARED BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

**AMENDED CLEAN WATER ACT SECTION 401 WATER QUALITY
CERTIFICATION AND ORDER
FOR THE**

Marina Lagoon Routine Maintenance Project

San Mateo County

Sent via electronic mail: No hard copy to follow

Effective Date: March 30, 2022
RM: 445464
Place ID: 877199
WDID No. 2 CW445464

Applicant: City of San Mateo
Public Works Department
330 West 20th Avenue
San Mateo, CA 94403
Phone: (650) 522-7300
Attn: Sarah Scheidt

Agent: WRA Inc.
2169-G East Francisco Boulevard
San Rafael, CA 94901
Phone: (415) 524-7530
Attn: Gregory Sproull

Water Board Staff: Tahsa Sturgis
1515 Clay Street, Suite 1400
Oakland, CA 94612
Phone: (510) 622-2316
Email: tahsa.sturgis@waterboards.ca.gov

JIM McGRATH, CHAIR | THOMAS MUMLEY, INTERIM EXECUTIVE OFFICER

1515 Clay St., Suite 1400, Oakland, CA 94612 | www.waterboards.ca.gov/sanfranciscobay



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Certification and Order Coverage

This Amended Clean Water Act (CWA) section 401 Water Quality Certification (Certification) and Order (Order) is issued to the City of San Mateo (Permittee). The amendments were requested by the Permittee on March 17, 2022, after the Certification was issued on March 15, 2022. The amendments herein include clarified reporting requirements and a correction to the Project's work windows.

Pursuant to CWA section 404, the Permittee requested authorization to fill and discharge to waters of the U.S. from the U.S. Army Corps of Engineers (Corps), Regulatory Branch, by renewing their Regional General Permit (RGP) 7, *Marina Lagoon General Maintenance* (Corps File No. 2000-257530S). At the time of this Certification's issuance, the Corps had not yet authorized the Project's activities under a renewed RGP 7.

The Permittee applied to the San Francisco Bay Regional Water Quality Control Board (Water Board) requesting Certification verifying the Marina Lagoon Routine Maintenance Project (Project) does not violate State water quality standards. The application for Certification was received on October 27, 2021.

The following sections are derived from the Application.

1. Project

The Project will conduct routine maintenance activities in Marina Lagoon (lagoon).

1.1 Site Description

The Project site is located within the lagoon, which is on the west shore of San Francisco Bay in the City of San Mateo (City) (Lat. 37.555738, Long. -122.291176). The lagoon is generally bordered by the City to the west, the City of Foster city to the east, San Francisco Bay to the north, and O'Neil Slough to the south. The lagoon was formed when a portion of Seal Slough was diked and dredged in the first half of the 20th century. In the 1950s, with additional dredging, levee improvements, and installation of the southern inlet at O'Neil Slough and northern pump operation at the Bay outlet, the lagoon was further developed as a flood control and recreational facility. The lagoon is now entirely ringed by residential and commercial development except for Joinville Park on the north end and O'Neil Slough at the south end. Approximately 250 private docks are situated along the lagoon's shoreline, and the Permittee operates public docks, a recreational beachfront at Parkside Aquatic Park, and the Lakeshore Beach and Recreation Center. The lagoon's shoreline is largely armored to prevent erosion from wind- and wave-wash.

Lagoon water levels and flows are regulated with the use of tide gates and pumps and managed seasonally for several purposes including stormwater flow capacity, maintenance, and recreation. Inlet weirs and a manually operated sliding tide gate at the lagoon's south end control the inflow of Bay water from O'Neil Slough. The Lagoon receives stream and stormwater runoff from a 10.3-square mile developed watershed, comprising freshwater and urban runoff from Laurel Creek, Borel Creek (the 19th Avenue Channel), and Leslie Creek (the 16th Avenue Channel). Flow through the approximately 180-acre lagoon runs from south to north, with tidal inflow at the south end occurring through manually operated tide gates and from the lagoon into the Bay at

the north end pump station. The Permittee opens the tide gates on an as-needed basis, depending on weather, the treatment schedule for aquatic vegetation removal, water quality at the beaches, and other factors. Generally, the tide gate is opened in late winter and again in spring at least twice.

1.2 Background

The Permittee previously sought and received a Certification for nearly all of the Project's activities (RM: 407138; Place ID: 825733; Effective: February 2, 2017). Previously permitted maintenance activities included routine maintenance of public and private docks, sediment and debris removal, storm drain outfall structure repair, bank stabilization, aquatic vegetation harvesting, and beach sand replenishment. To date, only dock maintenance, aquatic vegetation harvesting, and beach sand replacement have been conducted under the existing permits. In addition to the previously permitted activities, the Project also includes sediment removal in tidal waters at the tidal lagoon inlet gate to restore flow capacity.

1.3 Construction Summary

Public Docks: There are several publicly owned docks within the lagoon that either need repair over the next five years or immediate removal. The Permittee will repair and replace the two docks at the Parkside Aquatic Park. The docks are each comprised of modular floating dock systems of three separate docks that are anchored to two wooden piers approximately 2 feet in diameter. The floating sections of the south end dock can be removed and repaired on land, and the dock at the north end will be replaced in its entirety. If piles need to be replaced, pre-cast concrete piles or secondary containment for poured piles will be used. All pile replacements, or over-water dock repairs, will incorporate the best management practices (BMPs) that were specified in the Application, including the use of silt curtains and booms.

Private Docks: The Project includes construction of up to five new private docks per year, and the repair, in-kind replacement, and minor extensions of existing private docks. New docks covered under this Certification will be designed and constructed in accordance with the Permittee's Building Department Dock Permit Program.¹ The Permittee anticipates a maximum of five new docks to be constructed each year, totaling 25 new docks over this Certification's timeframe, with four piles installed per new dock. The number of dock repair or replacement work is not known at this time.

The Dock Permit Program requires the use of pre-cast concrete piles or poured concrete piles surrounded by a high-density polyethylene secondary containment casing, to ensure a 30-day curing time and no contact with freshwater. In summer high-water conditions, the piles will be installed in water that is generally 2-3 feet, but no greater than 5-6 feet, in depth, depending on site conditions, with a barge- or aquamog-mounted pneumatic or hydraulic auger. The decking then will be framed over the piles. All dock decking must be constructed at a sufficient height above the lagoon's summer high water levels. Deck repair and installation typically will require several days to several weeks, depending on the extent of the work being conducted.

¹ The Permittee requires all private dock owners to have appropriate permits and to maintain their docks in good condition, managing repair, construction, and installation of private docks through their Dock Permit Program.

Sediment and Debris Removal: Regular sediment and debris removal will be conducted in several locations to maintain lagoon inlet flows and water quality. Accumulated and captured material will be removed with mechanical equipment and hand labor from the O'Neill Slough inlet gates, Laurel Creek, 16th Avenue Channel, 19th Avenue Channel, stormwater outfalls (59 total), and at the southern litter boom as needed. About 10 cubic yards of sediment, trash, and other material will be removed from the Bay side of the O'Neil Slough inlet gates in the first maintenance year, and only minor periodic maintenance is anticipated in subsequent years. All other sediment removal activities are expected to occur only once over the Project's 5-year timeframe. At the Permittee's known storm drain outfall sites, small amounts of accumulated mud, rocks, and debris will be cleared, and pipes and flapgates will be repaired² as needed, to maintain property capacity and operation. Repairs will be located in locations above the waterline or will be exposed during the low-water maintenance period. Dewatering is not anticipated as part of the storm drain outfall repair. Excavated sediment and other debris will be taken by barge or truck to the decant area located at Laguna Vista Park, a Permittee-owned parcel off Kimberly Way at the south end of the lagoon. The decant area is an undeveloped, disturbed site, located between Highway 101 and the lagoon, consisting of mostly compacted dirt.

The Permittee will also conduct aquatic vegetation harvesting on an annual basis. Excessive growth of widgeon grass and filamentous algae is removed via mechanical harvesters that are used intermittently in the lagoon from June through August. The mechanical harvesters cut the top portion of the widgeon grass and algae, leaving the lower portion growing on the lagoon bottom and avoiding substrate disturbance and preserving habitat benefits.

Bank Protection and Fence Installation: The Permittee will repair existing bank protection as needed and install new bank protection measures along the shoreline. Most of the lagoon is designed with a 5:1 horizontal to vertical side slopes, and much of the shoreline has been armored to protect against erosion. The Permittee will either supplement or replace existing riprap areas. Where new bank stabilization is necessary, the Permittee will implement bioengineered bank stabilization measures to the maximum extent practicable. Although no bank repair or protection areas are currently identified, the Project will repair up to 200 linear feet of shoreline per year and install no more than 50 linear feet of new bank protection measures. The Permittee will install new and maintain existing fences along established property lines on an annual basis.

Beach Sand Replenishment: Sand replacement typically occurs once a year at Parkside Aquatic Park and Lakeshore Park. Each beach has a concrete path on the upland side, and replenishment occurs below and to the side of the path. The sand is replenished this way to maintain a gradual transition from the walkway to the beach for safety reasons. Additional sand is placed around the children's play area at Parkside Aquatic Park. BMPs will be implemented during fence repairs or installation to protect water quality during construction.

² Repairs will be located in locations above the waterline or will be exposed during the low-water maintenance period.

2. Impacts to Waters of the State

The Water Board has independently reviewed the Project record to analyze impacts to water quality and the environment and designated beneficial uses within the Project's watershed.

2.1 Fill and Discharge

The Project will temporarily and permanently impact approximately 0.39 acre and 0.06 acre of waters of the State, respectively, over the length of the five-year timeframe covered by this Certification, as shown in Tables 1 and 2.

Table 1: Summary of the Project's temporary impacts.

Activity	Aquatic Resource Type ³	Impact Type	Annual (Acres)	5-Yr Total (Acres)
Bank Protection Repair			0.05	0.23
Fence Construction Repair	Stream Channel and Riparian Habitat	N/A	<0.01	<0.01
O'Neil Slough Tide Gate			0.01	0.05
Sediment Removal			<0.01	<0.01
Storm drain Outfall Maintenance			N/A ⁴	0.05
16th Ave. Sediment Removal			N/A ⁴	0.04
19th Ave. Sediment Removal			N/A ⁴	0.02
Laurel Creek Sediment Removal				
Total			~0.06	~0.39

³This aquatic resource type is for accounting purposes.

⁴Sediment removal is expected to occur once at each location over the next five years.

Table 2: Summary of the Project's permanent impacts.

Activity	Aquatic Resource Type ³	Impact Type	Annual (Acres)	5-Yr Total (Acres)
New Dock Pile Construction	Lake	Permanent Loss	<0.01	<0.01
New Bank Protection		Degradation	0.01	0.05
New Fence Construction		Degradation	<0.01	<0.01
Total			~0.012	~0.06

3. Mitigation

The Permittee will mitigate the Project's temporary and permanent impacts to waters of the State. The Project's temporary impacts resulting from repairs to existing bank protection, repairs to fences, and sediment and debris removal, will be mitigated by the Permittee through an annual trash cleanup program implemented by the Permittee. The water quality benefits associated with the Project's aquatic vegetation removal will also mitigate the Project's temporary impacts. To mitigate the Project's permanent impacts to waters of the State from new dock installation,

including new pile installation, new bank protection, and new fence installation, the Permittee will enhance an approximately 0.3-acre area located between an existing trail and the shoreline in the northern portion of the Project site. The Permittee will remove and replace an approximately 0.3-acre-area of non-native vegetation, primarily ice plant (*Carpobrotus edulis*), with native vegetation. The mitigation area contains several existing trees, but all available land that is suitable for planting will be planted with native vegetation. The plantings in the mitigation area will be by native scrub species that are suitable for proliferation, and both locally common and available. The work will expand and enhance the existing riparian habitat and provide a transition zone not currently present. The shoreline fringe, where native salt grass (*Distichlis spicata*) occurs will not be planted. The mitigation area will be monitored for a five-year timeframe, and the Permittee will detail the trash cleanup efforts in the annual monitoring reports (see Conditions 18 to 23). No further mitigation is required.

4. California EcoAtlas

Regional, state, and national studies have determined that tracking of mitigation and restoration projects must be improved to better assess the performance of these projects, following monitoring periods that last several years. To effectively carry out the State's Wetlands Conservation Policy of no net loss to wetlands, the State needs to closely track both losses and successes of mitigation and restoration projects affecting wetlands and other waters of the State. The Water Board must also track project performance in Bay Area creeks subject to routine repair and maintenance activities, such as recurring instabilities. Therefore, we adopted the digital interactive mapping tool called *EcoAtlas*.^[1] *EcoAtlas* is a web-based tool that integrates maps, project plans, site conditions, restoration efforts, and other elements on a project-by-project basis based on data inputs. Accordingly, we require the Permittee to upload their Project information to *EcoAtlas* with the *Project Tracker* tool at <https://ptrack.ecoatlas.org> (see Condition 9). The San Francisco Estuary Institute developed *EcoAtlas* and maintains detailed instructions for *Project Tracker* on its website at <https://ptrack.ecoatlas.org/instructions>.

5. CEQA Compliance

The Permittee, as lead agency, determined the Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15301, *Existing Facilities*. Accordingly, on July 7, 2021, the Permittee filed a Notice of Exemption (NOE) with the Officer of Planning and Research and the County Clerk of San Mateo County (State Clearinghouse No. 2021070131). The Water Board, as a responsible agency under CEQA, concurs that the Categorical Exemption is appropriate

6. Conditions

I, Thomas Mumley, Interim Executive Officer, do hereby issue this Order certifying that any discharge from the proposed Project will comply with the applicable provisions of sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), and 307 (Toxic and Pretreatment Effluent Standards) of the CWA, and with other applicable requirements of

^[1] Source: California Wetlands Monitoring Workgroup (CWMW). *EcoAtlas*. Accessed March 12, 2019. <https://www.ecoatlas.org>. CWMW includes SFEI, State Board, U.S. EPA-Region IX, and other agencies with similar goals to track effects of projects in wetlands and other aquatic habitats.

State law. This discharge is also regulated under State Water Resources Control Board Order No. 2003-0017-DWQ, “General Waste Discharge Requirements for Dredge and Fill Discharges That Have Received State Water Quality Certification,” which requires compliance with all conditions of this Order, including the following:

6.1 Regulatory Compliance and Work Windows

1. **Design Conformance.** The Project work shall be constructed in conformance with the Application materials and as described in this Certification. Any changes to the Project that may impact waters of the State must be accepted by the Executive Officer before they are implemented. To request Executive Officer acceptance, the Permittee shall submit the proposed revisions, clearly marked and described, to the attention of the Water Board staff listed on the cover page of this Certification. The Permittee shall not implement the proposed revisions until notified that they have been accepted by the Executive Officer;
2. **Special Status Species.** This Certification does not allow for the take, or incidental take, of any special status species. The Permittee shall request appropriate protocols prescribed from the United State Fish and Wildlife (USFWS) and/or National Marine Fisheries Service (NMFS) to ensure that Project activities do not impact the beneficial use of the Preservation of Rare and Endangered Species, and shall implement the provided protocols, as appropriate;
3. **Precipitation and Construction Planning.** Precipitation forecasts shall be considered when planning construction activities. The Permittee shall monitor the 72-hour forecast from the National Weather Service at <http://www.nws.noaa.gov>. When there is a forecast of more than 40% chance of rain, or at the onset of unanticipated precipitation, the Permittee shall remove all equipment from waters of the State, implement erosion and sediment control measures (e.g., jute, straw, coconut fiber erosion control fabric, coir logs, straw), and cease all Project activities. If any construction activities will occur **outside their respective work windows specified in Condition 4**~~after October 31~~, a Winterization Plan shall be submitted to the Executive Officer for review and acceptance and contain, but not be limited to, the following:
 - a) **Activities and Timeline Description**—for any proposed activity that will begin or end after October 1, the activity and its respective construction timeline, from start to finish, shall be described in detail.
 - b) **Erosion Control Measures**—all erosion control measures shall be described in detail, including, but not limited to, the type of erosion control measure and its material, implementation timeline, and best management practices to be used during and after implementation;
4. **Work Windows:** The Project activities may be initiated as follows, so long as the precipitation and construction planning requirements specified in this Certification (see Condition 3) and the precipitation requirement listed in the Application’s materials are met:

- a) Sediment Removal, New Dock Installation using Poured Concrete, ~~Dock Repair, Bank Stabilization, Fence Repair and Installation,~~ and Beach Sand Replenishment: April 15 to October 31. The work window may be extended on a case-by-case basis. To request an extension of the work window for these Project activities, the Permittee must submit a written request for review and acceptable to Tahsa Sturgis at tahsa.sturgis@waterboards.ca.gov. The request shall be submitted at least two weeks prior to when work is expected to occur outside of the April 15 to October 31 work window and shall include the requirements in Condition 3 of this Certification as well as the other regulatory agencies that were contacted about the requested work extension. Minor debris removal that does not require excavation and is immediately necessary to prevent blocking inlets may be conducted any time of year. ~~Bank repairs that do not require excavation may be conducted any time of year.~~
- b) ~~Dock Repair, Bank Stabilization, and Fence Repair and Installation:~~ April 15 to October 31 or January 15 to February 15. The work for these activities may occur during the time when the reservoir is normally lowered during the annual drawdown period (January 15 to February 15), otherwise the work shall occur from April 15 to October 31. ~~Bank repairs that do not require excavation and fence repair and installation may be conducted any time of year.~~
- c) New Dock Installation using Precast Concrete: any time of year provided that the requirements in Condition 3 of this Certification are met and the Permittee's standard specification packet requirements are met.
- d) Aquatic Vegetation Harvesting: April 15 to October 31.

6.2 General Construction

- 5. **Discharge Prohibition.** No unauthorized construction-related materials or wastes shall be allowed to enter into or be placed where they may be washed by rainfall or runoff into waters of the State. When construction is completed, any excess material shall be removed from the work area and any areas adjacent to the work area where such material may be discharged to waters of the State;
- 6. **Equipment Maintenance Prohibition.** No fueling, cleaning, or maintenance of vehicles or equipment shall take place within waters of the State, or within any areas where an accidental discharge to waters of the State may occur; and construction materials and heavy equipment must be stored outside of waters of the State. When work within waters of the State is necessary, best management practices shall be implemented to prevent accidental discharges;
- 7. **Beneficial Use Impacts.** All work performed within waters of the State shall be completed in a manner that minimizes impacts to beneficial uses and habitat; measures shall be employed to minimize disturbances along waters of the State that will adversely impact the water quality of waters of the State. Disturbance or removal of vegetation shall not exceed the minimum necessary to complete Project implementation;

8. **Concrete Curing:** Concrete used in the Project shall be allowed to completely cure (a minimum of 28 days) or be treated with a sealant that is non-toxic to aquatic life before it comes into contact with flowing water (Note: Demonstration of non-toxicity to aquatic life may be evaluated by measuring survival of test organisms in a 96-hour bioassay. The bioassay should be performed according to the most up-to-date protocols in 40 CFR part 136, currently Methods for Measuring the Acute Toxicity of Effluents and Receiving Water to Freshwater and Marine Organisms, 5th Edition (EPA-821-R-02-012), including sample collection, handling, and preservation in accordance with U.S. EPA protocols). Only sealants that have been tested and found non-toxic to freshwater aquatic life, including benthic macro-invertebrates, may be used on concrete surfaces that may come into contact with flowing water. Any sealant that may be used must be approved by CDFW prior to use. Concrete will be considered to be cured when water poured over the surface of concrete consistently has a pH of less than 8.5;

6.3 Pre-Construction Reporting and Other Requirements

9. **EcoAtlas Form.** The Permittee shall input Project information into *EcoAtlas* no later than 14 days from this **Amended** Certification's issuance date, consistent with Section 4 herein. The Project information shall be added to the *Project Tracker* tool in *EcoAtlas* online at <https://ptrack.ecoatlas.org>. Instructions for adding information to *EcoAtlas* are available at <https://ptrack.ecoatlas.org/instructions>, or by contacting the Water Board staff listed on the cover page of this Certification. The Permittee shall notify the Water Board and submit documentation demonstrating the Project has been successfully added to EcoAtlas via email to RB2-401Reports@waterboards.ca.gov, or by mail to the attention of 401 Certifications Reports (see address on the letterhead), and include **EcoAtlas_445464_Marina Lagoon Routine Maintenance Project**;
10. **Commencement of Construction.** The Permittee shall submit a Start of Construction (SOC) Report acceptable to the Executive Officer **in each year that Project activities occur**. The SOC Report shall be submitted no later than seven days prior to start of initial ground disturbance activities **in a given Project year. The Permittee shall and** notify the Water Board at least 48 hours prior to initiating in-water work and any stream diversions. Notification may be via telephone, email, delivered written notice, or other verifiable means. The SOC Report shall be submitted in same timeframe specified herein for multiple construction seasons, ~~if necessary~~, via email to RB2-401Reports@waterboards.ca.gov, or by mail to the attention of 401 Certifications Reports (see address on the letterhead), and include **SOC_445464_Marina Lagoon Routine Maintenance Project**;
11. **Photo-Documentation Points.** Prior to the start of construction, the Permittee shall establish a minimum of 4 photo-documentation points at each Project site where Project related impacts to waters of the State occur. The points shall be used to track the Project's construction impacts, the pre- and post-construction condition, and overall Project success. The Permittee shall prepare a site map with the photo-documentation points clearly marked. Prior to and following construction in each year where sediment and/or vegetation is removed ~~or the vegetation pilot program is~~

~~implemented~~, the Permittee shall photographically document the immediate pre- and post-Project condition at locations where impacts to waters of the State occur, including temporary impacts. These post-construction photographs and map shall be submitted, along with the as-built and construction completion reports (See Conditions 12 and 13);

6.4 Active Construction and Post-Construction Reporting Requirements

12. **As-Built Report.** The Permittee shall prepare an as-built report(s) acceptable to the Executive Officer in each year that Project activities occurred. The as-built report(s) shall be submitted to the Water Board no later than 60 days after completing Project construction activities in a given calendar year through the duration of the Project. The report(s) shall include a description of the areas of actual disturbance during Project construction and the photographs and map specified in Condition 11. The report(s) shall clearly identify and illustrate the Project activities that occurred in a given year, and the locations where impacts to waters of the State occurred. The Permittee shall submit one as-built report annually for all Project activities that occurred in that calendar year. The as-built report(s) shall include the 100 percent construction plans marked with the contractor's field notes that clearly depict any deviations made during construction from the designs reviewed by the Water Board. ~~If design plans are not available for a Project activity (e.g., fence repair and installation, sand beach replenishment, sediment removal at inlets), the photographs specified in Condition 11 and a narrative shall be submitted in lieu of an as-built report.~~ The as-built report(s) shall be sent with the annual monitoring reports (see Condition 23) via email to RB2-401Reports@waterboards.ca.gov, or by mail to the attention of 401 Certifications Reports (see address on the letterhead), and include **As-Built_445464_Marina Lagoon Routine Maintenance Project** in the email subject line when sent electronically or in the cover letter for hard copy submissions;
13. **Project Construction Completion Report.** The Permittee shall submit a Notice of Project Construction Completion (NOC) acceptable to the Executive Officer to notify the Water Board that the Project has been completed at the end of the 5-year period in which the Project will be occur. The ~~NOC Completion Notice~~ shall be submitted to the Water Board no later than 60 days after completing all Project construction activities in the final construction year. The ~~NOC Completion Notice shall include the as-built reports (see Condition 12), the post-construction photographs (see Condition 11),~~ the date of the first Project-related disturbance of waters of the State occurred, and the date the Project construction was completed ~~for each Project activity~~. The ~~NOC Completion Notice~~ shall be sent via email to RB2-401Reports@waterboards.ca.gov, or by mail to the attention of 401 Certifications Reports (see address on the letterhead), and include **NOC_445464_Marina Lagoon Routine Maintenance Project** in the email subject line when sent electronically or in the cover letter for hard copy submissions;

6.5 Dock Construction

14. **Dock Photographs:** Before commencing dock construction work, dock replacement work, and dock repair work, the Permittee shall establish a minimum of three (3)

photo-documentation points at any location where public or private dock work occurs, including new dock construction, dock replacement work, and dock repair work. The points shall be used to track the Permittee's compliance with the Certification. The Permittee shall prepare a site map with the photo-documentation points clearly marked. Prior to and following construction, the Permittee shall photographically document the immediate pre- and -post construction condition of the sites where dock work is being conducted. These post-construction photographs and map shall be submitted to the Water Board at the end of each year of the Certification's coverage (See Condition 23);

15. **Dock Specification Packet:** If revised during the timeframe covered by this Certification, the Permittee shall submit the revised standard Dock Specification Packet to the Executive Officer for review and acceptance for consistency with the activities covered in this Certification. The Executive Officer must accept the revised Dock Specification Packet, as it relates to this Certification, prior to the construction of new or replaced private and public docks adhering to the revised Dock Specification Packet;
16. **Private Dock Design:** Newly constructed or replaced private and public docks shall meet the requirements set forth by the Permittee, and specified in this Certification, including size restrictions stated in the Permittee's standard Dock Specification Packet (See Condition 15). New dock construction is limited to a maximum of five per year and a total of 25 over the 5-year Certification timeframe;
17. **Individual Dock Certifications:** If the requirements in Condition 16 are not met, the work is not covered by this Certification, and the Permittee shall instruct the dock owner to apply to the Corps, Water Board, and the California Department of Fish and Wildlife (CDFW) for all necessary permits on an individual basis;

6.6 Mitigation and Monitoring Requirements

18. **Monitoring and Monitoring Requirements.** The Permittee shall monitor the areas impacted by the Project throughout the duration of the Project (5 years) and submit annual monitoring reports to the Water Board (see Condition 23) to verify the Project's impacts and to demonstrate beneficial uses have not been adversely affected. The Permittee shall also monitor the mitigation area for a minimum five-year period to verify the Project impacts have been sufficiently and appropriately mitigated. The annual monitoring reports shall also include an appendix summarizing the Project's annual activities and impacts to waters of the State as well as the condition of the areas that were impacted (see Condition 23). If any signs of instability or excessive erosion are observed at the site, the Permittee shall document these observations in the annual reports and make recommendations for corrective actions, as necessary (see Condition 22). If any adverse impacts to waters of the State are observed during the monitoring period, compensatory mitigation may be required by the Executive Officer, including, but not limited to, extension of the monitoring period;

19. **Mitigation Monitoring Plan:** The Permittee shall ~~revise~~ implement the mitigation and monitoring in accordance with the mitigation plan included in the Application materials, and as clarified on March 22, 2022, that the mitigation area will be irrigated in perpetuity, ~~to include achievable performance and final success criteria, which indicate the mitigation project is successful, for the five-year monitoring period.~~ Any The revisions to the mitigation plan shall be submitted to the Executive Officer for review and acceptance ~~not later than 60 days following this Certification's issuance date,~~ and ~~the plan~~ shall not be implemented until the Executive Officer notifies the Permittee that the plan is acceptable;
20. **Mitigation Performance Criteria.** The Permittee shall evaluate the mitigation area's performance and success during the monitoring period by using the annual performance criteria in the Application materials, as revised, and as described herein. The performance criteria (e.g., plant survival, plant vigor, vegetative cover, invasive species) shall be used to track the mitigation area's annual progress towards meeting the final success criteria in the final monitoring year (see Condition 21). To demonstrate the mitigation plantings have become successfully established, no irrigation shall be used in the last two years of monitoring. If the performance criteria are not met, the Permittee shall describe the deficiencies that led to the underperformance and recommend corrective actions, as necessary, to ensure the final success criteria are met in the final monitoring year (see Condition 22);
21. **Final Success Criteria.** The Project's mitigation shall be considered successful if the Executive Officer determines the final success criteria specified in revised mitigation plan (see Condition 19) have been met in the final monitoring year's annual report and no adverse impacts to waters of the State have otherwise occurred. The Permittee shall demonstrate the mitigation area is successful in the final monitoring year by meeting the mitigation's final success criteria. The final success criteria shall be the performance criteria established for the final monitoring year specified in the Application. The Permittee shall also demonstrate that the mitigation plantings have been successfully established and are not reliant on irrigation (see Condition 20);
22. **Corrective Actions.** If any signs of instability or excessive erosion are observed along the areas impacted at the Project site, the Permittee shall document these observations in the annual reports and make corrective action recommendations, as necessary. After receipt of an annual monitoring report, if corrective actions are determined necessary by the Executive Officer, the Permittee shall be required to re-submit the corresponding annual report to include corrective actions or revise recommended corrective actions that were previously proposed or accepted by the Executive Officer;
23. **Annual Monitoring Reports.** The Permittee shall submit annual monitoring reports, acceptable to the Executive Officer, by January 31 following each monitoring year. The first monitoring year commences in the calendar year of the Project's first year of activities. At the time of this Certification and Order, the Project is anticipated to commence in 2022. Therefore, the first annual monitoring report shall be due on

January 31, 2023, unless the Project is completed at a different time. Annual reports shall include, but not be limited to, the following:

- a) Photographs: photographs taken during the monitoring year from the photo-documentation points specified in Conditions 11 and 14 shall be included in each annual monitoring report, and updated as appropriate. The photographs shall include captions with respect to the photograph's point of view, direction of flow, locations of Project activities, location of the photo-documentation point, and date photographed.
- b) Activities and Impacts: the Project activities completed in the monitoring year and their respective impacts to waters of the State shall be included in each annual monitoring report. The final monitoring report shall include all Project activities and their impacts for the duration of the Project. The monitoring reports shall also reference the activities and impacts in relation to the limits covered in this Certification. If limits for any Project activity are exceeded, the Permittee may need to submit a report of waste discharge and shall be required to provide compensatory mitigation for the impacts to waters of the State that exceed the limits authorized in this Certification. As-built reports and photographs for construction activities shall be included in the annual report. Starting in the second monitoring year, previous as-built reports and photographs shall be included in the monitoring report's appendices.
- c) Mitigation Projects: the Permittee shall include the status of the mitigation project in each annual report, including the performance and final success criteria, as applicable, specified herein.
- d) Environmental Drivers: each monitoring report shall describe the unusually low and large precipitation events that occurred at the site during the monitoring year. The effects of the ~~Project and~~ environmental drivers (e.g., precipitation events, drought events) on site conditions shall be described in reference to the ~~monitoring year's precipitation events~~ relevant Project activities.
- e) Cumulative Monitoring: each annual report shall summarize all data from previous monitoring reports in addition to the current year's monitoring data, including the need for, and implementation of, any remedial actions. Monitoring data may include all relevant qualitative and quantitative data necessary to determine whether the site is stable. The final monitoring report shall document whether the temporarily impacted areas were restored to their pre-Project condition.

The overall Project and mitigation success shall be determined by, and acceptable to, the Executive Officer. If monitoring indicates that beneficial uses have been, or have the potential to be, adversely affected, the Permittee shall, in consultation with the appropriate agencies, identify remedial measures to be undertaken, including compensatory mitigation and extension of the monitoring and reporting period until the final success criteria are met. If a Corrective Action Plan is

required and approved by the Executive Officer, the Permittee shall implement all remedial measures identified therein. Annual monitoring reports shall be submitted via email to RB2-401Reports@waterboards.ca.gov, or by mail to the attention of 401 Certifications Reports (see the address on the letterhead), and include **AMR_445464_Marina Lagoon Routine Maintenance Project** in the email subject line when sent electronically or in the cover letter for hard copy submissions;

6.7 Administrative and General Compliance

24. **Site Access.** The Permittee shall grant Water Board staff or an authorized representative, upon presentation of credentials and other documents as may be required by law, permission to: (1) enter upon the Project site or compensatory mitigation site(s) where a regulated facility or activity is located or conducted, or where records are kept; (2) have access to and copy any records that are kept and are relevant to the Project or the requirements of this Order; (3) inspect any facilities, equipment, practices, or operations regulated or required under this Order; and (4) sample or monitor for the purposes of assuring Order compliance;
25. **Certification and Order at Site.** A copy of this Order shall be provided to any consultants, contractors, and subcontractors working on the Project. Copies of this Order shall remain at the Project site for the duration of this Order. The Permittee shall be responsible for work conducted by its consultants, contractors, and any subcontractors;
26. **Ownership Change Notification.** The Permittee shall provide a signed and dated notification to the Water Board of any change in ownership or interest in ownership of any Project area at least 10 days prior to the transfer of ownership. The purchaser shall also submit a written request to the Water Board to be named as the permittee in an amended order. Until this Order has been modified to name the purchaser as the permittee, the Permittee shall continue to be responsible for all requirements set forth in this Order;
27. **Water Quality Violations Notification.** The Permittee shall notify the Water Board of any violations of water quality standards, along with the cause of such violations, as soon as practicable (ideally within 24 hours). Notification may be via telephone, email, delivered written notice, or other verifiable means;
28. **Discharge Change Notification.** In accordance with Water Code section 13260, the Permittee shall file with the Water Board a report of any material change or proposed change in the ownership, character, location, or quantity of this waste discharge. Any proposed material change in operation shall be reported to the Executive Officer at least 30 days in advance of the proposed implementation of any change. Changes to discharges include, but are not be limited to, significant new soil disturbances, proposed expansions of development, or any change in drainage characteristics at the Project site. For the purpose of this Order, this includes any proposed change in the boundaries of the area of wetland/waters of the State to be impacted;

29. **Submittal of Reports.** Where this Certification requires submittal of reports, including plans, reports, or related information, the submitted reports shall be acceptable to the Executive Officer;
30. **Individual Waste Discharge Requirements.** Should new information come to our attention that indicates a water quality problem with this Project, the Water Board may issue Waste Discharge Requirements pursuant to Water Code sections 13263 and/or 13377 and California Code of Regulations, Title 23 (23 CCR) section 3857;
31. **Expiration.** This Order shall continue to have full force and effect regardless of the expiration or revocation of any federal license or permit issued for the Project;

6.8 Standard Conditions

32. **Certification and Order Modification.** This Order is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to Water Code sections 13320 and 13330 and 23 CCR section 3867;
33. **Hydroelectric Facilities.** This Order does not apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license, unless the pertinent certification application was filed pursuant to 23 CCR subsection 3855(b) and that application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought;
34. **Application Fee.** This Certification and Order is conditioned upon full payment of the required fee, including annual fees, as set forth in 23 CCR section 3833. The required \$8,286, calculated using the 2020/2021 Water Quality Certification Dredge and Fill Application Fee Calculator, Category A– *Fill and Excavation Discharges*, was received by the Water Board in two payments: \$2,066 on October 25, 2021, and \$6,220 on February 3, 2022;

6.9 Annual Fees

35. **Annual Fee.** In accordance with 23 CCR section 2200, the Permittee shall pay an annual fee to the Water Board each fiscal year (July 1 – June 30) until Project construction activities are completed and an acceptable Notice of Project Construction Completion is received by the Water Board. If monitoring is required, the Permittee shall pay an annual fee to the Water Board until monitoring activities are completed and an acceptable Notice of Mitigation Monitoring Completion is received by the Water Board (Note: the Annual Post Discharge Monitoring Fee may be changed by the State Water Board; at the time of Certification it was \$2,031 per year for Category A projects). Annual fees will be automatically invoiced to the Permittee. **The Permittee must notify the Water Board at Project and/or mitigation completion with a final report in order to request to terminate annual billing.** Notification shall reference NMMC_ 445464_ Marina Lagoon Routine Maintenance Project and should be sent to the staff listed at the bottom of this Certification and to RB2-401Reports@waterboards.ca.gov. Water Board staff will

verify the conditions of the Certification have been met and may request a site visit at that time to confirm the Project's status and compliance with the Certification.

This Order applies to the Project as proposed in the application materials and designs referenced above in the conditions of Certification. Be advised that failure to implement the Project in conformance with this Order is a violation of this Certification. Any violation of Certification conditions is a violation of State law and subject to administrative civil liability pursuant to Water Code sections 13350, 13385, or 13399.2. Failure to meet any condition of this Certification may subject the Permittee to civil liability imposed by the Water Board to a maximum of \$25,000 per day of violation and/or \$25 for each gallon of waste discharged in violation of this action above 1000 gallons. Any requirement for a report made as a condition to this Certification (e.g., conditions 3, 9-23 and 26-28) is a formal requirement pursuant to Water Code sections 13267 and 13383, and failure or refusal to provide, or falsification of such required report, is subject to civil liability as described in Water Code section 13268 and criminal liability under 13387. The burden, including costs, of these reports bears a reasonable relationship to the need for the report and the benefits to be obtained. Should new information come to our attention that indicates a water quality problem with this Project, the Water Board may issue Waste Discharge Requirements.

If you have any questions concerning this Order, please contact Tahsa Sturgis of my staff at (510) 622-2316 or tahsa.sturgis@waterboards.ca.gov. All future correspondence regarding this Project should reference **RM 445464** indicated at the top of this letter.

Sincerely,

for Thomas Mumley
Interim Executive Officer

cc: SWRCB, DWQ, stateboard401@waterboards.ca.gov
Water Board, Victor Aelion, victor.aelion@waterboards.ca.gov
CDFW, Will Kanz, will.kanz@wildlife.ca.gov
U.S. EPA, Region IX:
Region IX Mailbox, r9cwa401@epa.gov
Jennifer Siu, siu.jennifer@epa.gov
Corps, SF Regulatory Branch, Katerina Galacatos, katerina.galacatos@usace.army.mil



State of California – Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 Bay Delta Region
 2825 Cordelia Road, Suite 100
 Fairfield, CA 94534
 (707) 428-2002
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



January 26, 2022

Sarah Scheidt
 City of San Mateo Public Works Department
 330 West 20th Avenue
 San Mateo, California 94403

Dear Ms. Scheidt:

Amendment of Lake or Streambed Alteration, Notification No. 1600-2013-0268-R3, Marina Lagoon General Maintenance Project

The California Department of Fish and Wildlife (CDFW) has received your request to amend Lake or Streambed Alteration Agreement 1600-2013-0268-R3 (Agreement) and the required fee in the amount of \$1,572.50 for a major amendment. Your request to amend the routine maintenance Agreement includes adding work activities to the project description and modifying the work season:

- Additional sediment removal to restore flow capacity into the Lagoon at the 16th Avenue Channel gate and O'Neil Slough tide gate (in tidal waters).
- At the 16th Avenue Channel, additional sediment removal will occur 75 feet upstream of the lagoon gate, in a trapezoidal, concrete-lined channel approximately 50 feet in width near top of bank with a narrower bottom width. Accumulated sediment is approximately 3 feet deep. Sediment removal at this location will occur once during the proposed Project's 5-year term, for an estimated total of 500 cubic yards. Sediment removal will be done with an excavator with a standard or long-reach arm stationed on land.
- At O'Neil Slough tide gate the Project will remove 10 cubic yards of sediment, and trash from the Bay side of the O'Neil Slough inlet gates in the first year. Up to 6 cubic yards of sediment will be removed in subsequent years. Sediment and debris removal will be limited to the cement inlet gate structure bounded by wingwalls and a cement floor, an area of 400 square feet or 0.01 acres. No removal will occur outside of the developed footprint. Sediment removal will only occur during low tide to minimize disturbance of adjacent sediment and performed using an excavator with standard or long-reach arm stationed above the O'Neil Slough inlet. Work is anticipated to require one to two days of excavation and is expected to occur one per year during September or October.
- Stormdrain outfall repair is needed to maintain proper function for stormwater flows. At stormdrain outfall locations, no more than a total of 40 cubic yards will be removed per year. At several of the City's 59 known stormdrain outfall sites, small amounts of accumulated mud, rocks and debris will be cleared, and pipes/flapgates repaired as needed, to maintain proper capacity and operation. Repairs will not be conducted in-water as outfalls are either located above the waterline or will be exposed during the low-water maintenance period. No dewatering will be done as part of stormdrain outfall repair.
- An additional 20 linear feet of new fence construction per year is allowed under this amendment. This brings the total new fence construction per year to 40 linear feet.

Sarah Scheidt
January 26, 2022
Page 2 of 2

- An all around work window for all maintenance activities, except for new dock structures and sediment removal in tidal habitat. Dock repair work will occur year-round.

CDFW hereby agrees to amend the agreement with addition of the following conditions:

2.1. Seasonal Work Period for Dredging, New Dock Installation using Poured Concrete and Beach Sand Replenishment. To avoid or minimize adverse impacts to fish and wildlife and their habitats, work within the Lagoon for these activities shall be limited to April 15 to October 31. The work window may be extended via written request and written CDFW approval (Will.Kanz@wildlife.ca.gov). Work period extension request must be submitted two weeks prior to when work is expected to occur outside of the April 15 to October 31 work window.

All other conditions in the Agreement remain in effect unless otherwise noted herein.

Please sign and return one copy of this letter to acknowledge the amendment. Copies of the Agreement and this amendment must be readily available at project worksites and must be presented when requested by a CDFW representative or agency with inspection authority.

If you have any questions regarding this letter, please contact Will Kanz, Environmental Scientist at (707) 337-1187 or by email at Will.Kanz@wildlife.ca.gov.

Sincerely,

Craig Weightman, Environmental Program Manager

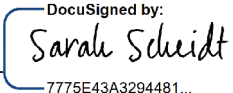
ec: California Department of Fish and Wildlife

Wesley Stokes, Senior Environmental Scientists (Supervisor)
Wesley.Stokes@wildlife.ca.gov

ACKNOWLEDGEMENT

I hereby agree to the above-referenced amendment.

Print Name: Sarah Scheidt Date: 1/26/2022

Signature:  7775E43A3294481...



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
(707) 428-2002
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



October 5, 2021

Sarah Scheidt
City of San Mateo Public Works Department
330 West 20th Street
San Mateo, California 94403

Dear Ms. Scheidt:

Extension of Lake or Streambed Alteration Agreement, Notification No. 1600-2013-0268-R3, Marina Lagoon General Maintenance Project

The California Department of Fish and Wildlife (CDFW) received your request to extend Lake or Streambed Alteration Agreement (Agreement) and extension fee, for the above referenced agreement. CDFW hereby grants your request to extend the Agreement expiration from December 31, 2021, to December 31, 2026. All other conditions in the original Agreement remain in effect.

Copies of the original Agreement and this letter must be readily available at project worksites and must be presented when requested by a CDFW representative or other agency with inspection authority.

If you have any questions regarding this letter, please contact Will Kanz, Environmental Scientist at (707) 337-1187 or by email at Will.Kanz@wildlife.ca.gov.

Sincerely,

DocuSigned by:
A stylized signature of Craig Weightman in blue ink.
7988F6C4FDC24F2...

Craig Weightman, Environmental Program Manager

cc: California Department of Fish and Wildlife

Will Kanz, Environmental Scientist
Will.Kanz@wildlife.ca.gov

Wesley Stokes, Senior Environmental Specialist (Supervisor)
Wesley.Stokes@wildlife.ca.gov



California Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
7329 Silverado Trail
Napa, CA 94558
(707) 944-5500
www.wildlife.ca.gov

EDMUND G. BROWN, Jr., Governor
CHARLTON H. BONHAM, Director



January 17, 2017

Brad Underwood
City of San Mateo Public Works Department
330 West 20th Street
San Mateo, CA 94403

Dear Mr. Underwood:

**Final Lake or Streambed Alteration Agreement, Notification No. 1600-2013-0268-R3,
Marina Lagoon General Maintenance Project**

Enclosed is the final Streambed Alteration Agreement (Agreement) for the Marina Lagoon General Maintenance Project (Project). Before the California Department of Fish and Wildlife (CDFW) may issue an Agreement, it must comply with the California Environmental Quality Act (CEQA). In this case, CDFW determined your Project is exempt from CEQA and filed a Notice of Exemption (NOE) on the same date it signed the Agreement.

Under CEQA, the filing of an NOE triggers a 35-day statute of limitations period during which an interested party may challenge the filing agency's approval of the Project. You may begin the Project before the statute of limitations expires if you have obtained all necessary local, state, and federal permits or other authorizations. However, if you elect to do so, it will be at your own risk.

If you have any questions regarding this letter, please contact Randi Adair, Senior Environmental Scientist (Supervisory) at (707) 576-2786 or by email at randi.adair@wildlife.ca.gov.

Sincerely,

Craig J. Weightman, Environmental Program Manager

cc: Simon Environmental Planning
Susan Simon
simonenvironmental@gmail.com

California Department of Fish and Wildlife
Lieutenant James Ober
James.ober@wildlife.ca.gov

Conserving California's Wildlife Since 1870

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

BAY DELTA REGION
7329 SILVERADO TRAIL
NAPA, CALIFORNIA 94558
(707) 944-5500

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STREAMBED ALTERATION AGREEMENT

NOTIFICATION No. 1600-2013-0268-R3
MARINA LAGOON

CITY OF SAN MATEO
MARINA LAGOON GENERAL MAINTENANCE PROJECT

This Streambed Alteration Agreement (Agreement) is entered into between the California Department of Fish and Wildlife (CDFW) and the City of San Mateo (Permittee) as represented by Brad Underwood.

RECITALS

WHEREAS, pursuant to Fish and Game Code (FGC) section 1602, Permittee notified CDFW on July 3, 2013 that Permittee intends to complete the project described herein.

WHEREAS, pursuant to FGC section 1603, CDFW has determined that the project could substantially adversely affect existing fish or wildlife resources and has included measures in the Agreement necessary to protect those resources.

WHEREAS, Permittee has reviewed the Agreement and accepts its terms and conditions, including the measures to protect fish and wildlife resources.

NOW THEREFORE, Permittee agrees to complete the project in accordance with the Agreement.

PROJECT LOCATION

This Agreement authorizes routine maintenance in the 185-acre Marina Lagoon, which was historically a portion of Seal Slough, located between East 3rd Avenue to the north and Marine Parkway to the south; in the City of San Mateo, County of San Mateo, State of California; most northern Latitude 37°34'07"N and Longitude 122°17'32"N and most southern Latitude 37°32'02"N and Longitude 122°16'37"N.

PROJECT DESCRIPTION

Under this Agreement, Permittee will conduct "routine maintenance activities", defined

as periodic activities necessary to restore the inflow into Marina Lagoon (Lagoon) to maintain the water transport and storage capacity of the Lagoon and to maintain and/or repair existing infrastructure, docks and park areas surrounding the Lagoon.

The Lagoon was historically a tidal slough connected to San Francisco Bay, but was diked and dredged to create a lagoon to function as flood-control relief for low elevation areas and a recreational boating lake. The water levels in the Lagoon are highly regulated and never fluctuate more than a few feet throughout the year. During the month of January the Lagoon is lowered 3.5 feet to facilitate maintenance work on the docks and shoreline. Water intake and release is controlled by the use of intake gates on the lagoon's south end at O'Neill Slough and by the Marina Lagoon Pump Station on the north end where the lagoon outlets to the San Francisco Bay. Numerous small underground storm drains transport runoff from urban areas in San Mateo and Foster City situated on the east side of the lagoon.

The Lagoon complex comprises four minor watersheds including 16th Avenue and 19th Avenue drainages, Laurel Creek and Direct Marina Lagoon Drainage. These watersheds are located in the southern two-thirds of San Mateo. The complex is a watershed of 10 square miles originating in the western hills of San Mateo and Belmont and draining into the Lagoon. Peak storm flows from the western hills are controlled by three dams on Laurel Creek. The watershed is almost entirely urbanized with the exception of Sugarloaf Mountain.

Routine maintenance activities authorized under this Agreement are limited to the following:

1. Docks and Ramps

Construction, maintenance and improvement of public and private individual boat docks and ramps and pile-supported boardwalks on both banks of Marina Lagoon.

Public Docks

Parkside Aquatic Park is owned by the Permittee and contains a public boat launch facility and public dock. Park amenities include a public beach, picnic area and play area. There are two boat ramps, one for public use and the other for the Harbor Master's boats. The park contains four docks; three at the south end and one at the north end. The docks at the south end facilitate the launching of boats from the boat ramps and are floating docks. The dock at the north end of the park is a fixed dock.

The floating sections of the south end docks will be removed and repaired on land. If piles need to be replaced, pre-cast concrete piles or secondary containment for poured piles will be used. Due to safety concerns, the north end dock will be removed in its entirety and will not be replaced.

Private Docks

The Lagoon is surrounded by high density residential areas and several of the shoreline parcels have private docks or the right to own one. Currently, there are approximately 300 private docks. The current Standard Plan issued by the San Mateo City Building Division permit approves only fixed wooden docks with concrete piers.

The City of San Mateo's Dock Information Packet Standards requires the use of pre-cast concrete piles or a secondary containment system. This will ensure that no freshly poured concrete will come in contact with the water for at least 30 days. Typically, poured piles will be concrete surrounded by a high density polyethylene (HDPE) secondary containment casing. The piles will be installed from a barge or aquamog equipped with an auger. The auger is used to drill the HDPE form in the lagoon bottom, driven to a minimum depth of six feet. The concrete is poured after the form has been driven into the lagoon bottom. The decking is then framed over the piles.

A turbidity curtain will be installed in the water surrounding the work area to prevent the migration of construction materials and debris from the work site. The barge or aquamog will access the water from Parkside Aquatic Park. As per City of San Mateo Standard Plan, the decking will be constructed above the summer high water levels.

The repair, replacement in-kind, and minor extensions of existing privately owned docks can be completed with the following restrictions:

- No more than five new docks shall be constructed each year.
- Pressure-treated wood shall not be used for any dock.

2. Sediment Removal from Stormwater Outfalls

Yearly maintenance dredging to remove the accumulation and alluvial material in front of the 19th Avenue Creek inlet located just north of Lakeshore Park and the Laurel Creek inlet on the southern side of the Lagoon.

Laurel Creek and 19th Avenue Creek are freshwater streams discharging to the Lagoon primarily during the winter months. Silt, sediment and debris will be dredged and removed from the Lagoon until it reaches original design depth of six feet. Dredging will be done with an Aquamog equipped with a small sealed 12 cubic yard (cy) clambucket to scoop material directly onto a low draft barge for transport to the access area and staging area at Parkside Aquatic Park. The barge will transport the material to the park where it will be removed by an excavator to sealed 10-wheeled trucks. The material will then be transported for dewatering to an upland area in Laguna Vista Park at the south end of the

Lagoon. After transport an excavator will stockpile material in a holding area designed to dewater solids via infiltration, surrounded by K-rails and straw wattles. A silt fence will be installed surrounding the exterior straw wattle to act as an additional runoff control measure. The dredged material will be dumped in the containment area and the decant water will be captured, settled, and discharged for infiltration. The material will be piled and aerated to remove any remaining water to facilitate offhaul and final disposal.

Sediment may be removed during the work window specified below, with the following restrictions:

- Sediment, vegetation or debris may be removed with mechanized equipment.
- Removal of up to a maximum 750 cubic yards (cy) per outfall per year is covered under this Agreement.

3. Aquatic Vegetation Harvesting

Mechanical harvesters are used intermittently in the Lagoon throughout the late spring and summer (June through August), primarily for the control of nuisance widgeon grass and filamentous algae that interfere with safe boating, water quality, and water flow. Harvesting removes nuisance biomass from the lagoon, thereby helping to reduce a nutrient source. This is a significant benefit to the overall health of the lagoon, which is impaired by Fecal Indicator Bacteria (FIB). The accumulation of biomass promotes and harbors bacteria, including FIB; as well as promoting reduced dissolved oxygen during the cooler evenings. This integrated approach to nuisance algae management helps minimize potential adverse environmental impacts from pesticide use. Harvesting is an efficient means of vegetation and algae control, especially in the open waters throughout the center of the lagoon where the vessels can operate without obstruction. Harvesters cannot work close to the shorelines due to shallow waters, and therefore do not operate in the far southern end of the lagoon near saline emergent wetlands. Approximately 188 cubic yards of nuisance vegetation from lagoon waters between June and August, 2016 were harvested. The amount of vegetation harvested per year fluctuates greatly due to seasonal variations from year to year.

Harvesting equipment is mobilized to the site in May. All equipment is cleaned, dried, and inspected according to the contractor's Aquatic Invasive Species – Hazard Analysis and Critical Control Point Plan (AIS-HACCPP). Once the harvester arrives at the lagoon it does not leave the site until September when it returns to their yard. The vessels are staged and launched from the Hillsdale boat launch area which consists of a gated lot and concrete boat ramp. Harvested material is stockpiled and allowed to dewater at the Hillsdale Launch

ramp before it is transported to a landfill for green-waste disposal within 48 hours.

4. Bank Protection

Most of the lagoon is designed with a 5:1 horizontal to vertical side slopes. Periodically, there are areas where existing bank armoring has been undermined and needs to be repaired. There are also areas that need bank protection where the shoreline has been eroded and exposed. The eroded shoreline areas are in locations where wave action is increased from motorboat activity. The typical bank protection material used in the lagoon is quarter ton angular rock.

Access for slope construction and repair will be from upland areas, if accessible, or from the water. If access is from the water, the material will be transported to the site by a barge. Depending on the material's size, it will be placed by hand or by an aquamog. Before any material is set, a layer of 16-ounce filter fabric will be placed on the slope to prevent the loss of slope material through void spaces. Before any work begins, a silt fence will be installed in the water on the downslope side of construction. Water access and staging will be from the boat ramp and parking lot at Parkside Aquatic Park.

Repair, Replace or Maintain Existing Bank Protection

Replacement or repair of existing damaged or failed sections of rock riprap bank stabilization with the following restrictions:

- Placement of rip-rap above or below failed sections of structures to aid in integrity of those structures. Riprap of proper size and weight to withstand wave action will be set below grade and keyed into the bank.
- Work will be confined to the damaged or failed sections and immediate adjacent bank area affected by the damage failure.
- Other bank stabilization measures that may be employed include broadcast and hydro-seeding, riparian/marsh vegetation planting and other bioengineering techniques.
- Saltmarsh vegetation shall be protected from damage to the greatest extent possible during repair and replacement.
- This activity does not include any new project sites which may need structural repair (for e.g. placement of new riprap or a new retaining wall where these structures have not been installed).

New Bank Protection

New bank stabilization will occur with the following restrictions:

- All new bank stabilization will incorporate bioengineering techniques only or biotechnical techniques if bioengineering is infeasible.

5. Fences

Construction, maintenance and improvement of fences along established property lines. Several private shoreline parcels have fences protruding below the Lagoon's summer high water level.

Construction of New Fences

New fences will be constructed with the following restrictions:

- No new fences will be constructed below the point on the shoreline intersected by the plane of the summer high water level
- Up to 20 linear feet of new fence shall be installed per year

Existing Fences

Repair, improvement and maintenance of existing fences will occur with the following restrictions:

- Up to 40 linear feet of fence repairs per year

6. Beach Sand Replenishment:

Sand replacement typically occurs once a year at Parkside Aquatic Park and Lakeshore Park. Each beach has a concrete path on the upland side and replenishment occurs below and to the side of the path. The sand is replenished this way to maintain a gradual transition from the walkway to the beach for safety reasons. Additional sand is placed around the children's play area at Parkside Aquatic Park.

The concrete path is approximately 120 feet from the shoreline at Parkside Aquatic Park and 100 feet from the shoreline at Lakeshore Park. Sand is never replenished at the shoreline. Staging and access is located in the parking lot areas of each park. Replenishment will be 20-mesh Bay reclaimed sand. The sand will be spread by hand or an excavator.

Beach replenishment will occur with the following restrictions:

- Beach replenishment shall occur once per year.
- Only hand tools shall be used to spread the sand when within 50 feet of the shoreline.

7. Debris Removal

A litter boom is installed at the southern end of the Lagoon to collect debris flowing in from the Laurel Creek and O'Neil Slough inlets. This debris will be removed as needed. Typical materials that are collected behind the boom are wood, recyclables, and trash. An airboat will be used to remove the material and transport it to a City owned waste container at Parkside Aquatic Park. The airboat will access the lagoon from the boat ramps at Parkside Aquatic Park. The City anticipates boom cleaning to occur once approximately every 4 months.

PROJECT IMPACTS

Existing fish or wildlife resources the routine maintenance activities could potentially substantially adversely affect include:

- Green sturgeon (*Acipenser medirostris*) listed as threatened under Endangered Species Act (ESA) and a state Species of Special Concern (SSC);
- Nearshore marine fish species such as surfperch (Embiotocidae), topsmelt (*Atherinops affinis*), sculpin, and rays and sharks (Elasmobranchii);
- Saltmarsh wandering shrew (*Sorex vagrans halicoetes*), a SSC;
- Migratory, nesting and foraging waterfowl;
- Foraging Ridgeway's rail (*Rallus obsoletus*, formerly California clapper rail), listed as endangered under the CESA and ESA and fully protected under the FGC;
- Saltmarsh common yellowthroat (*Geothlypis trichas sinuosa*), a SSC;
- Alameda song sparrow (*Melospiza melodia pusillula*), a SSC;
- Foraging California black rail (*Laterallus jamaicensis coturniculus*), listed as endangered under CESA and ESA and fully protected under the FGC;
- Coastal marsh milk-vetch (*Astragalus pycnostachyus var pycnostachyus*) designated as a Rare Plant Rank (RPR) 1B;
- Point Reyes Bird's-beak (*Chloropyron maritimum ssp. polustre*), designated as RPR 1B;
- California seablite (*Suaeda californica*), listed as Endangered under ESA and designated as RPR 1B;
- Saline clover (*Trifolium hydrophium*), designated as RPR 1B;
- Temporary impacts to open water;
- Saline emergent wetlands

The adverse effects the project could potentially have on the fish or wildlife resources identified above, without implementation of the Measures to Protect Fish and Wildlife Resources specified below, include:

- Potential increase in sediment transport during project activities;
- Increase in turbidity during project activities;
- Disruption to nesting and foraging birds;
- Colonization by exotic plant or animal species;

- Direct impacts from dredging on benthic organisms,
- Long-term release of contaminants.

MEASURES TO PROTECT FISH AND WILDLIFE RESOURCES

1. Administrative Measures

Permittee shall meet each administrative requirement described below.

- 1.1 Documentation at Project Site. Permittee shall make the Agreement, any extensions and amendments to the Agreement, and all related notification materials and California Environmental Quality Act (CEQA) documents, readily available at the project site at all times and shall be presented to CDFW personnel, or personnel from another state, federal, or local agency upon request.
- 1.2 Providing Agreement to Persons at Project Site. Permittee shall provide copies of the Agreement and any extensions and amendments to the Agreement to all persons who will be working on the project at the project site on behalf of Permittee, including but not limited to contractors, subcontractors, inspectors, and monitors.
- 1.3 Notification of Conflicting Provisions. Permittee shall notify CDFW if Permittee determines or learns that a provision in the Agreement might conflict with a provision imposed on the project by another local, state, or federal agency. CDFW shall be notified at Suzanne Deleon, at suzanne.deleon@wildlife.ca.gov, (831) 440-9433, or if unavailable, through contact with the CDFW Bay Delta Regional Office by mail, phone (707-944-5500) or fax (707-944-5553). In that event, CDFW shall contact Permittee to resolve any conflict.
- 1.4 Project Site Entry. Permittee agrees that CDFW personnel may enter the work site(s) at any time to inspect routine maintenance activities performed and to verify compliance with this Agreement. 24-hour notice will be provided to private dock owners prior to inspections.
- 1.5 Additional Measures. As a result of any field inspection, CDFW may require that additional measures be applied to specific activities to protect sensitive biological resources. Such measures may be amended into this Agreement with the agreement of both parties, or if an exception to authorized activities is identified, Permittee may be asked to submit separate written notification to CDFW pursuant to Condition 1.7, below.
- 1.6 Authorized Routine Maintenance Activities. Only those activities specifically described in the Project Description shall be conducted under this Agreement.

- 1.7 Exceptions to Authorized Activities. Permittee shall submit separate written notification (Forms FG 2023 and FG 2024) pursuant to Section 1602 of the FGC, together with the required fee prescribed in the CDFW Streambed Alteration Agreement fee schedule, and otherwise follow the normal notification process prior to the commencement of work activities in all cases where one or more of the following conditions apply:

The proposed work does not meet the criteria established for routine maintenance activities in the Project Description of this Agreement;

The nature of the proposed work is substantially modified from the work described in the Project Description of this Agreement;

CDFW advises Permittee that conditions affecting fish and wildlife resources have substantially changed at a specified work site or that such resources would be adversely affected by the proposed maintenance activity; and/or;

The proposed work would adversely impact a State of California (State) Species of Special Concern or State or federally listed rare, threatened, endangered or candidate species or its habitat.

- 1.8 CDFW-Approved Qualified Biologist(s) and Biological Monitor(s). Within a minimum of 30 days prior to initiating special-status surveys within the project area, Permittee shall submit to CDFW for approval, the names and resumes of all biologists and biological monitors involved in conducting surveys and/or monitoring work.

A qualified biologist is an individual who shall have a minimum of five years of academic training and professional experience in biological sciences and related resource management activities with a minimum of two years conducting surveys for each species that may be present within the routine maintenance project area.

A biological monitor is an individual who shall have academic and professional experience in biological sciences and related resource management activities as it pertains to this project, experience with construction-level biological monitoring, be able to recognize species that may be present within the routine maintenance project area, and be familiar with the habits and behavior of those species.

- 1.9 Unauthorized Take. This Agreement does not authorize the take of any State or federally listed threatened species, endangered species, Species of Special Concern or candidate species. If CDFW determines, or Permittee finds, that there are such species on the work site, Permittee shall notify CDFW and/or US Fish and Wildlife Service (USFWS), as appropriate. Permittee shall immediately cease work until CDFW and other applicable agencies deem that the concern

over special status species has been resolved. This Agreement does not authorize capture and/or handling of listed species.

2. Avoidance and Minimization Measures

To avoid or minimize adverse impacts to fish and wildlife resources identified above, Permittee shall implement each measure listed below.

Work Periods

- 2.1 Seasonal Work Period for Dredging, New Dock Installation using Poured Concrete and Beach Sand Replenishment. To avoid or minimize adverse impacts to fish and wildlife and their habitats, work within the Lagoon for these activities shall be limited to April 15 to October 31.
- 2.2 Seasonal Work Period for Dock Repair, Bank Stabilization, Fence Repair and Installation. The work for these activities may occur during the time when the reservoir is normally lowered during the annual drawdown period from January 15 to February 15 to facilitate access and repairs. If not completed during this drawdown period, then the Seasonal Work Period as stated in Measure 2.1 shall be followed. All weather forecast and precipitation measures shall be followed.
- 2.3 Seasonal Work Period for New Dock Installation using Precast Concrete. New dock installation using precast concrete may be conducted at any time provided that the homeowners follow the requirements of the standard specification packet issued by the City of San Mateo.
- 2.4 Seasonal Work Period for Debris Removal. Minor debris removal that does not require excavation, and that is immediately necessary to prevent blocking the inlets, may be conducted at any time.
- 2.5 Seasonal Work Period for Activities near Joinville Park. To avoid impacts to saltmarsh dependent species, any work conducted within 700 feet of Joinville Park shall be conducted from September 1 to October 15.
- 2.6 Seasonal Work Period for Revegetation. Revegetation work, using hand tools, may occur year-round.
- 2.7 Completion by End of Seasonal Work Period. The sediment removal and new dock installation using poured concrete shall not be initiated unless there is a high likelihood that it can be completed before the end of the seasonal work window designated in Measure 2.1. After September 15 of each year, projects that have not been started or are still underway shall be evaluated to ensure they can be completed before the end of the seasonal work period. Those projects

unlikely to be completed before the end of the seasonal work windows shall not be started.

- 2.8 Work Period Modification. If Permittee needs more time to complete project activities, work may be authorized outside of the work period as stated in Measure 2.1 and 2.2 and extended on a day-to-day basis by CDFW representative, Suzanne DeLeón, at suzanne.deleon@wildlife.ca.gov, (831) 440-9433, or if unavailable, through contact with the CDFW Bay Delta Regional Office by mail, phone (707-944-5500) or fax (707-944-5553). Permittee shall submit a written request for a work period variance to CDFW for approval at least seven (7) calendar days prior to October 31. The work period variance request shall: 1) describe the extent of work already completed; 2) detail the activities that remain to be completed; 3) detail the time required to complete each of the remaining activities; and 4) provide photographs of both the current work completed and the proposed site for continued work. Work period variances are issued at the discretion of CDFW. CDFW will review the written request to work outside of the established work period and may require additional measures to protect fish and wildlife resources as a condition for granting the variance. Any additional measures shall be made part of this Agreement.

Construction Measures

- 2.9 Work During Dry Period Only. Work within the Lagoon shall be restricted to periods of low rainfall (less than ¼ inch of rain in a 24-hour period) and dry weather as allowed during the work periods specified above. In addition, no work shall occur during a dry out period of 24 hours after the above referenced wet weather.
- 2.10 Weather Forecast. Precipitation forecasts shall be considered when planning maintenance activities. Permittee shall monitor the 72- hour forecast from the National Weather Service (<http://www.nws.noaa.gov>). When there is a forecast of more than 40% chance of rain or at the onset of any unanticipated precipitation, the Permittee shall remove all equipment and shall implement erosion and sediment control measures and all routine maintenance activities shall cease.
- 2.11 Washing of Equipment. In order to prevent the movement of invasive plant and animal species, fungi, and other biotic agents from external ecological regions, the equipment used shall be washed prior to entry and staging onto construction sites.
- 2.12 Decontamination of Clothing and Equipment. Any equipment that will enter the water during construction shall be decontaminated before and after construction to prevent the spread of aquatic diseases, such as ranavirus, and invasive aquatic species, such as quagga mussel. Workers shall also decontaminate waders, boots and other clothing that will come in direct contact with the water.

Decontamination of clothing and equipment shall be done through one or more of the following methods:

- Drying equipment in an upland location following last aquatic use. If average daytime temperatures exceed 80° F, drying times shall be at least 7 days. If average daytime temperatures are below 80° F, drying times shall be at least 30 days;
- Scalding water wash (at least 140° F) with varying high and low pressure spray to dislodge pathogens, vegetation, and contaminated sediment;
- Freezing at a temperature of less than 32° F for more than 72 hours; and/or
- Soaking in a hospital-grade disinfectant solution for at least two minutes (or longer, based on product directions). To avoid harm to non-target species, disinfected clothing and equipment shall be thoroughly rinsed in a water bath before entering the stream.
- Repeat decontamination is required only if the equipment/clothing is removed from the site, used within a different waterbody, and returned to the project site. Decontamination shall take place in an upland location, and any chemicals used during decontamination shall be prevented from entering water bodies or stormwater drains.

- 2.13 Stockpiling of Soil. No castings or spoils shall be placed on the stream side of the bank where it could enter the stream or cover riparian or wetland areas. If soils are stockpiled, the stockpile shall be located away from the creek and a straw waddle or other erosion control device shall surround the stockpile until it is disposed of or used.
- 2.14 Containment Area on Barge. A containment area shall be established around the perimeter of the barge, as feasible, by laying hay waddles and /or Visqueen around the work areas on the barge. If discharge from dredge spoils is discovered by any of the personnel on board the barge, activities shall cease until appropriate corrective measures have been completed and the discharge source has been repaired or halted. CDFW shall be notified within 24 hours of discharge.
- 2.15 Silt Boom while Dredging. Permittee shall deploy silt curtains around the project site to prevent heavily silted water from flowing into the Lagoon or outfall pumps. The silt curtain shall be long enough to maintain contact with the bed of the Lagoon at all times. The silt boom shall be maintained throughout all phases of the excavation activities, monitored for effectiveness and repaired or replaced as needed.

- 2.16 Dredge Material. At no time shall any dredge materials or any other substance deemed deleterious to fish or wildlife be allowed to enter the water or be placed where they may be washed into the water. Any contaminated water/materials from the Project activities shall be pumped or placed into a holding facility and removed for proper disposal. If material is released into the water, CDFW shall be notified within 24 hours of detecting the problem. Project operations shall not be resumed until the source of discharge is identified and remedied. When the situation is remedied to the satisfaction of CDFW, Project operations may resume.

Wildlife Protection Measures

- 2.17 Education Session before Commencement of Work. Prior to any routine maintenance activity, within or near saline emergent wetlands located at the far north and far south of the main channel, the biological monitor or qualified biologist shall conduct an education session on species that may be present at the project work site. The training shall consist of basic identification of the species, their basic habits, how they may be encountered in the work area, and procedures to follow when they are encountered. Any personnel joining the work crew later shall receive the same training before beginning work. The penalties for non-compliance of conditions in this Agreement shall be relayed to all project personnel.
- 2.18 Sensitive Plant Survey. Prior to any routine maintenance activity within or near saline emergent wetlands located at the far north and far south of the main channel, a qualified biologist shall conduct protocol-level surveys for sensitive plant species during the peak blooming period for each plant species that could be present within the project area. For information on special status plant survey methodology visit: <https://www.wildlife.ca.gov/Conservation/Plants>.
- 2.19 Sensitive Plant Exclusion. If, at any time, a special-status plant species is found, it shall be flagged for avoidance, and site-specific avoidance buffers approved by CDFW shall be implemented. All the special-status plants and associated buffer zones shall be avoided during project activities. CDFW may submit additional written avoidance, minimization and mitigation measures if special-status plants are found in the project area. Permittee may be required, as prescribed in CESA and FESA, to obtain take coverage for any species these acts protect prior to commencement of the project. The additional measures shall be considered part of this Agreement.
- 2.20 Nesting Bird Survey. If covered activities are scheduled during the nesting season of raptors and migratory birds, a focused survey for active nests of such birds shall be conducted by an approved qualified biologist within 15 days prior to the beginning of project-related activities. Surveys shall be conducted in all suitable habitat located at routine maintenance project work sites, in staging,

storage and stockpile areas. The minimum survey radii surrounding the work area is typically the following: i) 250 feet for passerines; ii) 500 feet for other small raptors such as accipiters; iii) 1,000 feet for larger raptors such as buteos. The bird survey methodology and the results of the survey shall be submitted to the CDFW prior to commencement of project activities.

Nesting seasons shall be defined as followed: i) March 15 to August 30 for smaller bird species such as passerines; ii) February 15 to September 15 for raptors.

- 2.21 Active Nests. An active nest is defined as a nest having eggs or chicks present. If active nests are found, the Permittee shall consult with the CDFW and the USFWS regarding appropriate action to comply with the Migratory Bird Treaty Act of 1918 and the FGC of California. If a lapse in project-related work of 15 days or longer occurs, another focused survey shall be conducted before project work is reinitiated. If active nests are found, the Permittee shall consult with the CDFW and the USFWS prior to resumption of project activities.
- 2.22 Active Nest Buffers. Active nest sites shall be designated as "Ecologically Sensitive Areas" and protected (while occupied) during routine maintenance activities with the establishment of a fence barrier surrounding the nest site. The typical minimum distances of the protective buffers surrounding each identified nest site is usually the following: i) 1,000 feet for large raptors such as buteos; ii) 250 feet for small raptors such as accipiters; iii) 250 feet for passerines. A biological monitor shall monitor the behavior of the birds (adults and young, when present) at the nest site to ensure that they are not disturbed by project-related activities. Nest monitoring shall continue during project-related construction work until the young have fully fledged, are no longer being fed by the parents and have left the nest site, as determined by a the approved biological monitor.
- 2.23 Nesting Habitat Removal or Modification. No trees, shrubs or wetland and marsh habitat shall be disturbed that contain active bird nests until all eggs have hatched, and young have fully fledged (are no longer being fed by the adults, and have completed left the nest site). To avoid potential impact to nesting birds, any removal, trimming or pruning of vegetation shall be conducted during the time period of September 16 to February 14, if feasible. No habitat removal or modification shall occur within the Ecologically Sensitive Area fenced nest zone even if the nest continues to be active beyond the typical nesting season for the species (refer to Measure 2.19), until the young have fully fledged and will no longer be adversely affected by the project.
- 2.24 Sensitive Species Sightings. If there are any sightings of special-status plant and wildlife species, all project activities shall cease and CDFW shall be contacted within 24 hours of the sighting. Through consultation with CDFW, additional measures may be developed to protect special-status species if found.

- 2.25 Injury or Mortality of Special-Status Species. If Permittee or its employees, contractors, or agents injures or kills a special-status species, or finds any such animal injured or dead, all activities in the work area shall immediately cease, and CDFW and USFWS shall be notified by telephone within 30 minutes of the discovery. A written report detailing the time, location, and general circumstances under which the dead or injured individual animal was found shall be submitted to CDFW and the USFWS no later than five (5) business days following the incident.
- 2.26 Stop Work Authority. The biological monitor or qualified biologist shall have the responsibility and authority of stopping the project if any crews or personnel are not complying with the provisions outlined in this Agreement.
- 2.27 Change of Conditions. If, in the opinion of CDFW, conditions arise, or change, in such a manner as to be considered deleterious to the stream or wildlife, operations shall cease until corrective measures approved by CDFW are taken.

Vegetation Removal

- 2.28 No Removal of Coastal Salt Marsh Vegetation. No coastal salt marsh vegetation shall be removed from the project site and access areas without the prior approval from CDFW. CDFW shall be consulted regarding the development of suitable protective and mitigation measures if vegetation will be removed. Upon determination of those measures, the CDFW shall submit written avoidance and mitigation measures to the Permittee and those measures shall be considered part of this Agreement.
- 2.29 Removal of Vegetation. Disturbance or removal of vegetation shall not exceed the minimum necessary to complete activities. Vegetation outside the project work area shall not be removed or damaged without prior consultation and written approval of a CDFW representative. Hand tools shall be used to trim vegetation to the extent necessary to gain access to the work sites.

Routine Maintenance Limits

- 2.30 Limits on Sediment Removal in the Lagoon. Sediment removal shall be limited to the amounts and timing specified in the Project Description. Specifically, sediment removal shall be limited to 750 cy in each year. No more than one dredging event shall be conducted each year.
- 2.31 Removal of Native Material. Except as explicitly described in this Agreement, the removal of native soils, rock, gravel, vegetation, and vegetative debris from the Lagoon or Lagoon banks is prohibited.
- 2.32 Dock Repair and Installation. Pressure-treated wood shall not be used for replacement or newly constructed docks.

Erosion and Sediment Control Measures

- 2.33 **Silt Control Measures.** Silt control measures shall be utilized throughout all phases of the project where silt and/or earthen fill threaten to enter Waters of the State.
- 2.34 **Silt Control Effectiveness.** Silt control structures shall be monitored daily for effectiveness and shall be repaired or replaced as needed. Passage of sediment beyond the sediment barrier is prohibited. If the sediment barrier fails to retain sediment, construction activities shall cease and corrective measures shall be employed.
- 2.35 **Cease Project for Elevation of Turbidity Levels.** Upon CDFW determination that turbidity/siltation levels resulting from project related activities constitute a threat to aquatic life, activities associated with the turbidity/siltation shall be halted until effective CDFW-approved control devices are installed or abatement procedures are initiated. CDFW may take enforcement action if appropriate turbidity and siltation control measures are not deployed.
- 2.36 **Native Vegetation Seeding and Planting.** All other areas of disturbed soil which drain toward State waters shall be planted with propagules (seeds, cuttings and/or divisions) of locally-collected native plants appropriate for the soil and hydrological conditions of the site. Locally native wildflower and/or shrub seeds may also be included in the planting mix.
- 2.37 **Prohibited Plant Species.** Permittee shall not plant, seed, or otherwise introduce invasive plant species. Prohibited exotic plant species include those categorized as "High" and "Moderate" in the California Invasive Plant Council's Inventory Database, which is accessible at: <http://www.cal-ipc.org/paf/>.

Equipment and Vehicles

- 2.38 **Vehicle/Equipment Maintenance.** Any equipment or vehicles driven and/or operated in proximity of the Lagoon or creeks shall be maintained in good working order to prevent the release of contaminants that if introduced to water could be deleterious to aquatic life, wildlife, or riparian habitat. Vehicles shall be moved away at least 150 feet from the stream prior to refueling and lubrication.
- 2.39 **Equipment Storage and Stationary Operation.** Staging and storage areas for equipment, materials, fuels, lubricants and solvents shall be located outside of the stream channel and banks. Stationary equipment such as motors, pumps, generators, compressors and welders, located adjacent to the Lagoon or stream, shall be positioned over drip-pans. Any equipment or vehicles driven and/or operated in proximity to the stream must be checked and maintained daily.

Toxic or Hazardous Materials

- 2.40 Concrete – Primary Containment. Permittee shall install the necessary containment structures to control the placement of wet concrete and to prevent it from entering into the Lagoon outside of those structures. No concrete shall be poured within the high flow line if the 30-day weather forecast indicates any chance of rain.
- 2.41 Concrete – Designated Monitor. At all times when Permittee is pouring or working with wet concrete, there shall be a designated monitor to inspect the containment structures and ensure that no concrete or other debris enters into the channel outside of those structures. Runoff from the concrete shall not be allowed to enter the stream channel at any time.
- 2.42 Isolate Poured Concrete for 30 Days. Poured concrete shall be excluded from the wetted channel for a period of 30 days after it is poured. During that time the poured concrete shall be kept moist, and runoff from the concrete shall not be allowed to enter a live stream. CDFW-approved commercial sealants may be applied to the poured concrete surface where difficulty in excluding water flow for a long period may occur. If sealant is used, water shall be excluded from the site until the sealant is dry.
- 2.43 Storage and Handling of Hazardous Materials. Any hazardous or toxic materials that could be deleterious to aquatic life shall be contained in watertight containers or removed from the project site. Such materials include, but are not limited to, debris soil, silt, bark, rubbish, creosote-treated wood, raw cement/concrete or washings thereof, asphalt, paint or other coating material, and oil or other petroleum products. These materials shall be prevented from contaminating the soil and/or entering the waters of the State. Any such materials, placed within or where they may enter a stream or lake, by Permittee or any party working under contract, or with permission of Permittee, shall be removed immediately. BMPs shall be employed to accomplish these requirements.
- 2.44 Removal of Trash and Debris. Permittee shall remove all raw construction materials and wastes from work sites following the completion of maintenance activities. Food-contaminated wastes generated during work shall be removed on a daily basis to avoid attracting predators to work sites. All temporary fences, barriers, and/or flagging shall be completely removed from work sites and properly disposed of upon completion of maintenance activities. Permittee or its contractors shall not dump any litter or construction debris within the riparian/stream zone.

Spills and Emergencies

- 2.45 Spill Containment. All activities performed in or near a stream shall have absorbent materials designated for spill containment and clean-up activities on-site for use in an accidental spill. The Permittee shall immediately notify the California Emergency Management Agency at 1-800-852-7550 and immediately initiate the clean-up activities. CDFW shall be notified by the Permittee and consulted regarding clean-up procedures.

3. Reporting Measures

Permittee shall meet each reporting requirement described below.

- 3.1 Notification of Proposed Activities. Given that Routine Maintenance Activities begin in January and may occur year-round, on an annual basis, Permittee shall provide CDFW written notification of maintenance projects completed and of proposed routine maintenance activities to be performed in the upcoming year. Annual reports shall include a brief project description, amount of sediment removed, quantify of vegetation removed, number of docks replaced and repaired and description of bank repair and revetment. The appropriate fee from the current CDFW Streambed Alteration Agreement Fee Schedule for work completed under this Agreement based upon the number of projects completed in the reporting period shall also accompany the notice of proposed activities. The annual report is due by January 15 of each year. A report shall be submitted to CDFW regardless of whether work was completed. CDFW may terminate this Agreement if reports and fees are not submitted by this deadline.

CDFW shall append annual notification reports of proposed maintenance activities to this Agreement. For streamlined tracking, Permittee shall label annual notification reports according to the following convention: Exhibit A-[year] (e.g. Exhibit A-2017, Exhibit A-2018).

- 3.2 Species Survey Methods and Results. Prior to commencement of project activities the Permittee shall submit to CDFW a report containing the species survey methods and results of the survey. Refer to Notification Number 1600-2013-0268-R3 when submitting the report to the CDFW.
- 3.3 Notification to the California Natural Diversity Database (CNDDDB). If any listed, rare, or special status species are detected during project surveys or on or around the project site during project activities, the Permittee shall submit CNDDDB Field Survey Forms to CDFW in the manner described at the CNDDDB website (http://www.dfg.ca.gov/biogeodata/cnddb/submitting_data_to_cnddb.asp) within 14 working days of the sightings. Copies of such submittals shall also be submitted to the CDFW regional office as specified below.

CONTACT INFORMATION

Any communication that Permittee or CDFW submits to the other shall be in writing and any communication or documentation shall be delivered to the address below by U.S. mail, fax, or email, or to such other address as Permittee or CDFW specifies by written notice to the other.

To Permittee:

Brad Underwood
City of San Mateo Public Works Department
330 West 20th Street
San Mateo, CA 94403
Work (650) 522-7300
bunderwood@smcgov.org

To CDFW:

California Department of Fish and Wildlife
Bay Delta Region
7329 Silverado Trail
Napa, California 94558
Attn: Lake and Streambed Alteration Program – Suzanne DeLeón
Notification #1600-2013-0268-R3
Fax (707) 944-5553
Suzanne.Deleon@wildlife.ca.gov

LIABILITY

Permittee shall be solely liable for any violations of the Agreement, whether committed by Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents or contractors and subcontractors, to complete the project or any activity related to it that the Agreement authorizes.

This Agreement does not constitute CDFW's endorsement of, or require Permittee to proceed with the project. The decision to proceed with the project is Permittee's alone.

SUSPENSION AND REVOCATION

CDFW may suspend or revoke in its entirety the Agreement if it determines that Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, is not in compliance with the Agreement.

Before CDFW suspends or revokes the Agreement, it shall provide Permittee written notice by certified or registered mail that it intends to suspend or revoke. The notice shall state the reason(s) for the proposed suspension or revocation, provide Permittee an opportunity to correct any deficiency before CDFW suspends or revokes the Agreement, and include instructions to Permittee, if necessary, including but not limited to a directive to immediately cease the specific activity or activities that caused CDFW to issue the notice.

ENFORCEMENT

Nothing in the Agreement precludes CDFW from pursuing an enforcement action against Permittee instead of, or in addition to, suspending or revoking the Agreement.

Nothing in the Agreement limits or otherwise affects CDFW's enforcement authority or that of its enforcement personnel.

OTHER LEGAL OBLIGATIONS

This Agreement does not relieve Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from obtaining any other permits or authorizations that might be required under other federal, state, or local laws or regulations before beginning the project or an activity related to it.

This Agreement does not relieve Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from complying with other applicable statutes in the FGC including, but not limited to, FGC sections 2050 et seq. (threatened and endangered species), 3503 (bird nests and eggs), 3503.5 (birds of prey), 5650 (water pollution), 5652 (refuse disposal into water), 5901 (fish passage), 5937 (sufficient water for fish), and 5948 (obstruction of stream).

Nothing in the Agreement authorizes Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, to trespass.

AMENDMENT

CDFW may amend the Agreement at any time during its term if CDFW determines the amendment is necessary to protect an existing fish or wildlife resource.

Permittee may amend the Agreement at any time during its term, provided the amendment is mutually agreed to in writing by CDFW and Permittee. To request an amendment, Permittee shall submit to CDFW a completed CDFW "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the

corresponding amendment fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5).

TRANSFER AND ASSIGNMENT

This Agreement may not be transferred or assigned to another entity, and any purported transfer or assignment of the Agreement to another entity shall not be valid or effective, unless the transfer or assignment is requested by Permittee in writing, as specified below, and thereafter CDFW approves the transfer or assignment in writing.

The transfer or assignment of the Agreement to another entity shall constitute a minor amendment, and therefore to request a transfer or assignment, Permittee shall submit to CDFW a completed CDFW "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the minor amendment fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5).

EXTENSIONS

In accordance with FGC section 1605(b), Permittee may request one extension of the Agreement, provided the request is made prior to the expiration of the Agreement's term. To request an extension, Permittee shall submit to CDFW a completed CDFW "Request to Extend Lake or Streambed Alteration" form and include with the completed form payment of the extension fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5). CDFW shall process the extension request in accordance with FGC 1605(b) through (e).

If Permittee fails to submit a request to extend the Agreement prior to its expiration, Permittee must submit a new notification and notification fee before beginning or continuing the project the Agreement covers (Fish & G. Code, § 1605, subd. (f)).

EFFECTIVE DATE

The Agreement becomes effective on the date of CDFW's signature, which shall be: 1) after Permittee's signature; 2) after CDFW complies with all applicable requirements under the California Environmental Quality Act (CEQA); and 3) after payment of the applicable FGC section 711.4 filing fee listed at http://www.wildlife.ca.gov/habcon/ceqa/ceqa_changes.html.

TERM

This Agreement shall expire on **December 31, 2021** unless it is terminated or extended before then. All provisions in the Agreement shall remain in force throughout its term. Permittee shall remain responsible for implementing any provisions specified herein to

protect fish and wildlife resources after the Agreement expires or is terminated, as FGC section 1605(a)(2) requires.

EXHIBITS

The documents listed below are included as exhibits to the Agreement and incorporated herein by reference.

- A. Annual Notifications of Proposed Work (reserved for future exhibits)

AUTHORITY

If the person signing the Agreement (signatory) is doing so as a representative of Permittee, the signatory hereby acknowledges that he or she is doing so on Permittee's behalf and represents and warrants that he or she has the authority to legally bind Permittee to the provisions herein.

AUTHORIZATION

This Agreement authorizes only the project described herein. If Permittee begins or completes a project different from the project the Agreement authorizes, Permittee may be subject to civil or criminal prosecution for failing to notify CDFW in accordance with FGC section 1602.

CONCURRENCE

The undersigned accepts and agrees to comply with all provisions contained herein.

FOR CITY OF SAN MATEO



Brad Underwood
Permittee

1/5/17
Date

FOR DEPARTMENT OF FISH AND WILDLIFE



Craig J. Weightman
Environmental Program Manager

1/17/17
Date

Prepared by: Suzanne DeLeón
Environmental Scientist

Date Sent: September 15, 2016; December 16, 2016

EXHIBIT A
ANNUAL NOTIFICATIONS OF COMPLETED WORK
(Reserved for future exhibits)



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
West Coast Region
777 Sonoma Avenue, Room 325
Santa Rosa, California 95404-4731

February 7, 2022

Refer to NMFS No: WCRO-2021-03438

James Mazza
Chief, Regulatory Division
U.S. Department of the Army
San Francisco District, U.S. Corps of Engineers
450 Golden Gate Avenue, 4th Floor, Suite 0134
San Francisco, California 94102-3406

Re: Endangered Species Act Section 7(a)(2) Concurrence Letter and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Response for Marina Lagoon Routine Maintenance (RGP 7) in San Mateo, California (Corps File No. 2020-257530S)

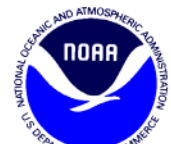
Dear Mr. Mazza:

This letter responds to your January 7, 2022, request for concurrence from the NOAA's National Marine Fisheries Service (NMFS) pursuant to Section 7 of the Endangered Species Act (ESA) for the re-authorization of Regional General Permit 7 for routine maintenance activities in Marina Lagoon on the west shore of South San Francisco Bay in the City of San Mateo, California. Your request qualified for our expedited review and concurrence because it contained all required information on your proposed action and its potential effects to listed species and designated critical habitat.

We reviewed the U.S. Army Corps of Engineers' (Corps) consultation request document and related materials. Based on our knowledge, expertise, and the materials you provided, we concur with the Corps' conclusions that the proposed action is not likely to adversely affect threatened Central California Coast (CCC) steelhead (*Oncorhynchus mykiss*), threatened Southern Distinct Population Segment (sDPS) of North American green sturgeon (*Acipenser medirostris*), and/or their designated critical habitats.

We relied mostly on your analysis of potential effects to reach our concurrence. However, your effects analysis did not specifically consider whether or not the effects of your proposed action were likely to be insignificant, discountable, or completely beneficial. These are the criteria for a not likely to adversely affect determination. After further review, we have supplemented your analysis.

As described in your letter of January 7, 2022, the presence of CCC steelhead and sDPS green sturgeon in the action area is unlikely and thus, discountable. Additionally, Marina Lagoon provides poor quality rearing and foraging habitat as it was diked and dredged to create an enclosed managed water body for flood control and recreation in the first half of the 20th century. In the unlikely occurrence of a listed fish in the action area, the anticipated effects of degraded water quality and



disturbance of benthic sediments during maintenance activities are expected to be insignificant with the project's proposed conservation measures and best management practices.

This letter underwent pre-dissemination review using standards for utility, integrity, and objectivity in compliance with applicable guidelines issued under the Data Quality Act (section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001, Public Law 106-554). The concurrence letter will be available within two weeks at the Environmental Consultation Organizer [<https://www.fisheries.noaa.gov/resource/tool-app/environmental-consultation-organizer-eco>]. A complete record of this consultation is on file at NMFS North-Central Coast Office in Santa Rosa, California.

Reinitiation of consultation is required and shall be requested by the Corps or by NMFS, where discretionary Federal involvement or control over the action has been retained or is authorized by law and (1) the proposed action causes take; (2) new information reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not previously considered; (3) the identified action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in the written concurrence; or (4) a new species is listed or critical habitat designated that may be affected by the identified action (50 CFR 402.16). This concludes the ESA consultation.

Additionally, NMFS reviewed the proposed action for potential effects on EFH designated under the Magnuson-Stevens Fishery Conservation and Management Act, including conservation measures and any determination you made regarding the potential effects of the action. However, after reviewing the proposed action, we concluded that there are no adverse effects on EFH. Therefore, we are hereby concluding EFH consultation.

Please direct questions regarding this letter to Emily Lin, North Central Coast Office in Santa Rosa, California at (707) 787-0466 or emily.lin@noaa.gov.

Sincerely,



Gary Stern
San Francisco Bay Branch Chief
North-Central Coast Office

cc: Michael Orellana, Corps, San Francisco, CA (michael.s.orellana@usace.army.mil)
Katarina Galacatos, Corps, San Francisco, CA (katerina.galacatos@usace.army.mil)
Gregory Sproull, WRA, Emeryville, CA (sproull@wra-ca.com)
Copy to E-File FRN #151422WCR2021SR00153



DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
450 GOLDEN GATE AVENUE
SAN FRANCISCO, CALIFORNIA 94102

July 29, 2022

Regulatory Division

SUBJECT: File Number 2000-257530S

Ms. Sarah Scheidt
The City of San Mateo
330 West 20th Street
San Mateo, California 94403
sscheidt@cityofsanmateo.org

Dear Ms. Scheidt:

Enclosed is your signed copy of a Department of the Army, Regional General Permit (RGP7) (Enclosure 1) to carry out routine maintenance activities in Marina Lagoon, City of San Mateo, San Mateo County, California.

Should you have any questions regarding this matter, please call Michael Orellana of our Regulatory Division at (415) 503-6769 or by e-mail at michael.s.orellana@usace.army.mil. Please address all correspondence to the Regulatory Division and refer to the File Number at the head of this letter. If you would like to provide comments on our permit review process, please complete the Customer Survey Form available online at <http://www.spn.usace.army.mil/Missions/Regulatory.aspx>.

Sincerely,

A handwritten signature in black ink, appearing to read "James Mazza", is located below the "Sincerely," text.

James Mazza
Chief, Regulatory Division

Enclosure

Electronic Copies Furnished (w/encl):

US EPA, San Francisco, CA (Attn: Jennifer Siu, Siu.Jennifer@epa.gov)
US FWS, Sacramento, CA (Attn: Gary Stern, gary.stern@noaa.gov)
US NMFS, Sacramento, CA (Attn: Kim Squires, kim_squires@fws.gov)
CA RWQCB, Oakland, CA (Attn: Tahsa Sturgis, tahsa.sturgis@waterboards.ca.gov)
SF BCDC, Permit No. M2004.030.00 Amendment No. One, San Francisco, CA (Attn: Pascale Soumoy, pascale.soumoy@bcdcc.ca.gov)



DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
450 GOLDEN GATE AVENUE
SAN FRANCISCO, CALIFORNIA 94102

DEPARTMENT OF THE ARMY PERMIT

PERMITTEE: Ms. Sarah Scheidt, City of San Mateo

PERMIT NO.: 2000-257530S, RGP7

ISSUING OFFICE: San Francisco District

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate District or Division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below:

PROJECT DESCRIPTION: This Department the Army permit authorizes the City of San Mateo to conduct routine maintenance activities resulting in the placement of fill and work within Marina Lagoon in the City of San Mateo, San Mateo County, California.

Following are the activities authorized by this permit:

- 1) Construction, maintenance, and improvement of public and private individual boat docks and ramps and pile supported boardwalks on both banks of Marina Lagoon within the City limits of San Mateo. There will be up to 5 newly constructed docks per year, for a total of 25 new docks over the span of the 5-year permit. A typical dock on the lagoon is approximately 25 feet in width, occupying the full extent of the parcel, and up to the maximum allowable length of 25 feet from the shoreline, requiring at least 6-8 support piles having a typical pile diameter of 12 inches, and therefore, the total amount of new dock structures will be approximately 34.90 cubic yards of fill within less than 0.01 acre of Corps jurisdiction over 5 years.
- 2) Maintenance and improvement of existing stormwater outfalls and the O'Neill Slough tide gate inlet, and activities related to the construction of storm water outfalls. This will include yearly sediment and debris removal to maintain lagoon flows and inlet capacity. Accumulated and captured material will be removed with mechanical equipment and hand labor from O'Neill Slough tide gate inlet, stormwater outfalls (59 total), and at the southern litter boom as needed. Up to 250 cubic yards of sediment will be removed over the span of the 5-year permit. This permit does not authorize the expansion of hardscape associated with outfall improvement or maintenance within waters of the U.S.
- 3) Construction, maintenance, and improvement of bank protection including riprap, bulkheads, paving on banks, and cuts and fills. To the maximum extent practicable, any new or additional bank stabilization shall incorporate structures or modifications beneficial to fish and wildlife. Each year, up to 200 linear feet of bank slope repair and 50 linear feet of new bank protection may be permitted under this RGP (10 feet maximum width and 250 feet maximum length). Bank protection work would be limited to 0.06 acre of disturbance in any given year. Bank and Shoreline protection shall occur as needed at any time of year. The total amount of fill permitted below the summer high water line over the course of 5 years is 116 cubic yards.
- 4) Construction, maintenance, and installation of new fences along established property lines will occur on an annual basis. Several private shoreline parcels have fences protruding into the Lagoon below the summer high water level. Fence repair and installation will occur as needed at any time of year. Up to 40 linear feet of new fencing will be constructed per year. Existing fences shall not extend more than 6 feet into the Lagoon beyond the summer high water level. No new fences shall be constructed below the point on the shoreline intersected by

the plane of the summer high water level. The total amount of fill associated with fence structures placed within Corps jurisdiction will be less than 1 cubic yard over the course of 5 years.

- 5) Maintenance, including sand replenishment, at the existing beaches at Lakeshore Park and Aquatic Park. Sand replenishment is estimated to occur once per year. Sand replenishment at both park locations will result in less than 0.001 acre of temporary impacts above the water line in each year. Up to 100 cubic yards in total of sand sourced from a local provider will be replenished annually at the Lagoon beaches.
- 6) Sediment Removal/Dredging: Operation of the Marina Lagoon will require periodic maintenance dredging to sustain the desired depth of sediment and flow in front of the 19th Avenue Creek, 16th Avenue Channel, and Laurel Creek inlets. The proposed dredging activities will result in the short-term disturbance of localized sediment. Up to 2,000 cubic yards of sediment will be dredged over the span of the 5-year permit.
- 7) Removal of nuisance aquatic vegetation. Mechanical harvesters will be used intermittently in the Lagoon throughout the late spring and summer (June through August), to control excessive growth of widgeon grass and filamentous algae to provide safe boating conditions and to maintain water quality and water flow.

All work shall be completed in accordance with the plans and drawings titled "USACE File #2000-257530S, Regional General Permit (RGP 7) for Marina Lagoon, July 1, 2022, 12 Sheets," provided as enclosure 1.

PROJECT LOCATION: Marina Lagoon in the City of San Mateo, San Mateo County, California (Lat: 37.568611, Long: 122.292222).

PERMIT CONDITIONS:

GENERAL CONDITIONS:

1. The time limit for completing the work authorized ends on June 1, 2027. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity, or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. For your convenience, a copy of the water quality certification or waiver is attached. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary

to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

7. You understand and agree that, if future operations by the United States require the removal, relocation or other alteration of the structure or work authorized herein, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, you will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

SPECIAL CONDITIONS:

1. By letter dated, February 25, 2022, the U.S. Fish and Wildlife Service (USFWS) concurred with the determination that the project may affect but is not likely to adversely affect California Ridgway's rail (*Rallus obsoletus obsoletus*) and Salt marsh harvest mouse (*Reithrodontomys raviventris*) and their critical habitat. This concurrence was premised, in part, on the description of the proposed action and conservation measures discussed in enclosure 3. These measures are incorporated as special conditions to this Regional General Permit to ensure unauthorized incidental take of species and loss of critical habitat does not occur.
2. By letter dated, February 7, 2022, the National Marine Fisheries Service (NMFS) concurred with the determination that the project is not likely to adversely affect North American green sturgeon southern DPS (*Acipenser medirostris*) Central California Coast steelhead DPS (*Oncorhynchus mykiss*) and their critical habitat. This concurrence was premised, in part, on the description of the proposed action and conservation measures discussed in enclosure 4. These measures are incorporated as special conditions to this Regional General Permit to ensure unauthorized incidental take of species and loss of critical habitat does not occur.
3. Construction in waters of the U.S. is restricted to the California Department of Fish and Wildlife (CDFW) dry season, or the end of any extension granted by CDFW, the Water Board, and the Corps. The seasonal work period for new dock installation using poured concrete and beach sand replenishment shall be restricted to April 15 to October 31. The seasonal work period for dock repair, bank stabilization, and fence repair and installation shall be restricted to the annual drawdown period from January 15 to February 15, otherwise the work period will be restricted to April 15 to October 31. New dock installation using precast concrete may occur at any time provided that the homeowners follow the requirements of the standard Dock Specification Packet issued by the Applicant. Minor debris removal that does not require excavation, and that is immediately necessary to prevent blocking the inlets, may be conducted at any time. Any work conducted within 700 feet of Joinville Park shall be conducted from September 1 to October 15.
4. The permittee shall fully implement the avoidance and minimization measures as described in enclosure 5 during construction.
5. Prior to the start of each construction season, the permittee shall submit a pre-construction proposal for the year's projects for Corps' approval and authorization under this RGP. At a minimum, the pre-construction proposal shall include:
 - a. a list of the activities and their locations;
 - b. the volume, area, and type of temporary fill proposed to be discharged within waters of the U.S.;
 - c. the volume, area, and type of permanent fill proposed to be discharged within waters of the U.S.;
 - d. the volume and area of sediment proposed to be dredged from within waters of the U.S.;
 - e. the amount of new hardscape proposed within waters of the U.S. (as opposed to replacement hardscape); and
 - f. whether special aquatic sites (e.g., wetlands or eelgrass) would be impacted.
6. The permittee must submit an annual report in accordance with the following procedures: Within sixty days after the conclusion of the construction season, you shall submit an annual report documenting the activities

that occurred. This report shall include a description of the work performed, specifically noting any changes to proposed projects from what was outlined in the pre-construction proposal. The annual report may be submitted as an excel spreadsheet. At a minimum, the annual report shall include the following information for that year:

- A description of activities completed and their location;
- Conservation measures implemented that year;
- The impacts associated with each project category for the preceding year; and
- The total impacts associated with each project category over the life of the RGP.

FURTHER INFORMATION:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

- (X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. Section 403).
- (X) Section 404 of the Clean Water Act (33 U.S.C. Section 1344).
- () Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. Section 1413).

2. Limits of this authorization:

- a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability: In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of this permit.

- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate. (See Item 4 above.)
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.


Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 C.F.R. § 325.7 or enforcement procedures such as those contained in 33 C.F.R. §§ 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 C.F.R. § 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

- 6. Extensions: General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

 _____ (PERMITTEE)	<u>7/26/2022</u> _____ (DATE)
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This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

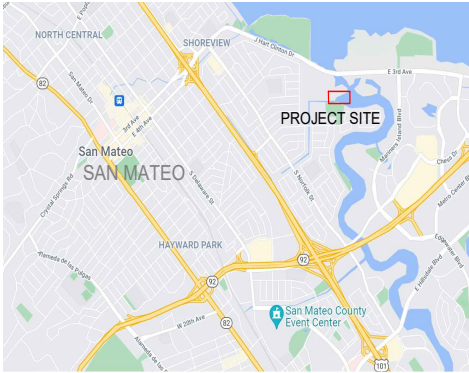
 _____ James Mazza Chief, Regulatory Division San Francisco District	<u>29 JUL 2022</u> _____ (DATE)
---	---------------------------------------

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

_____ (TRANSFEREE)	_____ (DATE)
-----------------------	-----------------

Attachment C

Figure 7. Planting Plan and Notes



LOCATION MAP
N.T.S.

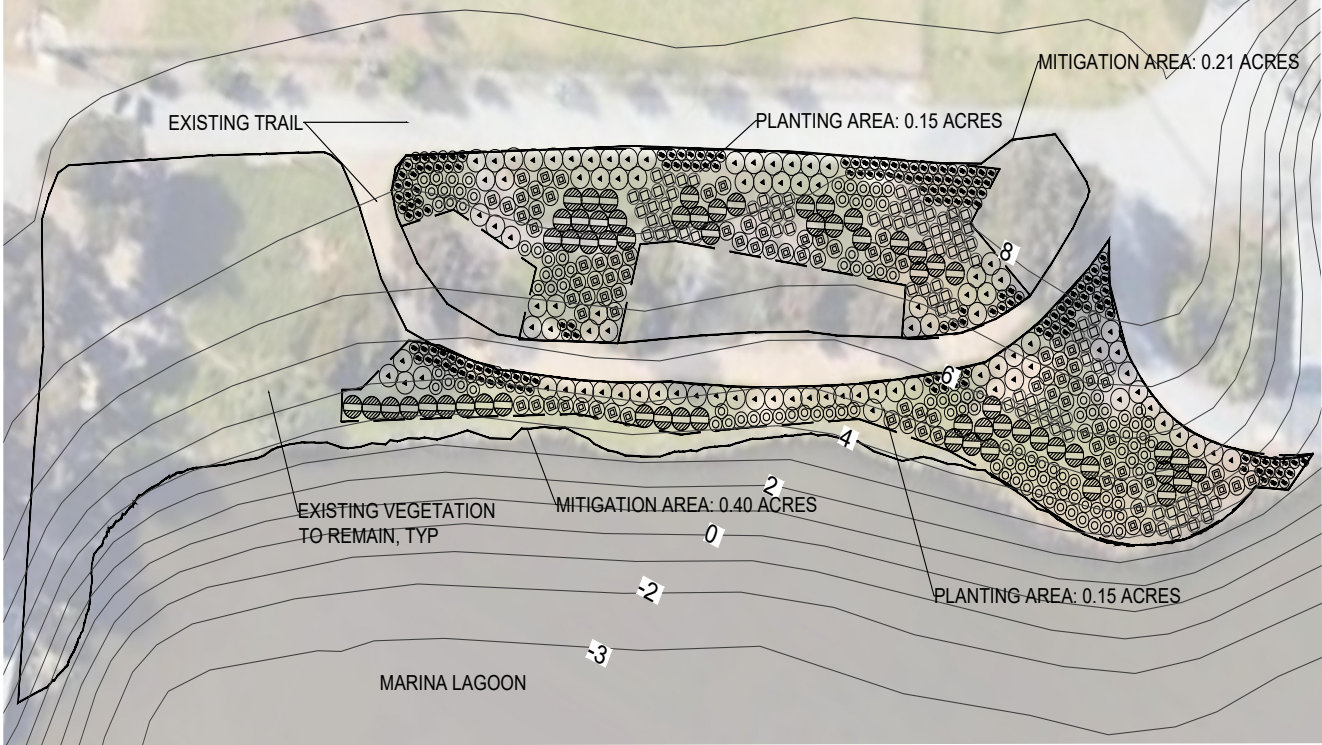


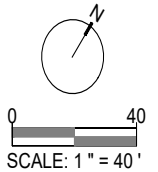
Figure 7.
Planting Plan

Marina Lagoon
Mitigation Area
San Mateo, California

PLANT LAYOUT

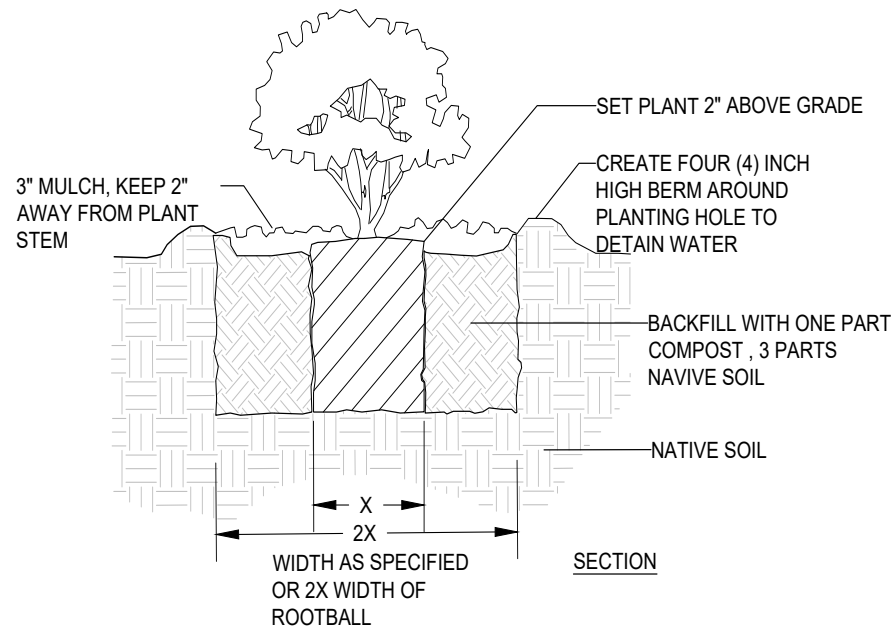
PLANT PALETTE

SYMBOL	BOTANIC NAME	COMMON NAME	O.C (FT)	CONTAINER SIZE	QUANTITY
	BACCHARIS PILULARIS	COYOTE BRUSH	6'	1 GAL	61
	BACCHARIS PILULARIS 'PIGEON POINT'	DWARF COYOTE BRUSH	6'	1 GAL	91
	ARTEMISIA CALIFORNICA	CALIFORNIA SAGE BRUSH	5'	1 GAL	90
	FRANGULA CALIFORNICA 'EVE CASE'	EVE CASE COFFEEBERRY	4'	1 GAL	92
	LUPINUS ALBIFRONS	SILVER LUPINE	4'	1 GAL	113
	ERIOGONUM FASCICULATUM	CALIFORNIA BUCKWHEAT	3'	1 GAL	180



NOTES

1. LANDSCAPE ARCHITECT TO MARK EXISTING VEGETATION TO REMAIN.
2. CLEAR AND GRUB UNMARKED EXISTING VEGETATION WITHIN PLANTING AREAS PRIOR TO PLANTING. TILL CLEARED AREA TO MIN DEPTH OF 4 INCHES. FINAL SURVEY SHALL BE RAKED OR GRADED SMOOTH AND BE FREE OF ROCKS THAT HAVE DIAMETER GREATER THAN 3 INCHES.
3. ALL INVASIVE PLANTS SHALL BE HAND PULLED OR MECHANICALLY REMOVED. REMOVE ENTIRE PLANT INCLUDING ALL TOP GROWTH AND ROOT SYSTEM. DISPOSED OF OFF SITE AT A LICENSED LANDFILL.
4. REPEAT REMOVAL OF INVASIVE PLANTS WILL LIKELY BE REQUIRED AFTER PLANTING FOLLOWING SITE INSPECTIONS.
5. PLANT INSTALLATION SHALL OCCUR BETWEEN OCTOBER 15TH AND DECEMBER 31ST OR AS APPROVED BY THE LANDSCAPE ARCHITECT.
6. THE CONTRACTOR SHALL STAKE OR MARK THE OUTER LIMITS OF THE PLANTING AREAS AND A TYPICAL LAYOUT FOR APPROVAL BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
5. 0.30 ACRES OF THE MITIGATION AREA IS TO PLANTED WITH NATIVE SPECIES.



SHRUB PLANTING DETAIL

NOT TO SCALE

**Figure 7.
Details and
Notes**

Marina Lagoon
Mitigation Area
San Mateo, California

Attachment D - IPM Policy

Scope of Work for IPM Landscape Pest Control Services

City has an Integrated Pest Management (IPM) Policy. The City's IPM policy strives to promote IPM strategies to improve water quality in local creeks and the Bay, and independent of the policy, minimize health hazards to people from pesticide exposure.

Service provider shall conform to City's IPM Policy in the following manner:

1. Furnish all supervision, labor, materials, and equipment necessary to evaluate, monitor, and provide pest management services for City of San Mateo rights-of-way, turf, landscaping and other terrestrial vegetation resources.
2. Whenever feasible, utilize pest management techniques that employ least toxic chemicals and non-pesticide alternatives.
3. Using IPM strategies, control vegetation pests that include various annual, biennial and perennial weeds.
4. Control pests while minimizing human exposure, secondary poisoning to non-target animals and pesticide-related water pollution by adhering to the following conditions:
 - the following products may not be used for pest control:
 - copper containing products
 - organophosphate products (e.g., diazinon, chlopyrifos, malathion, and parathion)
 - carbamate products (e.g., carbaryl and aldicarb)
 - pyrethroid products (e.g., allethrin, bifenthrin, beta-cyfluthrin, bioallethrin, cyfluthrin, cypermethrin, cyphenothrin, deltamethrin, esfenvalerate, etofenprox, fenpropathrin, gamma-cyhalothrin, imiprothrin, lambda-cyhalothrin, metofluthrin, permethrin, phenothrin, prallethrin, resmethrin, sumithrin (d-phenothrin), tau-fluvalinate, tefluthrin, tetramethrin, tralomethrin, cis-permethrin, and zeta-cypermethrin)
 - fipronil and its degradates
 - clopyralid products
 - indoxacarb
 - diuron
 - diamide products (e.g., chlorantraniliprole and cyantraniliprole)
 - Emergency applications of restricted chemical pesticides can be authorized by the project manager by submitting a written recommendation from a Pest Control Advisor (PCA) for use of the particular chemical, and should describe why less toxic alternatives are not practical.
4. Pest management and pesticide use tracking and reporting. The following records will be kept and procedures followed while servicing these sites:

- *Inspection Report.* Provide inspection and recommendation report to Project Manager or their designee after each site visit.
 - *Pesticide Use Report.* Provide monthly pesticide reporting information using the standard California Department of Pesticide Regulation form PR-ENF-060 or equivalent. Any recommendations for restricted chemical use must also be included with the monthly report. Submit the pesticide use information to the City Project Manager with the monthly billing invoice.
6. Qualifications.
- Service provider will be in compliance with all federal, state, and local pest control operator requirements and regulations and maintain current licenses.
 - The city strongly encourages IPM-certification. The following firms offer instruction and certification determined by the Regional Water Quality Control Board to satisfy standards of training for IPM:
 - a. Bay-Friendly Landscaping and Gardening Coalition.
<http://bayfriendlycoalition.org/>

This is not intended as an endorsement of any particular firm. Other firms may offer comparable training. The service providers should submit a copy of their IPM certification.

7. Ongoing IPM Training: The City encourages service providers to attend annual IPM trainings. Service providers should submit documentation demonstrating their attendance at IPM trainings.

**City of San Mateo IPM Program
Pesticide Use Summary Report**

Service Provider Name:	Reporting Period:
Contact:	Phone:
Mailing Address:	

Provide monthly pesticide reporting information using the standard California Department of Pesticide Regulation form PR-ENF-060 or the form below. Submit the pesticide use information to the City Project Manager with the monthly billing invoice.

Note: City requires alternatives to the use of the following pesticides: copper containing products; organophosphate products; carbamate products; synthetic pyrethroid products; fipronil; clopyralid products; indoxacarb; diuron; and diamide products. Emergency applications of restricted chemical pesticides can be authorized by the project manager by submitting a written recommendation from a Pest Control Advisor (PCA) for use of the particular chemical, and should describe why less toxic alternatives are not practical.

Date	Manufacturer/Name of Product Applied (if applicable)	EPA/CA Registration Number Include Alpha Code	Total Product Used	Location of work	Units treated (acres/trees, etc)

Attachment F

EXHIBIT B

PAYMENT RATES

IV. FEE PROPOSAL

Task	Item	Estimate	Unit	Unit Price	Total w. Direct Costs
1	Mobilization	N/A	LS	200 per day per vehicle w 20 trips, clerical DIR	\$ 5,500.00
2	Invasive Plant Removal	0.3	AC	8,500 per day full team w disposal	\$ 9,000.00
3	Install <i>Baccharis pilularis</i>	61	EA	\$ 40.00	\$ 2,440.00
4	Install <i>Baccharis pilularis</i> 'Pigeon Point'	91	EA	\$ 40.00	\$ 3,640.00
5	Install <i>Artemisia californica</i>	90	EA	\$ 40.00	\$ 3,600.00
6	Install <i>Frangula californica</i> 'Eve Case'	92	EA	\$ 40.00	\$ 3,680.00
7	Install <i>Lupinus albifrons</i>	113	EA	\$ 40.00	\$ 4,520.00
8	Install <i>Eriogonum fasciculatum</i>	180	EA	\$ 40.00	\$ 7,200.00
9	Install Mulch	20	CY	8,500 per day full team w materials	\$ 9,500.00
10	120 Day Guarantee Period	1	EA	2,500 per day half crew annually	\$ 2,500.00
11	Annual Invasive Species Management	3	YEAR	2,500 per day half crew x 3 trips each year	\$ 22,500.00
12	Replacement Planting	2	YEAR	2,500 per day half crew annually w material	\$ 9,000.00
Total					\$ 83,080.00
Alt. 1	Plant Protection Exclusionary Fence	N/A	EA	9,000 per day full team w materials	\$ 10,000.00
Total w Alt. 1					\$ 93,080.00

Task by Fiscal Year	Cost
Phase 1 Tasks - Fiscal Year 2022/2023	
1- Mobilization	\$ 2,500
2- Invasive Plant Control	\$ 9,000
3,4,5,6,7,8 Out-Planting	\$ 25,080
9 Mulch	\$ 9,500
10 120 Day Guarantee Period	\$ 2,500
11 Annual Invasive Species Management	\$ 7,500
Alt. 1 Plant Protection	\$ 10,000
Total Phase 1	\$ 66,080
Phase 2 Tasks - Fiscal Year 2023/2024	
1 Mobilization	\$ 1,500
11 Annual Invasive Species Management	\$ 7,500
12 Replacement Planting	\$ 4,500
Total Phase 2	\$ 13,500
Phase 3 Tasks- Fiscal Year 2024/2025	
1 Mobilization	\$ 1,500
11 Annual Invasive Species Management	\$ 7,500
12 Replacement Planting	\$ 4,500
Total Phase 3	\$ 13,500
Total:	\$ 93,080

EXHIBIT C

INSURANCE REQUIREMENTS

MINIMUM SCOPE OF INSURANCE

Coverage shall be at least as broad as:

1. **Commercial General Liability (CGL):** Insurance Services Office (ISO) Form CG 00 01 12 07 covering CGL on an "occurrence" basis, including products-completed operations, personal & advertising injury, with limits no less than **\$2,000,000** per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
2. **Automobile Liability:** ISO Form Number CA 00 01 covering any auto (Code 1), or if Contractor has no owned autos, hired, (Code 8) and non-owned autos (Code 9), with limit no less than **\$1,000,000** per accident for bodily injury and property damage.
3. **Workers' Compensation:** as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than **\$1,000,000** per accident for bodily injury or disease.
4. **Contractors Pollution Liability and/or Asbestos Pollution Liability and/or Errors & Omissions** applicable to the work being performed, with a limit no less than \$2,000,000 per claim or occurrence and \$2,000,000 aggregate per policy period of one year.

If the contractor maintains higher limits than the minimums shown above, the City requires and shall be entitled to coverage for the higher limits maintained by the contractor.

Other Insurance Provisions

The insurance policies are to contain, or be endorsed to contain, the following provisions:

Additional Insured Status

The City, its elected and appointed officials, employees, and agents are to be covered as insureds on the auto policy for liability arising out of automobiles owned, leased, hired or borrowed by or on behalf of the Contractor; and on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of the Contractor including materials, parts or equipment furnished in connection with such work or operations. General liability coverage can be provided in the form of an endorsement to the Contractor's insurance (at least as broad as ISO Form CG 20 10, 11 85 or both CG 20 10 and CG 20 37 forms if later revisions used).

Primary Coverage

For any claims related to this contract, the **Contractor's insurance coverage shall be primary** insurance as respects the City, its elected and appointed officials, employees, and agents. Any insurance or self-insurance maintained by the City, its elected and appointed officials, employees, or agents shall be excess of the Contractor's insurance and shall not contribute with it.

Notice of Cancellation

Each insurance policy required above shall provide that **coverage shall not be canceled, except after thirty (30) days' prior written notice** (10 days for non-payment) has been given to the City.

Waiver of Subrogation

Contractor hereby grants to City a waiver of any right to subrogation which any insurer of said Contractor may acquire against the City by virtue of the payment of any loss under such insurance. Contractor agrees to obtain any endorsement that may be necessary to effect this waiver of subrogation, but this provision applies regardless of whether or not the City has received a waiver of subrogation endorsement from the insurer.

Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to and approved by the City. The City may require the Contractor to purchase coverage with a lower deductible or retention or provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention.

Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII, unless otherwise acceptable to the City.

Verification of Coverage

Contractor shall furnish the City with original certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the City before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the Contractor's obligation to provide them. The City reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.



CITY OF SAN MATEO

City Hall
330 W. 20th Avenue
San Mateo CA 94403
www.cityofsanmateo.org

Agenda Report

Agenda Number: 12

Section Name: CONSENT CALENDAR

Account Number: 10-4661

File ID: 22-6767

TO: City Council
FROM: Drew Corbett, City Manager
PREPARED BY: Public Works Department
MEETING DATE: November 07, 2022
SUBJECT:
Fashion Island Boulevard/19th Avenue Class IV Bikeway – Application

RECOMMENDATION:

Adopt a Resolution to approve the submittal of an application to the San Mateo County Transportation Authority for Measure A and W Pedestrian and Bicycle Program Grant Funding for the Fashion Island Boulevard/19th Avenue Class IV Bikeway project in the amount of \$2,000,000 with a local match requirement of approximately \$200,000; and, if awarded, authorize the City Manager to execute all required documents and appropriate funds to the project.

BACKGROUND:

On August 4, 2022, the San Mateo County Transportation Authority released a Call for Projects for grant funding from the Measure A and W Pedestrian and Bicycle Program (Program). The funds through this grant Program are intended to support projects that improve bicycling and walking accessibility and safety to encourage greater use of active transportation modes. Measure A was reauthorized in 2004 and is a half-cent sales tax for transportation improvements. Three percent of revenue from Measure A is available through this grant program. Measure W was authorized by voters in 2018 and is a new half-cent sales tax measure for transportation improvement implementation. Five percent of Measure W revenue is available through this grant program.

The San Mateo County Transportation Authority (TA) and the City/County Association of Governments (C/CAG) are cosponsors of two US 101/SR 92 Interchange Projects (the near-term Area Improvements and long-term Direct Connectors projects). The TA and C/CAG have been working to identify strategies to ensure the US 101/SR 92 interchange improvements also include multimodal elements. In parallel, the San Mateo County Transit District (SamTrans) completed an Express Bus Feasibility Study that identified transit-related infrastructure that could be bundled with and implemented alongside highway improvements.

The proposed Fashion Island Boulevard/19th Avenue Class IV Bikeway project (Project) is part of a joint effort between the City, TA, and SamTrans to design and construct multimodal improvements as part of this project (collectively known as the 101/92 Multimodal Projects). It is envisioned to be part of the Fashion Island Boulevard and 19th Avenue Smart Corridor and would connect directly to a proposed Mobility Hub at the existing Caltrans Park and Ride location. In addition to the proposed Class IV separated bikeway, the Smart Corridor would include design options for smart streetlights, air quality monitoring, traffic signal detection enhancements, and smart kiosks and digital bus stops with real-time transit information.

The total cost for the bikeway facility, including feasibility, design, and construction, is approximately \$8,000,000; this grant application is for \$2,000,000 with the remainder of funding from other grant sources. If funded, the City will provide \$200,000 in total for the Project as local matching funds. The Project represents a unique opportunity for the TA to partner with C/CAG, SamTrans, and the City to implement highway, transit, Intelligent Transportation Systems (ITS), and complete

streets improvements on roadways near the US 101/SR 92 interchange. These new elements will also help with the Project's competitiveness in grant opportunities and with delivering more local benefits to the community surrounding the interchange.

The proposed Project represents the first step in planning and designing a corridor that connects San Mateo and Foster City residents and workers directly with regional multimodal transit options to allow people to opt out of congestion through the interchange. As the Project sponsor, the City is requesting that Council adopt a resolution in support of the \$2,000,000 grant application and commit \$200,000 in local matching funds if awarded the grant.

BUDGET IMPACT:

The submittal of the grant application for \$2,000,000 has no immediate financial impact. If awarded, the grant requires a 10 percent minimum local match (estimated at \$200,000). The City will provide a total of \$200,000 in matching funds to fulfill this match requirement as the sponsor agency. Staff intends to allocate funds from Measure A funding to fulfill the local match requirement. If awarded, the Measure A funding will be appropriated to the 101/92 Multimodal Project.

ENVIRONMENTAL DETERMINATION:

This grant application and resolution is not a project subject to CEQA, because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines Section 15378(b)(5).) This project was identified in the 2020 Bicycle Master Plan, which was determined to be Categorically Exempt under CEQA per Section 15304 Minor Alterations to Land – Class 4, Subsection (h).

NOTICE PROVIDED

All meeting noticing requirements were met.

ATTACHMENTS

Att 1 - Proposed Resolution

STAFF CONTACT

Sue-Ellen Atkinson, Principal Transportation Planner
seatkinson@cityofsanmateo.org
(650) 522-7288

CITY OF SAN MATEO
RESOLUTION NO. ____ (2022)

**APPROVING THE SUBMITTAL OF AN APPLICATION TO THE SAN MATEO COUNTY TRANSPORTATION
AUTHORITY FOR MEASURE A AND W PEDESTRIAN AND BICYCLE PROGRAM GRANT FUNDING FOR THE
FASHION ISLAND BOULEVARD/19TH AVENUE CLASS IV BIKEWAY PROJECT AND AUTHORIZE EXECUTION OF ALL
REQUIRED DOCUMENTS**

WHEREAS, the City of San Mateo (Sponsor) has identified the need for a bicycle connection on Fashion Island Boulevard/19th Avenue to provide stronger transit access and accessibility for San Mateo and Foster City residents; and

WHEREAS, the Sponsor has developed the Fashion Island Boulevard/19th Avenue Class IV Bikeway Project (Project) to provide a seamless and comfortable direct connection for bicyclists and pedestrians along Fashion Island Boulevard/19th Avenue as part of the 101/92 Multimodal Project; and

WHEREAS, it will cost \$2,200,000 to implement the Project scope; and

WHEREAS, the Sponsor seeks \$2,000,000 in grant funding for the Project; and

WHEREAS, the San Mateo County Transportation Authority (TA) issued a Call for Projects for the Measure A & W Pedestrian and Bicycle Program on August 4, 2022; and

WHEREAS, the TA requires a governing board resolution from the Sponsor for the following items:

1. Supporting the Project and application for \$2,000,000 in TA Pedestrian and Bicycle Program funds for Project; and
2. Committing the Sponsor to the completion of the Project, including the appropriation of matching funds in the amount of \$200,000 needed for implementation; and
3. Certifying that any funds awarded by the TA will be used to supplement existing funds for program activities, and will not replace existing funds or resources; and
4. Authorizing the Sponsor's City Manager, or his/her designee, to sign a funding agreement with the TA, if funds are awarded, for TA pedestrian and bicycle program funding for the Project and to take any other actions necessary to give effect to this resolution.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MATEO, CALIFORNIA, HEREBY RESOLVES that:

1. Staff is directed to submit an application for TA Measure A and W Pedestrian and Bicycle Program funds for \$2,000,000 for the Fashion Island Boulevard/19th Avenue Class IV Bikeway project.

2. The City Manager, or his/her designee, is authorized to execute a funding agreement with the San Mateo County Transportation Authority and to take any other actions necessary to give effect to this resolution.
3. The City is committed to the completion of the Project, including the appropriation of \$200,000 of matching funds needed for implementation, if awarded the requested TA funds.
4. The City certifies that any funds awarded by the San Mateo County Transportation Authority will be used to supplement existing funds for program activities and will not replace existing funds or resources.



CITY OF SAN MATEO

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Agenda Report

Agenda Number: 13

Section Name: CONSENT CALENDAR

Account Number: 72-467

File ID: 22-6773

TO: City Council
FROM: Drew Corbett, City Manager
PREPARED BY: Public Works Department
MEETING DATE: November 07, 2022

SUBJECT:

Wastewater Treatment Plant Immediate Action Project, Package II – Appropriation

RECOMMENDATION:

Adopt a Resolution to authorize an appropriation of funds in the amount of \$477,677 from the Sewer Fund Reserves for the Wastewater Treatment Plant Immediate Action Projects, Package II Project, revising the total project budget to a value of \$13,021,372.

BACKGROUND:

The Clean Water Program (CWP) includes significant infrastructure upgrades at the Wastewater Treatment Plant (WWTP). The WWTP Immediate Action Projects, Package II Project (Project) includes scope to improve the aging solids handling systems at the WWTP, including improvements to the sludge cake pumping system and installation of a sludge cake storage hopper.

The current fiscal year 2022-23 available budget for the Project is \$12,543,695. As of October 10, 2022, the estimate to complete the Project is \$13,021,372. This estimate includes additional construction, engineering, project management, and construction management costs through February 2023. A budget appropriation of \$477,677 from the Sewer Fund Reserves is required to address the project budget deficit.

The Project has experienced issues related to both the sludge cake storage hopper as well as the cake pumping system. As a result, there have been increased costs for ongoing project and construction management, design services, and constructing solutions. The challenges with the sludge storage hopper have been addressed and associated costs are part of this appropriation. This appropriation does not address problems with the sludge cake pumping system, as solutions for that issue are still being evaluated. Another supplemental appropriation may be required at a future date.

BUDGET IMPACT:

There are sufficient funds available in the Sewer Fund Reserves for this appropriation to the WWTP Immediate Action Project, Package II Project (46T009).

ENVIRONMENTAL DETERMINATION:

The work addressed by this administrative report is being undertaken to support the Clean Water Program. This project is subject to the requirements of the California Environmental Quality Act (CEQA), the general components of which are included as part of the Final Programmatic Environmental Impact Report (Final PEIR) (SCH No. 201532006) that was prepared for the Clean Water Program. The Final PEIR was certified by City Council on June 6, 2016.

NOTICE PROVIDED

All meeting noticing requirements were met.

ATTACHMENTS

Att 1 - Proposed Resolution

STAFF CONTACT

Matt Fabry, Deputy Director
mfabry@cityofsanmateo.org
650 522 7309

Azalea Mitch, Director of Public Works
amitch@cityofsanmateo.org
(650) 522-7303

CITY OF SAN MATEO
RESOLUTION NO. ____ 2022

**AUTHORIZING AN APPROPRIATION OF \$477,677 FROM THE SEWER FUND RESERVES FOR THE WASTEWATER
TREATMENT PLANT IMMEDIATE ACTION PROJECT, PACKAGE II PROJECT**

WHEREAS, the Wastewater Treatment Plant Immediate Action Projects, Package II Project (“Project”) includes scope to improve the aging solids handling systems at the Wastewater Treatment Plant, including improvements to the sludge cake pumping system and installation of a sludge cake storage hopper; and

WHEREAS, the Fiscal Year 2022-23 available budget for the Project is \$12,543,695; and

WHEREAS, as of October 10, 2022, the estimate to complete the project is \$13,021,372, which includes additional costs associated with construction, engineering, project management, and construction management through February 2023 due to ongoing challenges encountered related to the sludge cake storage hopper and cake pumping system; and

WHEREAS, a budget appropriation of \$477,677 is required to address the deficit; and

WHEREAS, this appropriation does not address problems with the sludge cake pumping system, which are still uncertain, and another supplemental appropriation may be required at a future date if determined necessary.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MATEO, CALIFORNIA, HEREBY RESOLVES that:

1. The work addressed by this administrative report is being undertaken to support the Clean Water Program. This project is subject to the requirements of the California Environmental Quality Act (CEQA), the general components of which are included as part of the Final Programmatic Environmental Impact Report (Final PEIR) (SCH No. 201532006) that was prepared for the Clean Water Program. The Final PEIR was certified by City Council on June 6, 2016.
2. An appropriation of funds of \$477,677 from Sewer Fund Reserves to the Wastewater Treatment Plant Immediate Action Projects, Package II project (46T009), revising the total project budget to a value of \$13,021,372, is hereby authorized.



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Agenda Report

Agenda Number: 14

Section Name: CONSENT CALENDAR

Account Number: 72-467

File ID: 22-6775

TO: City Council
FROM: Drew Corbett, City Manager
PREPARED BY: Public Works Department
MEETING DATE: November 07, 2022

SUBJECT:
Wastewater Treatment Plant Supply of Liquid Polymer – Contract Change Order

RECOMMENDATION:

Approve a contract change order to SNF Polydyne for the supply of liquid emulsion polymer in the amount of \$15,000 for a revised total contract amount of \$394,303 and authorize the Public Works Director to execute the change order in substantially the form presented.

BACKGROUND:

The Wastewater Treatment Plant (WWTP) uses liquid emulsion polymer to dewater biosolids. This polymer use is important as the chemical optimizes the dewatering process, producing biosolids with less water. The lower the water content in the biosolids, the lower the transportation costs associated with the hauling for their disposal.

In June 2022, the City Council approved the award of a contract to SNF Polydyne in an amount of \$379,303 to provide the WWTP with liquid emulsion polymer. However, the contract amount did not include a required Federal Import Tariff charged by the supplier for importing this polymer. The proposed contract change order will ensure adequate funding to cover the import tariff in the amount of \$0.0606 per pound of polymer, which would increase the annual cost to the City by approximately \$12,120. The import tariff is set annually by the federal government and it is possible that the amount of this tariff could increase during the term of this contract. To account for this possibility, staff has included an additional amount of \$2,880. Based on the above, staff recommends approval of a contract change in order in the amount of \$15,000 for a total contract amount of \$394,303.

BUDGET IMPACT:

Sufficient funding is available for this change order in the Wastewater Treatment Plant operating budget.

ENVIRONMENTAL DETERMINATION:

This change order is not a project subject to CEQA, because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines Section 15378(b)(5).)

NOTICE PROVIDED

All meeting noticing requirements were met.

ATTACHMENTS

Att 1 - Contract Change Order No. 1

STAFF CONTACT

Rob Learmonth

rlearmonth@cityofsanmateo.org

650 522 7312

Matt Fabry, Deputy Director

mfabry@cityofsanmateo.org

650 522 7309

CITY OF SAN MATEO
PUBLIC WORKS DEPARTMENT
330 WEST 20TH AVENUE
SAN MATEO, CA 94403
(650) 522-7300

CONTRACT CHANGE ORDER

PROJECT: WASTEWATER TREATMENT PLANT SUPPLY OF LIQUID POLYMER

TO: SNF POLYDYNE

CONTRACT CHANGE ORDER NO. 1

Page 1 of 1

Purchase Order No. 46-05683

October 12, 2022

You are hereby directed to make the herein described changes from the plans and specifications or do the following described work not included in the plans and specifications on your contract.

DESCRIPTION OF WORK

Following is a description of work to be done, estimate of quantities, and prices to be paid.

CCO No. 1 will allow for the inclusion of a Federal Import Tariff of \$0.0606 per pound charged for importing polymer.

Total cost of change not to exceed: \$15,000.00

We, the undersigned contractor, have given careful consideration to the change proposed and hereby agree, if this proposal is approved, that we will provide all equipment, furnish all materials, except as may otherwise be noted above, and perform all services necessary for the work above specified, and will accept as full payment therefore the prices shown above.

By reason of this proposed change, 0 days extension of time will be allowed.

Date Accepted:

Contractor: SNF POLYDYNE

By: _____

Boyd Stanley

Title: Vice President

DISTRIBUTION: Purchasing Department, Contractor, Construction Inspector, Project Manager/Project Analyst, Project File

STATEMENT OF ACCOUNT

Original Contract Price	\$379,303.00
Previous Change Orders	\$0.00
Total to date	\$379,303.00
This Change Order	\$15,000.00
Revised Contract Price	\$394,303.00

Date Approved:

By: _____

Azalea Mitch, Director of Public Works

NOTE: This change order is not effective until approved by the Director of Public Works.



CITY OF SAN MATEO

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Agenda Report

Agenda Number: 15

Section Name: PUBLIC HEARING

Account Number: 14-1311

File ID: 22-6792

TO: City Council
FROM: Drew Corbett, City Manager
PREPARED BY: City Manager's Office
MEETING DATE: November 07, 2022
SUBJECT:
Downtown Business Improvement Area - Public Hearing

RECOMMENDATION:

Introduce an Ordinance to modify the basis and method of levy for the Downtown Business Improvement Area (DBIA); and adopt a Resolution to approve the Proposed Annual Assessment Schedule for the DBIA for Fiscal Year 2023-24.

BACKGROUND:

In accordance with Street and Highways Code Section 36500 and following, the City Council is required to hold two meetings to adjust the Downtown Business Improvement Area (DBIA) assessments. At the October 17, 2022 City Council meeting, the DSMA presented the proposal for assessment modifications and requested that the City Council adopt a resolution of intent to modify the basis and method of levy for the DBIA and scheduled a public hearing on November 7, 2022, to approve the proposed method and basis for the assessment.

Proposed Assessment Changes

For the last twelve years, the DSMA has not increased the DBIA assessments despite rapidly rising costs in San Mateo and the surrounding region. For fiscal year 2022-23, DSMA estimated the DBIA assessments to be approximately \$150,000, anticipating a revenue reduction due to an economic slowdown. In order to maintain existing services and provide long-term sustainability of the BID, an adjustment is necessary. The new proposed rate was created based on DSMA's goal of a reaching an annual budget of \$400,000.

The proposed new rate is based on business type, location, size and employee count.

- **Business Type:** Businesses have been categorized into Retail, Professional, Service and Financial based on their North American Industry Classification (NAIC) codes. The hotel and miscellaneous categories have been removed.
- **Location:** The zone of the business is determined by proximity to the Downtown core. Businesses located in Zone 1 pay higher assessments, as they tend to see greater benefits from cleanliness, beautification projects, and promotional activities than businesses further from the Downtown. Businesses located in Zone 2 are assessed at 50% of Zone 1. The existing zones and boundaries of the DBIA will remain the same.
- **Size:** For retail businesses, the proposed rate is based on the gross receipts of a business, and the existing five tiers have remained the same at \$0-\$150,000, \$150,001-\$400,000, \$400,001-600,000, \$600,001-\$1,000,000 and over \$1,000,000. For professional and service businesses, the proposed rate is based on the number of employees working for the business. Professional and service businesses are categorized into five tiers from 0 to 5 employees, 6-15 employees, 16-35 employees, 36-75 employees, and over 75 employees.

Rate Change by Business Type

Retailers are businesses that offer goods and products for sale and include restaurants, bars, grocery stores, furniture stores, clothing and apparel, jewelry, frames and similar. Retail business rates will increase from \$166.35 to \$200 for businesses with gross revenues of less than \$150,000 for Zone 1 and from \$66.35 to \$100 for Zone 2. The rate increases for each tier is based on gross revenue and caps at \$1,500 for retailers with over a \$1,000,000 in revenues for Zone 1 and \$750 for Zone 2.

Professional businesses are primarily second floor users that offer highly specialized services such as software development, software integration, cloud storage, gaming, medical, legal, accounting, architectural, engineering services and similar. These businesses will see the most significant fee increase. Professional businesses located in Zone 1 will change from a flat rate of \$99.82 to a starting rate of \$550 for up to 5 employees and rising to \$3,050 for up to 75 employees. For businesses with over 75 employees, the business will be charged an additional \$14 per employee on top of the \$3,050 annual assessment. Professional businesses located in Zone 2 will change from a flat rate of \$66.55 to \$275 for up to 5 employees and rising to \$1,525 for up to 75 employees. For businesses with over 75 employees, the business will be charged an additional \$7 per employee on top of the \$1,525 annual assessment.

Service businesses provide personal services like hair salons, nail salons, massage services, dry cleaners, auto bodies, gyms vacuum repair shops and similar. Service businesses located in Zone 1 will change from a flat rate of \$133.08 to a starting rate of \$400 for up to 5 employees and rising to \$2,300 for up to 75 employees. For service businesses with over 75 employees, the business will be charged an additional \$10 per employee on top of the \$2,300 annual assessment. Service businesses located in Zone 2 businesses will change from a flat rate of \$66.55 to \$200 for up to 5 employees and rising to \$1,150 for up to 75 employees. For businesses with over 75 employees, businesses will be charged an additional \$5 per employee on top of the \$1,150 annual assessment.

Financial businesses providers include money management firms, payment systems, digital banking, and brick and mortar banks. Financial businesses will continue to be assessed at a flat rate. Financial businesses located in Zone 1 will change from \$998.15 to \$1,500 and from \$665.44 to \$775 for Zone 2.

Mills Health Center is a non-profit hospital located in the Downtown. The hospital does not have to contribute to the assessment but is voluntarily proposing an annual \$6,050 contribution to the DSMA to support the fee adjustment effort because the hospital understands the value of a vibrant Downtown and the need for increased sanitation and having a vibrant and clean Downtown for its employees, patients, and visitors to the hospital.

The changes in the proposed assessment structure and fees are intended to share costs more equitably among businesses in the DBIA and provide a sustainable revenue stream to maintain and improve services in the Downtown. While the all volunteer DSMA Board has done an incredible job carrying out the work of the DSMA, the organization cannot continue indefinitely without an executive director. With the revenues provided by the current annual assessment, the organization cannot hire a skilled executive director while maintaining its current level of services and programs. Thus, the DSMA is requesting the Council to support the modification of the DBIA fee and the proposed fee schedule.

Public Outreach

The DSMA contracted with CivicMic for outreach and engagement on the fee proposal. The outreach portion focused on connecting with business owners in the Downtown Business Improvement Area (DBIA) and informing them about DSMA's desire for input on the services currently provided and the proposed fee change. CivicMic mailed postcards with information about the DSMA in English, Spanish, and Chinese, and held an online meeting on March 30, 2022. A survey launch followed these outreach efforts to provide another mechanism for business owners to provide feedback.

The DSMA also conducted an in-person meeting on September 22, 2022, where representatives from 10 businesses in the Downtown attended. The results from the outreach indicated that the business stakeholders are generally aware of

the services being provided by DSMA and recognized these services as important to the success of their businesses. Maintaining the cleanliness of the area is the most important service identified by business owners, while beautification and the promotion of public events are also valued. Additionally, there was a range of support for the fee change. While many business owners supported restructuring of the fee to make it more equitable to all businesses, there were also businesses who felt indifferent to the fee change. DSMA has continued to outreach to businesses to inform them of the fee change and garner support for the November meeting.

The DSMA sent out letters to every impacted business ahead of the October 17th meeting where the resolution of intent was considered. The City sent out a second letter announcing the public hearing with a copy of the adopted resolution of intent on October 24, 2022. Public comments, including written protests, have been included as Attachment 4 to this report. Any additional public comments and/or written protests received after the preparation of this report will be presented at the public hearing on November 7, 2022.

Annual Revenue

Under the existing assessment schedule, DBIA revenues averaged approximately \$180,000 for the last 10 years before the pandemic. To support small businesses through the pandemic, the DSMA reduced its fees by 50% in fiscal year 2020-21 and again in fiscal year 2021-22. Thus, for the last two years the assessment was approximately \$92,000. Under the proposed new structure, annual assessment is projected to range between \$360,000 to \$400,000.

In year one, the additional funds would support:

- Hiring of a full-time executive director
- Enhanced and additional cleaning services across the district
- Expanded marketing to promote downtown and businesses
- New event programming to attract new and returning patrons and enhance the Downtown experience.

Public Hearing

At the November 7, 2022 public hearing, the City Council will review the public comments, including the written protests, and consider whether to approve the proposed resolution and draft ordinance included as Attachment 1 and 2 to modify the basis and method for DBIA assessment.

If approved, the new assessment is anticipated to start on July 1, 2023. This will allow businesses time to plan for the new rates and provide a longer recovery time for businesses who are struggling financially. Additionally, it allows time for the City's finance department to implement the new rates internally through our Business License Tax system.

In accordance with Streets and Highways Code Section 36535, if written protests are received from the owners of businesses in the proposed area that will pay 50% or more of the assessment, the proposed modification will not occur and no further proceedings are to take place for one year.

BUDGET IMPACT:

Modifying the DBIA assessment fee does not have an impact on the General Fund.

ENVIRONMENTAL DETERMINATION:

This item is exempt from California Environmental Quality Act (CEQA) requirements because it is an administrative activity that will not have a significant effect on the environment per CEQA Guidelines section 15378(b)(5).

NOTICE PROVIDED

All meeting noticing requirements were met. Businesses within the DBIA were sent a letter announcing the public hearing with a copy of the adopted resolution of intent on October 24, 2022. A public notice and the adopted resolution of intention was also published in the San Mateo Daily Journal for 7 days.

ATTACHMENTS

Att 1 – Draft Ordinance
Att 2 – Proposed Resolution
Att 3 – NBS Study
Att 4 – Public Comments

STAFF CONTACT

Jennifer Chen, Economic Development Manager
jchen@cityofsanmateo.org
(650) 522-7009

**CITY OF SAN MATEO
DRAFT ORDINANCE**

**An Ordinance Modifying the Basis and Method of Levy for the Downtown Business
Improvement Area (DBIA) and Amending Ordinance Nos. 1986-12, 1995-21, 1996-13, and 2008-7**

WHEREAS, on May 5, 1986, pursuant to Section 35600, et seq. of the California Streets and Highway Code, the City Council adopted Ordinance No. 1986-12 to establish the Downtown Business Improvement Area (DBIA) of the City of San Mateo; and

WHEREAS, on August 21, 1995, the City Council adopted Ordinance No. 1995-21 amending Ordinance No. 1986-12 to repeal and replace the section entitled, "System of Charges or Assessments"; and

WHEREAS, on June 24, 1996, the City Council adopted Ordinance No. 1996-13 amending Ordinance No. 1995-21 to again repeal and replace the section entitled, "System of Charges or Assessments," and to change the number of benefit zones from three to two; and

WHEREAS, on June 2, 2008, the City Council adopted Ordinance No. 2008-7 amending Ordinance Nos. 1986-12 and 1996-13 to expand the DBIA boundaries; and

WHEREAS, on October 17, 2022, the City Council adopted a Resolution of Intent to modify the basis and method of levy for the DBIA and to set a public hearing to consider the proposed changes to the annual assessment; and

WHEREAS, prior boundaries and zones for the DBIA under Ordinance No. 2008-7 are to remain the same as previously adopted; and

WHEREAS, a notice of public hearing and Resolution of Intent was published in the local newspaper and mailed to each business in the DBIA; and

WHEREAS, a public hearing to consider the modification of the basis and method of levy for the DBIA was held on November 7, 2022 at 7:00 p.m. in the City Council Chambers at 330 W. 20th Avenue, where all protests and testimony regarding the proposed assessment were heard and considered by the City Council; and

WHEREAS, all protests, both written and oral, are hereby overruled, and there was no majority protest made by the businesses in the DBIA, pursuant to Sections 36525 and 36540 of the California Streets and Highways Code; and

WHEREAS, the businesses located within the DBIA will benefit from the expenditure of funds raised by the annual assessment.

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

Section 1. The Section entitled “System of Charges or Assessments” (Section 3) contained in Ordinance 1996-13 is repealed and the following section is added:

Section 3. The Section entitled “System of Charges or Assessments” Charges or assessment shall be made upon various classes of businesses and zones of benefit in the following manner:

Retail: includes but is not limited businesses that have goods and food for sale including automotive vehicles and parts dealers, home furnishing stores, jewelers, electronics and appliance stores, building material and garden equipment and supplies dealers, food and beverage stores, full-service restaurants, limited service restaurant, fast food restaurants, cafeterias, dessert and snack establishments, bars, gasoline stations, clothing and clothing accessories, sporting goods, hobby stores, music instruments, book stores, general merchandise store, wireless phone stores and similar.

All businesses classified as Retail shall pay an annual assessment based on the following gross receipts schedule:

Retail (based on annual gross receipts)				
	Zone 1		Zone 2	
	PROPOSED	Existing	PROPOSED	Existing
0- \$150,000	\$200.00	\$166.36	\$100.00	\$66.55
\$150,001- \$400,000	\$400.00	\$332.72	\$200.00	\$99.82
\$400,001- \$600,000	\$800.00	\$665.43	\$400.00	\$133.10
\$600,001- \$1,000,000	\$1,150.00	\$998.15	\$575.00	\$199.62
\$1,000,000+	\$1,500.00	\$1,330.88	\$750.00	\$332.72

Professional: includes but is not limited to businesses that offer services that are highly specialized and typically require licensing and regulations. Professional service providers and information-based businesses such as software publishers, data processing, network hosting and related services, internet publishing and broadcasting and web search portals, venture capital, insurance agencies and brokerage, real estate agents and brokers, offices of lawyers, accounting, architectural, engineering advertising, translation and interpretation services, veterinary services, offices of physicians, offices of dentists, other health practitioners, and similar.

All businesses classified as Professional shall pay an annual assessment based on the number of full-time equivalency employees.

Professional (based on number of employees)				
	Zone 1		Zone 2	
	PROPOSED	Existing	PROPOSED	Existing
Up to 5 Employees	\$550.00	\$98.82	\$275.00	\$66.55
6-15 Employees	\$1,200.00		\$600.00	
16-35 Employees	\$2,300.00		\$1,150.00	
36-75 Employees	\$3,050.00		\$1,525.00	
76+ Employees ^{1, 2}	\$3,050.00		\$1,525.00	

1 - \$3,050 + \$14.00 per employee over 75 employees for Zone 1

2 - \$1,525 + \$10.00 per employee over 75 employees for Zone 2

Service: includes but is not limited to providers of personal and business services such as hair salons, nail salons, lock smiths, dry cleaners, auto service and maintenance shops, gyms, vacuum repair shops, educational, childcare, electronic equipment repair, personal care services, and similar. All businesses classified as Service shall pay an annual assessment based on the number of full-time equivalency employees.

Service (based on number of employees)				
	Zone 1		Zone 2	
	PROPOSED	Existing	PROPOSED	Existing
Up to 5 Employees	\$400.00	\$133.08	\$200.00	\$66.55
6-15 Employees	\$1,150.00		\$575.00	
16-35 Employees	\$1,700.00		\$850.00	
36-75 Employees	\$2,300.00		\$1,150.00	
76+ Employees ^{3, 4}	\$2,300.00		\$1,150.00	

3 - \$2,300 + \$10.00 per employee over 75 employees for Zone 1

4 - \$1,150 + \$7.00 per employee over 75 employees for Zone 2

Financial: includes but not limited to businesses in the financial industry such as money management, payments, digital banking, banks, savings and loan companies, credit unions, finance companies, and similar.

All businesses classified as Financial shall pay a flat annual assessment.

Financial (flat rate)				
	Zone 1		Zone 2	
	PROPOSED	Existing	PROPOSED	Existing
Financial	\$1,500.00	\$998.15	\$775.00	\$665.44

Hotels: Removed

Miscellaneous: Removed

Based on their North American Industry Classification System (NAICS), businesses previously categorized as Miscellaneous will be assigned to one of the following categories: Retail, Professional, or Service.

For Professional and Service sectors, the number of employees shall be determined based on Full Time Equivalent of 40 hours a week as reported on the initial business license application and updated thereafter during the annual business license renewal.

Annually, for subsequent years, the assessments will be adjusted in accordance with the annual March San Francisco-Oakland-San Jose consumer Price Index of the Bureau of Labor Statistics, United States Department of Labor, under the heading All Items-All Urban Consumers (CPI), or any index substituted by the Department of Labor therefore.

A single assessment shall be paid when multiple business are located at the same address as defined in this paragraph. Businesses are located at the same address if, for example, they occupy the same suite within an office building or occupy the same suite within an office building or occupy undivided retail or service space within a large retail or service establishment. Businesses are not located at the same address merely because they share a common entry from a public street with a common principal

address such as in most office buildings. The assessment to be paid shall be based on accumulated gross receipts for multiple businesses or shall be set at the highest assessment within the applicable fixed fee classification if there are multiple classification for which there is no gross receipts table.

All businesses, including new businesses in operation for one year or less are subject to the assessment.

Section 2. Environmental Determination. This City Council action is not a project subject to CEQA, because it is an organizational or administrative activity that will not result in direct or indirect physical changes to the environment. (CEQA Guidelines Section 15378(b)(5).)

Section 3. 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 4. 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 5. Legislative History and Effective Date. This ordinance was introduced on Clerk to complete., and adopted on Clerk to complete., and shall be effective on July 1, 2023.

CITY OF SAN MATEO
RESOLUTION NO. ____ (2022)

**APPROVING THE PROPOSED ANNUAL ASSESSMENT SCHEDULE FOR THE DOWNTOWN BUSINESS
IMPROVEMENT AREA FOR FISCAL YEAR 2023-24**

WHEREAS, the Parking and Business Improvement Area Law of 1989 (California Street and Highway Code Section 36500 *et seq.*) authorizes cities to establish new parking business improvement districts for the purpose of imposing assessments on businesses for certain purposes and to modify the boundaries, assessments and activities in the district; and

WHEREAS, the City Council approved Ordinance No. 1986-12 (Ordinance) establishing the Downtown Business Improvement Area (DBIA); and

WHEREAS, the City Council approved Ordinance No. 1995-21 to repeal and replace the section of the Ordinance entitled, "System of Charges or Assessments;" and

WHEREAS, the City Council approved Ordinance No. 1996-13 amending the DBIA to again repeal and replace the section entitled, "System of Charges or Assessments," and to change the number of benefit zones from three to two; and

WHEREAS, the City Council approved Ordinance No. 2008-7 expanding the DBIA boundary; and

WHEREAS, the City Council supports a strong, economically sustainable and vibrant Downtown with enhanced cleaning services, public space programming for special events, and beautification programs; and

WHEREAS, the Downtown businesses value enhanced cleaning services, special community events to promote Downtown businesses and enhance Downtown's image; and

WHEREAS, the DBIA fees have not been increased in twelve years, despite rising costs in San Mateo and the surrounding region; and

WHEREAS, the Downtown San Mateo Association commissioned NBS to evaluate the methods of current assessment and to provide guidance on amended assessments; and

WHEREAS, NBS provided a Memorandum dated October 5, 2022, ("NBS Study") with its findings and proposed assessment schedule; and

WHEREAS, the proposed assessment schedule in the NBS Study was created to more equitably distribute costs among the businesses based on their business type, size, and location in the DBIA to assist with creating and maintaining a vibrant Downtown core; and

WHEREAS, the proposed assessment will start on July 1, 2023, to allow businesses time to plan for the new rates and provide a longer recovery time for businesses who are still struggling financially; and

WHEREAS, a public hearing was held on November 7, 2022, after being duly noticed for a time and place specified in the notice of intention; and

WHEREAS, all protests, either written or otherwise to the assessment proposed were heard and considered at the public hearing; and

WHEREAS, Streets and Highways Code section 36535(b) authorizes the City Council, upon the conclusion of the public hearing, to approve changes in the proposed assessments; and

WHEREAS, this project is exempt from California Environmental Quality Act (CEQA) requirements because it is an administrative activity that will not have a significant effect on the environment per CEQA Guidelines section 15378(b)(5)).

NOW, THE CITY COUNCIL OF THE CITY OF SAN MATEO, CALIFORNIA, HEREBY RESOLVES THAT:

1. The City Council confirms that a majority protest, within the meaning of Streets and Highways Code Sections 36525 and 36540, was not made with regards to the proposed assessments.
2. The City Council hereby approves and confirms the findings of the NBS Study.
3. The City Council approves the proposed assessment set forth in the Annual Assessment Schedule for FY 2023-2024, attached hereto as Exhibit A for the Downtown Business Area set forth in the "DBIA Boundary Map," attached hereto as Exhibit B.

Exhibit A:
Downtown Business Improvement Area (DBIA) Annual Assessment Schedule For FY 2023-2024

Retail (based on annual gross receipts)				
	Zone 1		Zone 2	
	PROPOSED	Existing	PROPOSED	Existing
0- \$150,000	\$200.00	\$166.36	\$100.00	\$66.55
\$150,001- \$400,000	\$400.00	\$332.72	\$200.00	\$99.82
\$400,001- \$600,000	\$800.00	\$665.43	\$400.00	\$133.10
\$600,001- \$1,000,000	\$1,150.00	\$998.15	\$575.00	\$199.62
\$1,000,000+	\$1,500.00	\$1,330.88	\$750.00	\$332.72

Professional (based on number of employees)				
	Zone 1		Zone 2	
	PROPOSED	Existing	PROPOSED	Existing
Up to 5 Employees	\$550.00	\$98.82	\$275.00	\$66.55
6-15 Employees	\$1,200.00		\$600.00	
16-35 Employees	\$2,300.00		\$1,150.00	
36-75 Employees	\$3,050.00		\$1,525.00	
76+ Employees ^{1, 2}	\$3,050.00		\$1,525.00	

1 - \$3,050 + \$14.00 per employee over 75 employees for Zone 1

2 - \$1,525 + \$10.00 per employee over 75 employees for Zone 2

Service (based on number of employees)				
	Zone 1		Zone 2	
	PROPOSED	Existing	PROPOSED	Existing
Up to 5 Employees	\$400.00	\$133.08	\$200.00	\$66.55
6-15 Employees	\$1,150.00		\$575.00	
16-35 Employees	\$1,700.00		\$850.00	
36-75 Employees	\$2,300.00		\$1,150.00	
76+ Employees ^{3, 4}	\$2,300.00		\$1,150.00	

3 - \$2,300 + \$10.00 per employee over 75 employees for Zone 1

4 - \$1,150 + \$7.00 per employee over 75 employees for Zone 2

Financial (flat rate)				
	Zone 1		Zone 2	
	PROPOSED	Existing	PROPOSED	Existing
Financial (flat rate)	\$1,500.00	\$998.15	\$775.00	\$665.44

Assessment Category Definitions:

- **Employees:** shall be defined as Full Time Equivalent employees on staff as reported by the business on the City of San Mateo business license application
- **Miscellaneous:** Removed
- **Hotels:** Removed
- **Retail:** includes but not limited businesses that have goods and food for sale including automotive vehicles and parts dealers, home furnishing stores, jewelers, electronics and

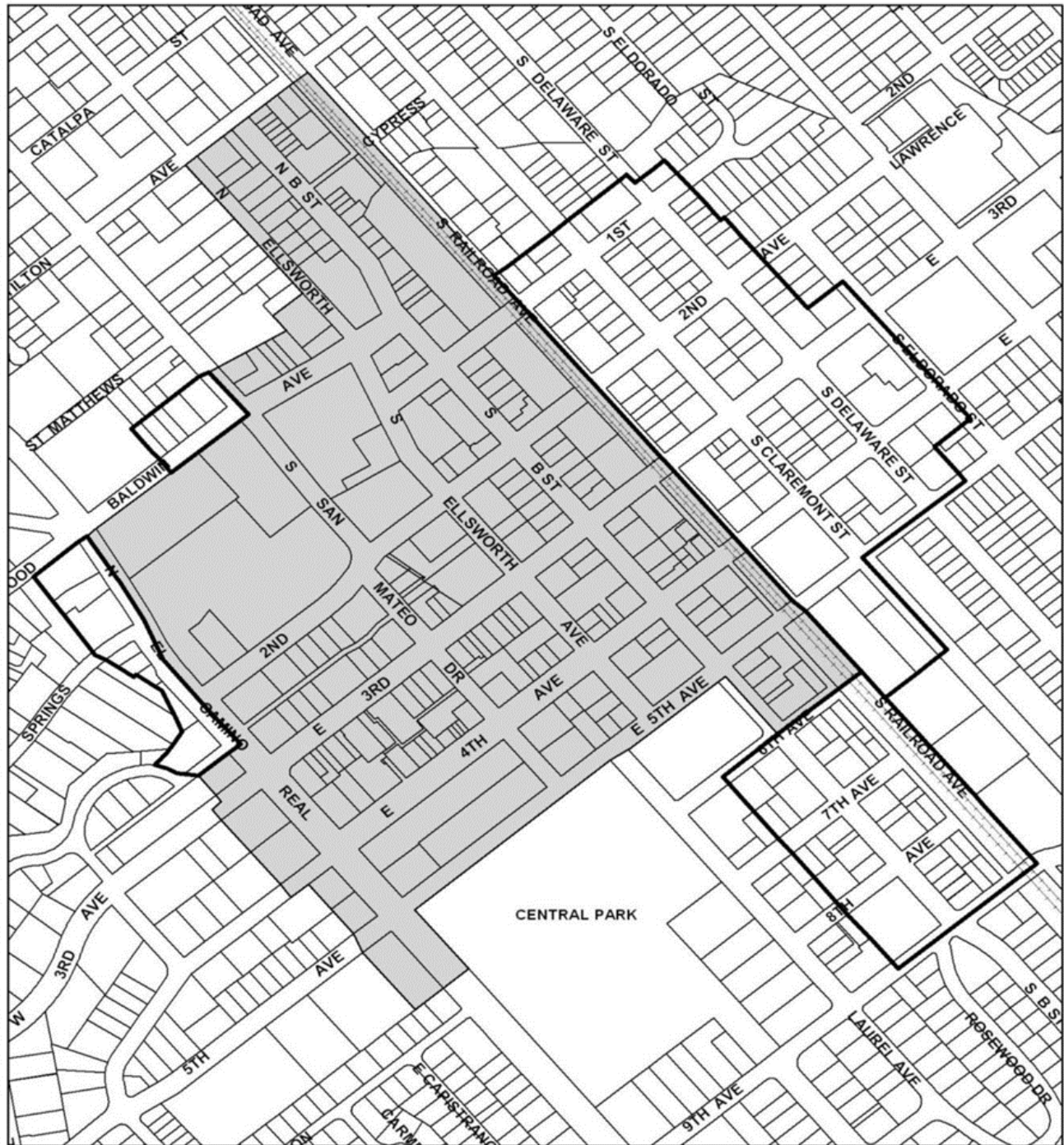
appliance stores, building material and garden equipment and supplies dealers, food and beverage stores, full-service restaurants, limited service restaurant, fast food restaurants, cafeterias, dessert and snack establishments, bars, gasoline stations, clothing and clothing accessories, sporting goods, hobby stores, music instruments, book stores, general merchandise store, wireless phone stores and similar

- **Professional:** includes but not limited to businesses that offer services that are highly specialized and typically require licensing and regulations. Professional service providers and information-based businesses such as software publishers, data processing, network hosting and related services, internet publishing and broadcasting and web search portals, venture capital, insurance agencies and brokerage, real estate agents and brokers, offices of lawyers, accounting, architectural, engineering advertising, translation and interpretation services, veterinary services, offices of physicians, offices of dentists, and other health practitioners
- **Service:** includes but is not limited to providers of personal and business services such as hair salons, nail salons, lock smiths, dry cleaners, auto service and maintenance shops, gyms, vacuum repair shops, educational, childcare, electronic equipment repair, personal care services, and similar
- **Financial:** includes but not limited to businesses in the financial industry such as money management, payments, digital banking, banks, savings and loan companies, credit unions, and finance companies

Exhibit B: Map of Downtown San Mateo Business Improvement Area (DBIA)

Zone 1 - Shaded parcels

Zone 2 – Parcels outlined in black



MEMO

To: Downtown San Mateo Association Board Members
From: Sara Mares/NBS
Date: October 5, 2022
Re: Update to Business Improvement District Research and Analysis from February 2020

Executive Summary

Downtown San Mateo has gone through many changes over the past years, with more changes to come. Community leaders realized it was time to review the level of services provided, budget and method of funding within the Downtown Business Improvement Area (the “DBIA”). In particular, there has been a desire to update the fee structure so that it is more equitable, based on the benefits offered by the services that are provided.

As with many downtowns, there is a shift occurring in retail from goods to experiences, such as shopping to dining. In the City of San Mateo (the “City”), there has also been a pronounced increase in office space and foot traffic from those workers and office users. At the same time, there has been a natural increase in the cost of operations (Downtown San Mateo Association [the “DSMA”] staff, cleaning, event production) while revenues have remained flat.

Background – Downtown Business Improvement Area

The City established the DBIA in 1986, pursuant to the *Parking and Business Improvement Area Law of 1979*, to levy an annual assessment on businesses within the DBIA in order to provide decorations, promote public events, furnish music, and generally promote business activities within the DBIA. The DSMA is the advisory board appointed by the City Council of the City (the “Council”) to make recommendations to the Council on the expenditure of revenues derived from the levy of assessments, on the classification of businesses, and on the method and basis of levying the assessments.

The *Parking and Business Improvement Area Law of 1979* was repealed and replaced with the *Parking and Business Improvement Area Law of 1989 (the “PBIA Law”)*, and, as such, the DBIA is currently subject to Chapters 3, 4, and 5 of the PBIA Law, covering (1) Assessments, (2) Modifications to Boundaries, Assessments, Improvements, or Activities, and (3) Disestablishment, respectively. Pursuant to the PBIA Law, the City must renew the DBIA each year

More recently, the DSMA has focused on beautification and cleanliness, public outreach, promotion of the DBIA, and events. The City collects the annual assessment—on behalf of the DSMA—from each business within the DBIA as part of the annual business license tax, which provides the majority of the revenue needed to pay for these services and activities. Efforts to

review the funding have been ongoing. Please refer to Appendix C for a copy of the initial memorandum prepared in analyzing the funding options.

Rate Analysis

In order for the DSMA to generate desired revenue of \$400,000, NBS recommends the following rates for each of the following categories in Zone 1 and Zone 2, based on the discussions with the DSMA and our understanding of the area:

Zone 1	
Business Type	Proposed Rate
Retail: \$0 - \$150,000	\$200.00
Retail: \$150,001 - \$400,000	400.00
Retail: \$400,001 - \$600,000	800.00
Retail: \$600,001 - \$1,000,000	1,150.00
Retail: \$1,000,001 +	1,500.00
Financial	1,550.00
Mills Health Center	6,050.00
Professional: Up to 5 Employees	550.00
Professional: 6-15 Employees	1,200.00
Professional: 16-35 Employees	2,300.00
Professional: 36-75 Employees	3,050.00
Professional: 76+ Employees ¹	3,050.00
Service: Up to 5 Employees	400.00
Service: 6-15 Employees	1,150.00
Service: 16-35 Employees	1,700.00
Service: 36-75 Employees	2,300.00
Service: 76+ Employees ²	2,300.00

1 - Plus \$14.00 per employee over 75 employees.

2 - Plus \$10.00 per employee over 75 employees.

Zone 2	
Business Type	Proposed Rate
Retail: \$0 - \$150,000	\$100.00
Retail: \$150,001 - \$400,000	200.00
Retail: \$400,001 - \$600,000	400.00
Retail: \$600,001 - \$1,000,000	575.00
Retail: \$1,000,001 +	750.00
Financial	775.00
Mills Health Center	n/a
Professional: Up to 5 Employees	275.00
Professional: 6-15 Employees	600.00
Professional: 16-35 Employees	1,150.00
Professional: 36-75 Employees	1,525.00
Professional: 76+ Employees ³	1,525.00
Service: Up to 5 Employees	200.00
Service: 6-15 Employees	575.00
Service: 16-35 Employees	850.00
Service: 36-75 Employees	1,150.00
Service: 76+ Employees ⁴	1,150.00

3 - Plus \$7.00 per employee over 75 employees.

4 - Plus \$5.00 per employee over 75 employees.

Based on information provided by the City, the following table shows the number of businesses within each basic category:

Business Type	Total
Financial	11
Mills Health Center	1
Professional	176
Retail	166
Service	128
Total	482

The business type categories are described in more detail below:

Financial: includes but not limited to businesses in the financial industry such as money management, payments, digital banking, banks, savings and loan companies, credit unions, and finance companies

Mills Health Center: Voluntarily contribution – specifically the business identified

Professional: includes but not limited to businesses that offer services that are highly specialized and typically require licensing and regulations. Professional service providers and information-based businesses such as software publishers, data processing, network hosting and related services, internet publishing and broadcasting and web search portals, venture capital, insurance agencies and brokerage, real estate agents and brokers, offices of lawyers, accounting, architectural, engineering advertising, translation and interpretation services, veterinary services, offices of physicians, offices of dentists, and other health practitioners

Retail: includes but not limited businesses that have goods and food for sale including automotive vehicles and parts dealers, home furnishing stores, jewelers, electronics and appliance stores, building material and garden equipment and supplies dealers, food and beverage stores, full-service restaurants, limited service restaurant, fast food restaurants, cafeterias, dessert and snack establishments, bars, gasoline stations, clothing and clothing accessories, sporting goods, hobby stores, music instruments, book stores, general merchandise store, wireless phone stores and similar

Service: includes but is not limited to providers of personal and business services such as hair salons, nail salons, lock smiths, dry cleaners, auto service and maintenance shops, gyms, vacuum repair shops, educational, childcare, electronic equipment repair, personal care services, and similar

Please refer to Appendix A to see the factors assigned to each Business Type in each Zone.

Please refer to Appendix B to see how each Business License Description was categorized.

Conclusion

As discussed within this memo, the business landscape in the Downtown San Mateo area has changed since the original DBIA was formulated. There has been a pronounced increase in office space and foot traffic from those workers and office users. Meanwhile, there has been a natural increase in the cost of operations while revenues have remained flat. Due to the DSMA's desire to provide increased services and improved equity among the payors for those services, there is a need for increased revenue.

Appendix A
Downtown San Mateo Association
Downtown Business Improvement Area
Proposed Assessment Rates for FY 2023/24 Assuming a Budget of \$400,000, Zone 2 Factor of 50%

Business Type	Zone 1				
	Current Structure		Revised Structure		
	FY 2022/23		FY 2023/24		
	Benefit Factor	Rate	Benefit Factor	Rate @ \$400k	Annual % Change
Retail: \$0 - \$150,000	1.00	\$166.36	1.00	\$200.00	20.22%
Retail: \$150,001 - \$400,000	2.00	332.72	2.00	400.00	20.22%
Retail: \$400,001 - \$600,000	4.00	665.43	4.00	800.00	20.22%
Retail: \$600,001 - \$1,000,000	6.00	998.15	6.00	1,150.00	15.21%
Retail: \$1,000,001 +	8.00	1,330.88	8.00	1,500.00	12.71%
Professional ¹	0.60	99.82	-	-	n/a
Miscellaneous ²	0.60	99.82	-	-	n/a
Service ¹	0.80	133.08	-	-	n/a
Hotel ³	1.60	266.18	-	-	n/a
Financial	6.00	998.15	6.00	1,550.00	55.29%
Mills Health Center ⁴	-	-	24.00		n/a
Professional: Up to 5 Employees ¹	-	99.82	2.00	550.00	450.99%
Professional: 6-15 Employees ¹	-	99.82	4.75	1,200.00	1102.16%
Professional: 16-35 Employees ¹	-	99.82	9.00	2,300.00	2204.15%
Professional: 36-75 Employees ¹		99.82	12.00	3,050.00	2955.50%
Professional: 76+ Employees ¹⁵		99.82	12.00	3,050.00	2955.50%
Service: Up to 5 Employees ¹	-	133.08	1.50	400.00	200.57%
Service: 6-15 Employees ¹	-	133.08	4.50	1,150.00	764.14%
Service: 16-35 Employees ¹	-	133.08	6.75	1,700.00	1177.43%
Service: 36-75 Employees ¹		133.08	9.00	2,300.00	1628.28%
Service: 76+ Employees ¹⁶		133.08	9.00	2,300.00	1628.28%

1 - The *Professional* and *Service* categories are proposed to be broken-up into five new categories, with tiers based on employee counts. For purposes of this analysis, assumptions were made regarding employee counts at existing businesses within the DBIA (using the listing of business licenses provided by the City of San Mateo), as such information is not available from the City of San Mateo.

2 - NBS proposes to eliminate the *Miscellaneous* category and reassign existing businesses with that designation into one of the *Professional* or *Service* categories.

3 - Only one business in the DBIA is classified as *Hotel* ; however, it is not actually a hotel, it is a rooming house. In the future, NBS recommends that the *Hotel* category be consolidated into one of the *Service* categories.

4 - Assigned 24 times the Benefit Factor assigned to *Retail: \$1,000,001 +* .

5 - Base rate of \$3,050, plus \$14.00 per employee over 75 employees.

6 - Base rate of \$2,300, plus \$10.00 per employee over 75 employees.

Appendix A
Downtown San Mateo Association
Downtown Business Improvement Area
Proposed Assessment Rates for FY 2023/24 Assuming a Budget of \$400,000, Zone 2 Factor of 50%

Business Type	Zone 2				
	Current Structure		Revised Structure		
	FY 2022/23		FY 2023/24		
	Benefit Factor	Rate	Benefit Factor ⁴	Rate @ \$400k	Annual % Change
Retail: \$0 - \$150,000	0.40	\$66.55	0.50	\$100.00	50.26%
Retail: \$150,001 - \$400,000	0.60	99.82	1.00	200.00	100.36%
Retail: \$400,001 - \$600,000	0.80	133.10	2.00	400.00	200.53%
Retail: \$600,001 - \$1,000,000	1.20	199.62	3.00	575.00	188.05%
Retail: \$1,000,001 +	2.00	332.72	4.00	750.00	125.41%
Professional ¹	0.40	66.55	-	-	n/a
Miscellaneous ²	0.40	66.55	-	-	n/a
Service ¹	0.40	66.55	-	-	n/a
Hotel ³	0.40	66.55	-	-	n/a
Financial	4.00	665.44	3.00	775.00	16.46%
Professional: Up to 5 Employees ¹	-	66.55	1.00	275.00	313.22%
Professional: 6-15 Employees ¹	-	66.55	2.40	600.00	801.58%
Professional: 16-35 Employees ¹	-	66.55	4.50	1,150.00	1628.02%
Professional: 36-75 Employees ¹	-	66.55	6.00	1,525.00	2191.51%
Professional: 76+ Employees ¹⁵	-	66.55	6.00	1,525.00	2191.51%
Service: Up to 5 Employees ¹	-	66.55	0.75	200.00	200.53%
Service: 6-15 Employees ¹	-	66.55	2.25	575.00	764.01%
Service: 16-35 Employees ¹	-	66.55	3.38	850.00	1177.24%
Service: 36-75 Employees ¹	-	66.55	4.50	1,150.00	1628.02%
Service: 76+ Employees ¹⁶	-	66.55	4.50	1,150.00	1628.02%

1 - *Professional* and *Service* categories are proposed to be broken-up into five new categories, with tiers based on employee counts. For purposes of this analysis, assumptions were made regarding employee counts at the existing businesses within the DBIA (using the listing of business licenses provided by the City of San Mateo), as such information is not available from the City of San Mateo.

2 - NBS proposes to eliminate the *Miscellaneous* category and reassign existing businesses with that designation into one of the *Professional* or *Service* categories.

3 - Only one business in the DBIA is classified as *Hotel* ; however, it is not actually a hotel, it is a rooming house. Accordingly, NBS recommends that the *Hotel* category be consolidated into one of the *Service* categories.

4 - The Benefit Factor for all business types in Zone 2 have been modified to be 50% (Zone 2 Factor) of the Benefit Factor for corresponding business types in Zone 1. The Zone 2 Factor is not consistently applied under the current rate structure.

5 - Base rate of \$1,525, plus \$7.00 per employee over 75 employees.

6 - Base rate of \$1,150, plus \$5.00 per employee over 75 employees.

APPENDIX B

FINANCIAL
BANK
BANKING
COMMERCIAL BANK
FINANCIAL SVCS
SECURITIES BROKER
SECURITY BROKER
PROFESSIONAL
3D VISUALIZATION TRAINING
ACCOUNTING
ACCOUNTING SERVICES
ACCOUNTING, TAX SERVICES
ACUPUNCTURE
ACUPUNCTURE SERVICES
ACUPUNCTURIST
ARCHITECTURE
ASSET MANAGEMENT
ATTORNEY
AUDIOLOGY SERVICES
BUILDING SCANNING AND BUILDING DATA HOSTING
BUSINESS CONSULTANTRECORDS STORAGE
CHIROPRACTIC
CHIROPRACTOR
CLINICAL LAB
CLOUD BASED INFRASTRUCTURE FOR REAL TIME MESSAGING/MOBILE APP
COMPUTER SOFTWARE AND SERVICES
CONSULTANT
CONSULTING
COUNSELING SERVICES
COWORKING SPACE
CPA FIRM
DATA PROCESSING PLATFORM
DATABASE DEVELP
DENTAL OFFICE
DENTAL PRACTICE
DENTIST
DERMATOLOGY PRACTICE
DESIGN STRATEGY
Dispensing Optician
DOCTORS OFFICE
ELECTRONIC INSTRUMENTS FOR SAILBOATS AND PADDLEBOARDS
ESCROW
EXECUTIVE SUITES BUSINESS
EXPORT AND IMPORT OFFICE
FINANCIAL SRVCS
GAME SOFTWARE DEVELOPMENT
GENERAL DENTAL PRACTICE
HOTEL MGT
INCOME TAX INSURANCE AND REGISTRATION SERVICE
INSURANCE
INSURANCE SALES
INSURANCE/FIN
INTERNET APPLICATIONS AND DIGITAL MEDIA
INTERNET CLOUD PLATFORM SERVICE
INVESTMENT ADVICE
KIDNEY DIALYSIS SERVICE
LAW FIRM
LAW OFFICE
LAW OFFICES
LAW PRACTICE
MANAGEMENT CONSULTING
MARKETING CONSULTING
MARRIAGE AND FAMILY THERAPHY
MARRIAGE AND FAMILY THERAPIST
MARRIAGE FAMILY THERAPY
MEDICAL
MEDICAL CLINIC
MEDICAL DOCTOR

APPENDIX B

PROFESSIONAL
MEDICAL OFFICE
MEDICAL PRACTICE
MEDICAL PSYCHIATRY GROUP PRACTICE
MEDICAL SERVICE
MEDICAL SERVICES
MENTAL HEALTH SV
MENTAL HEALTH/COUNSELING SERVICES
MERCHANT ACQUIRING
MOBILE GAME DEVELOPMENT
MOBILE/INTERNET APP DEVELOPMENT
MORTGAGE BROKER
ONLINE DATA BACKUP
ONLINE SOFTWARE SUBSCRIPTIONS DIY VIDEO
OPHTHALMOLOGY
OPTICAL STORE
OPTOMETRIST PRACTICE
OPTOMETRY OFFICE
PEDIATRIC URGENT CARE
PHYSICIAN
PODIATRY
PRIVATE OPERATING FOUNDATION
PROFESSIONAL SVC
PROJECT MANAGEMENT CONSULTING
PROPERTY MANAGEMENT
PROPERTY MGMT
PROSTHETIC AND ORTHOTIC SERVICES
PSYCHIATRIST
PSYCHOTHERAPIST AT BUILDING SOLUTIONS COUNSELING CENTER
PSYCHOTHERAPIST: ELIZABETH ALVAREZ
PSYCHOTHERAPY
PSYCHOTHERAPY PRACTICE
PSYCHOTHERAPY SERVICES
PUBLIC ADVOCATE AND EDUCATION FOR CA FACIAL PLASTIC SURGERY
PUBLIC RELATIONS SERVICES
REAL ESTATE
REAL ESTATE BRKR
REAL ESTATE INVESTMENTS
REAL ESTATE MGMT
RECONSTRUCTIVE SURGERY
RECRUITING COMPANY
RECRUITING SERVICES
RESEARCH AND DEVELOPMENT
RETAIL EYEWEAR
SALE OF INSURANCE
SALES OF SECURITY CAMERAS/SOFTWARE DEVELOPMENT
SALES-SATELLITE
SOFTWARE
SOFTWARE DEVELOPER
SOFTWARE DEVELOPMENT
SOFTWARE DEVELOPMENT VIDEO GAMES
SOFTWARE DISTRIBUTION FOR AG WATER AND ENERGY SECTOR
SOFTWARE PLATFORM FOR MODERN CLOUD APPLICATIONS
SOFTWARE PUBLICATION
SOFTWARE SERVICES
SOFTWARE SERVICES @SPACES
SPEECH THERAPY
TAX AND ACCOUNTING SERVICES
TAX PREPARATION
TAX SERVICES
VENTURE CAPITAL
VENTURE CAPITAL MANAGEMENT
VETERINARY SVCS
Wealth Managaement
WEBSITE CREATION

APPENDIX B

RETAIL
BAKERY (PASTERIES COOKIES)
BAKERY CAFE
BAKERY/CAFE
BAR
BEAUTY SUPPLIES
BEER WINE COCKTAIL BAR
BICYCLE RETAIL SERVICE REPAIRS
BICYCLE SHOP
BOBA MILK TEA
BOBA TEA CAFE
BUBBLE TEA JUICE BAR AND SMOOTHIES
CAFE SERVING BOBA TEA AND FRUIT TEA
CAKE DECOR/SALES
CELL PHONE ACCESSORIES
CHINESE RESTAURANT
COFFEE HOUSE
COFFEE SHOP
CONVENIENCE MARKET
CONVENIENCE STORE
CUPCAKERY
DELI
DESSERT RESTAURANT
DRINK AND SNACK STORE
DRINKING PLACE
DRUGSTORE
E COMMERCE DELIVERING AWESOME GIFTS FOR MEN
EXQUISITE TEA AND DESSERT
FAST CASUAL DINING AND TAKE OUT RESTAURANT
FAST FOOD
FAST FOOD RESTAURANT
FLORIST GIFTS
FOOD AND BEVERAGES
FOOD SERVICE
FOOD TO GO
FOOD TRUCK BURRITOS TACOS QUESADILLAS
FULL SERVICE JAPANESE RESTAURANT
FULL SERVICE RESTAURANT
FULL SERVICE RESTAURANT - DINING, CATERING
FULL SERVICE RESTAURANT AND DESSERT
FULL-SERVICE RESTAURANT
GROCERY
HARDWARE - RETAIL
HAWAIIAN CAFE
JAPANESE RESTAURANT
JUICE AND ICE CREAM SHOP
LEATHER PRODUCTS
LIQUOR/GROCERY
MEAT MARKET
MEDITERRANEAN RESTAURANT
MEXICAN RESTAURANT
MISC RETAIL STORE
MOVIE THEATRE
NOODLE BAR
NOODLE SHOP
NOTARY, SHIPPING, PRINTING, MAILBOX RENTAL
OFFICE
ORTHOPEDIC SALES
PAINT/SUNDRIES
PIZZA
PIZZA PARLOR
PIZZA RESTAURANT
PIZZA SHOP
PIZZA/PASTA/BAR
PRODUCE MARKET
QUICK SERVICE CASUAL JAPANESE RESTAURANT
RESTAURANT
RESTAURANT, OFFER QUICK NOODLES SERVICE
RESTAURANT/BAR
RETAIL - CAFE
RETAIL - DONUTS
RETAIL CLOTHING

APPENDIX B

RETAIL
RETAIL COOKING SUPPLY STORE AND COOKING SCHOOL
RETAIL DANCEWEAR
RETAIL FLOORING SALES
RETAIL FOOD
RETAIL FRAMING
RETAIL FURNITURE
RETAIL HOME FURNISHINGS
RETAIL JEWELRY
RETAIL PLASTICS
RETAIL RESTAURANT
RETAIL SALE OF MARTIAL ARTS EQUIPMENT & INSTRUCTION
RETAIL SALES
RETAIL SALES OF GAS
RETAIL SALES OF WIRELESS TELECOMMUNICATIONS
RETAIL SHOES
RETAIL SKATEBOARD STORE
RETAIL SPECIALTY FOODS
RETAIL TOBACCO & NOVELTY PRODUCTS
RETAIL-FOOD SALE
SALE OF BICYCLES INCLUDING E-BIKES AND CYCLING EQUIPMENT
SALES
SALES RETAILS OF GROCERIES AND MARKET PRODUCTS
SEA FOOD TO GO
SELLING CRAFTED TEA DRINKS
SMOKE SHOP
SOFT SERVE & TAIYAKI
SPORTS CLOTHES AND PHONES
SUSHI BAR RESTAURANT
TAKE OUT FOOD
TAQUERIA
TASTING ROOM AND RETAIL SALES
TECHNOLOGY STORE, SERVICE REPAIR AND SALES OF IPHONES LAPTOPS.
THAI FOOD RESTAURANT
VACUUM & SEWING SALES
WOMANS CLOTHING STORE

SERVICE
181 2ND AVE PARKING (SAN MATEO)
APPLIANCE REPAIR
AUTO BODY REPAIR
AUTO CARE
AUTO LUBE/OIL
AUTO REPAIR
Auto Repair and Tire Sales
AWARD PRODUCTS
BARBER SHOP
BEAUTY RETAIL STORE
BEAUTY SALON
BEAUTY SHOP
BOXING AND FITNESS
BUSINESS MANAGEMENT / SKIN CARE PRODUCT SALES
CENTERED SPANISH LEARNING
CHILDREN'S GYMNASTICS
CLEANERS
CLEANING SERVICES
CORPORATE PARKING AND CUSTOMER SERVICE
COSMETIC AND PARAMEDICAL TATTOO, PERMANENT MAKEUP
COURSES AND BOARDING
DRY CLEANER
DRY CLEANING
DRY CLEANING AND ALTERATIONS
ELECTRONIC REPAIR (CELL PHONES, TABLETS, COMPUTERS) AND SOME RETAIL.
ENTREPRENEURIAL CENTER PROVIDES TOOLS TO START-UPS
ESTHETICS SERVICES AND EYELASH EXTENSIONS

APPENDIX B

SERVICE
FITNESS CLUB
FITNESS STUDIO
FURNITURE/ACCESS
GAS STATION
GEN. CONTRACTOR
HAIR AND NAIL
HAIR AND NAILS
HAIR MAKEUP WAXING SALON
HAIR NAILS AND FACIALS
HAIR SALON
HAIR SALON - 6 STATIONS
HAIR STYLIST - IC @MAISON SALON
HAIR, NAIL, & FACIAL SALON
HAIRCUTTING
HAIRSTYLIST
HEALTH AND WELLNESS, PERSONAL TRAINING, GROUP CLASS
HEALTH/FITNESS
HOLISTIC HEALTH SPA
HOME CARE AGENCY (ADMIN OFFICE ONLY)
HYPNOTHERAPY
IC@BOREL HAIR CARE
INTERIOR DESIGN
IRON WORKS
LAUNDROMAT
LOCKSMITH
MARTIAL ARTS STUDIO
MASSAGE
MATH ACADEMIC TUTORING
MEETINGS AND BIBLE STUDY
METER COLLECTION (312 S ELLSWORTH AVE)
MONEY TRANSFER AND MONEY ORDER SERVICES AS WELL AS PUBLIC NOTARY AND REAL ESTATE AGENT SERVICES.
MULTIMEDIA PRODUCTION
MUSIC INSTRUCTION
NAIL AND HAIR SALON
NAIL SALON
NUTRITION CONSULTANT
ON LINE EDUCATIONAL WORKBOOKS, WORKSHEETS, ACTIVITIES AND GAMES FOR PREK -5TH GRADE
PERMANENT MAKEUP. BEAUTY TATTOO
PERSONAL TRAINING
PHOTOCOPIES
PILATES FITNESS STUDIO
PILATES STUDIO
POSTAL BUSINESS
ROOFING AND SHEET METAL
ROOMING HOUSE
SAMPLES AND INFORMATION
SCALE SALES/SVC
SERVICE AND PRODUCT SALES
SERVICE STATION
SHIPPING, NOTARY PUBLIC, FINGERPRINTING, ETC SERVICES
SHOE REPAIR
SKIN AND BODY TREATMENT
SKIN CARE
SKIN CARE & BODY TREATMENT
SKIN CARE AND FACIAL BUSINESS
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MEMO

To: Downtown San Mateo Association Board Members
From: Tim Seufert and Nick Dayhoff/NBS
Date: February 20, 2020
Re: Business Improvement District Research and Analysis

Executive Summary

Downtown San Mateo has gone through many changes over the past years, with more changes to come. Community leaders realized it was time to review the level of services provided, budget and method of funding within the Downtown Business Improvement Area (the "DBIA"). In particular, there has been a desire to update the fee structure so that it is more equitable, based on the benefits offered by the services that are provided.

As with many downtowns, there is a shift occurring in retail from goods to experiences, such as shopping to dining. In the City of San Mateo (the "City"), there has also been a pronounced increase in office space and foot traffic from those workers and office users. At the same time, there has been a natural increase in the cost of operations (Downtown San Mateo Association [the "DSMA"] staff, cleaning, event production) while revenues have remained flat.

Therefore, this memo provides some background and comparative information, and briefly summarizes the proposed changes to the method of assessing the fees, with a focus on equity and fairness.

As further detailed in this memo, in order for the DSMA to generate desired revenue of \$350,000, NBS recommends the following rates for each of the following categories in Zone 1 and Zone 2, based on the discussions with the DSMA and our understanding of the area:

Zone 1		
Business Type	Current Rate	Proposed Rate
Retail: \$0 - \$150,000	\$166.36	\$182.72
Retail: \$150,001 - \$400,000	332.72	365.44
Retail: \$400,001 - \$600,000	665.43	730.88
Retail: \$600,001 - \$1,000,000	998.15	1,096.32
Retail: \$1,000,001 +	1,330.88	1,461.76
Financial	998.15	1,096.32
Mills Health Center	-	4,385.28
Professional: Up to 5 Employees	-	365.44
Professional: 6-15 Employees	-	1,096.32
Professional: 16-35 Employees	-	1,644.48
Professional: 36-75 Employees	-	2,192.64
Professional: 76 + Employees ¹	-	2,192.64
Service: Up to 5 Employees	-	274.08
Service: 6-15 Employees	-	822.24
Service: 16-35 Employees	-	1,233.36
Service: 36-75 Employees	-	1,644.48
Service: 76 + Employees ²	-	1,644.48

1 - plus \$9.79 per employee over 75 employees.

2 - plus \$7.34 per employee over 75 employees.

Zone 2		
Business Type	Current Rate	Proposed Rate
Retail: \$0 - \$150,000	\$66.55	\$91.36
Retail: \$150,001 - \$400,000	99.82	182.72
Retail: \$400,001 - \$600,000	133.10	365.44
Retail: \$600,001 - \$1,000,000	199.62	548.16
Retail: \$1,000,001 +	332.72	730.88
Financial	665.44	548.16
Mills Health Center	-	n/a
Professional: Up to 5 Employees	-	182.72
Professional: 6-15 Employees	-	548.16
Professional: 16-35 Employees	-	822.24
Professional: 36-75 Employees	-	1,096.32
Professional: 76 + Employees ³	-	1,096.32
Service: Up to 5 Employees	-	137.04
Service: 6-15 Employees	-	411.12
Service: 16-35 Employees	-	616.68
Service: 36-75 Employees	-	822.24
Service: 76 + Employees ⁴	-	822.24

3 - plus \$4.89 per employee over 75 employees.

4 - plus \$3.67 per employee over 75 employees.

Background – Downtown Business Improvement Area

The City established the DBIA in 1986, pursuant to the *Parking and Business Improvement Area Law of 1979*, to levy an annual assessment on businesses within the DBIA in order to provide decorations, promote public events, furnish music, and generally promote business activities within the DBIA. The DSMA is the advisory board appointed by the City Council of the City (the “Council”) to make recommendations to the Council on the expenditure of revenues derived from the levy of assessments, on the classification of businesses, and on the method and basis of levying the assessments.

The *Parking and Business Improvement Area Law of 1979* was repealed and replaced with the *Parking and Business Improvement Area Law of 1989 (the “PBIA Law”)*, and, as such, the DBIA is currently subject to Chapters 3, 4, and 5 of the PBIA Law, covering (1) Assessments, (2) Modifications to Boundaries, Assessments, Improvements, or Activities, and (3) Disestablishment, respectively. Pursuant to the PBIA Law, the City must renew the DBIA each year

More recently, the DSMA has focused on beautification and cleanliness, public outreach, promotion of the DBIA, and events. The City collects the annual assessment—on behalf of the DSMA—from each business within the DBIA as part of the annual business license tax, which provides the majority of the revenue needed to pay for these services and activities.

In advance of the next renewal proceedings, the DSMA Board is exploring the possibility of modifying the current assessment structure, which has been in place since 2009. As part of this process, the DSMA Board commissioned NBS to research methods that other Business Improvement Districts (“BIDs”) use to assess businesses, and to provide some guidance and options for amending the DSMA’s current method of assessment. This memorandum serves to address these issues, among others.

Existing DBIA Assessment

All businesses within the DBIA, excluding non-profits, are currently subject to the levy of the annual assessment, based upon the location of the business, type of business, as well as gross sales if the business is classified as *Retail*.

There are two Zones within the DBIA. Zone 1 is the core of the City’s downtown area, and businesses within this zone receive the most benefit and impact from the DSMA’s services and activities, and as such pay a higher assessment than those businesses in Zone 2. Zone 2 is further out from the City’s downtown area, and businesses within this Zone receive less benefit from the DSMA’s services and activities, and as such pay a lower assessment than those businesses in Zone 1.

Business are classified into six different types, for assessment purposes:

- Retail
- Financial
- Hotel
- Professional
- Service
- Miscellaneous

Existing assessments for each type of business are as follows:

TABLE 1 – EXISTING ASSESSMENT RATES

Type	Annual Gross Receipts	Zone 1 Rate	Zone 2 Rate
Retail	\$0 - \$150,000	\$166.36	\$66.55
	\$150,001 - \$400,000	332.72	99.82
	\$400,001 - \$600,000	665.43	133.10
	\$600,001 – \$1,000,000	998.15	199.62
	\$1,000,001 +	1,330.88	332.72
	Professional	99.82	66.55
	Miscellaneous	99.82	66.55
	Service	133.08	66.55
	Hotel	266.18	66.55
	Financial	998.15	665.44

Potential Legal Risks of an Assessment Rate Increase

Legal challenges against new or increased assessments are not uncommon, and in fact, legal threats against new or increased assessments are fairly common. If an assessment is likely to be challenged, a city may consider “impounding” the assessment proceeds until the challenge has ended. Cities do this because once proceeds are paid to the association and expended on services, those proceeds will not be available for refunds or satisfaction of judgments. Associations generally do not like impounding, since it prevents payment for services if funding is held-up by the city.

Legal challenges against assessments, it seems, are almost strictly limited to those assessments subject to Proposition 218, which requires a much more stringent analysis separating and quantifying special and general benefit prior to levying an assessment, as only special benefit may be assessed. The ‘good’ news is that, in 1999, the Fourth District Court of Appeal ruled that BIDs created by cities under the PBIA Law are not subject to the requirements of Proposition 218, and the court concluded that assessments levied pursuant to the PBIA Law do not constitute an “assessment” within the meaning of Proposition 218.

As a result of the adoption by the voters in 2010 of Proposition 26, an assessment against businesses requires two-thirds voter approval as a special tax unless it meets one of several enumerated exceptions.

The exceptions most relevant in the context of BIDs are for:

- A charge imposed for a specific benefit conferred or privilege granted directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of conferring the benefit or granting the privilege.
- A charge imposed for a specific government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of providing the service or product.

Under Proposition 26, the local government bears the burden of proving by a preponderance of the evidence that a levy, charge, or other exaction is not a tax, that the amount is no more than necessary to cover the reasonable costs of the activity, and that the manner in which those costs are allocated to a payor bear a fair or reasonable relationship to the payor's burdens on, or benefits received from, the activity.

The common BID seems to qualify for an exemption to Proposition 26, although that doesn't guarantee a BID assessment will not be challenged. Note that a group called San Diegans for Open Government has unsuccessfully challenged the validity of the City of San Diego's BIDS on more than one occasion.

Therefore, the most likely potential legal risk of a modification to the current assessment structure – or even the existing structure – is a successful majority protest at the annual public hearing on the re-authorization of the DBIA. If there is a successful majority protest against the proposed structural changes and assessments, the DSMA must wait for one year before attempting to renew the DBIA. For this reason, it is important that the DSMA reach out to business owners within the DBIA to keep them informed of any proposed structural changes or increases to assessments prior to the public hearing. Such outreach and having the largest assessees on board throughout the process helps to mitigate the risk of a successful majority protest.

Assessment Equity/Comparing the Existing DBIA Assessment with other Regional BIDs

As part of this project, NBS examined several other BIDs in the region and throughout the State of California to study what factors are used to levy their assessments and how they create equity in the assessment distribution among different categories of businesses. Appendix A details various characteristics of each of these examined BIDs, including: name of the BID, number of businesses within the BID, annual revenue, annual budget, services/activities, number of zones, assessment methodology, treatment of non-profit businesses, treatment of hospitals (if any), and treatment of businesses on the second floor or higher of buildings.

Most of the examined BIDs have categories similar to those in the DBIA, specifically some version of retail, service, professional, and financial categories; however, there is some variation in regard to how the assessment is determined. The examined BIDs provide many different examples of just this:

- J the Park Street BID assesses a rate per \$1,000 of gross receipts for retail businesses, while the other categories pay a flat rate;
- J the Downtown Palo Alto BID uses the ranges of employees as the basis of assessment for retail/restaurants, service, and professional businesses, the number of rooms for lodging businesses, and a flat rate for financial businesses;
- J the Downtown Santa Cruz BID uses a rate per square foot of floor area for all types of businesses;
- J Novato's Downtown BID uses the ranges of employees as the basis of assessment, but only for retail/restaurant businesses. All other types of businesses are assessed flat fees of varying amounts;
- J Petaluma's Downtown BID uses the number of employees;
- J both of Santa Barbara's BIDs use some percentage of the regular business license fee for most types of businesses as the basis for their assessment;
- J the Downtown Long Beach PBIA applies a base fee per business, plus a fee per employee;
- J the East Anaheim Street PBIA uses flat rates for most categories, and the others pay a flat fee plus a per employee fee;
- J the Downtown Santa Ana BID uses some percentage of the regular business license fee for all businesses types; and,
- J the Huntington Beach Downtown BID uses ranges of square feet of floor area for retail/restaurant and service/office businesses, uses the number of rooms for hotel businesses, and utilizes a flat rate for other business types.

Through this research, it seems that the most common ways in which these other BIDs create equity in assessment distribution is by using gross sales figures, employee counts, square footage of businesses, flat fees per category, or some combination of these variables. Any of these methodologies seem reasonable as it relates to apportioning the DBIA assessment. It all comes down to whether or not such data is available for analysis.

In order to see how the DBIA's assessments compare to a few other BIDs in the region in terms of revenues generated and equity of assessments between categories, NBS focused-in on the Park Street BID, the Downtown Palo Alto BID, the Downtown Santa Cruz BID, and Novato's Downtown BID. The following table shows some key points:

TABLE 2 – REGIONAL BID COMPARISON

BID	Number of Businesses	BID Revenue ¹	Professional to Base Retail Ratio	Service to Base Retail Ratio
DBIA	525+	~\$190,000	60%	80%
Park Street BID ²	470+	~122,000	51%	51%
Downtown Palo Alto BID	800+	~112,500	27%	76%
Downtown Santa Cruz BID ³	650+	~250,000	40%	40%
Novato's Downtown BID	380+	~55,500	83%	100%

1 –Only includes revenue from the BID assessment. Does not include revenue from grants or fundraising.

2 – Has both Retail Service (minimum of \$172) and Retail Goods (minimum of \$336) categories and are assessed \$0.40 per \$1,000 of gross sales in Area A.

3 – All business types are assessed \$0.41 per square foot of floor area.

Refer to Appendix A for further details on the various assessment rates among the examined BIDs.

Ground Floor vs. Second Floor/Non-Profits

Like the DBIA, most of the examined BIDs treat businesses on the ground floor the same as businesses on upper floors. However, a few treat businesses that are not on the ground floor differently.

For example, in the Downtown Palo Alto Business Improvement District second floor (and higher) businesses located within Zone A are assessed the same as similar street-level businesses within Zone B. Depending on the type of business and the number of employees, the assessment to businesses on the upper floors of a building amounts to anywhere between 17% to 25% less than businesses on the ground floor.

The Huntington Beach Downtown Business Improvement District has different rates for Service/Office businesses that are not on the ground floor. Depending on the zone and square footage of the business, the assessment to these types of businesses on the upper floors of a building amounts to anywhere between 57% less to 150% more than businesses on the ground floor.

As it relates to considering potential structural changes to the DBIA assessment, NBS recommends assessing businesses on the second floor or higher the same as similar business types on the ground floor. In our opinion, there's really no reason to assess these businesses any differently because the people who work at businesses still have to use the sidewalks and benefit from the DSMA's cleaning program, and the business still benefits from the DSMA's marketing and outreach activities. In addition, businesses on the second floor are more likely to be

professional offices or similar (not retail based businesses) and would likely already be assessed at a different rate than retail-based businesses on the ground floor that rely more-heavily on foot traffic at the sidewalk level.

Similarly to the DBIA, most of the examined BIDs specifically exempt non-profit businesses from paying an assessment. The exceptions being the Downtown Santa Cruz Business Improvement District and the East Anaheim Street PBIA in the City of Long Beach, with the latter only assessing a base fee of \$100 to non-profit businesses. The Huntington Beach Downtown Business Improvement District, which doesn't assess non-profit businesses on their regular schedule of assessments, does allow non-profit businesses to participate by paying \$30. As it seems it is not too common to assess BID fees to non-profit businesses, NBS recommends that any modified structure continue to exempt non-profit businesses. The only exception here being if the DSMA desires to assess the Mills Medical Center, which lies within the boundaries of Zone 1 within the DBIA, but is currently not assessed. This medical center is the largest employer in the City and has a large footprint in the downtown area, and should likely be assessed.

Potential Revenue Generated from a Change in Assessment Fees and Potential Structural Changes to the DBIA Assessment

The potential revenue generated in any given year should generally be a function of the DSMA's proposed budget in any given year. The DSMA should begin with a proposed budget for the upcoming year and assessments should then be apportioned to each business, based upon such annual budget. Assessments rates should ideally be re-evaluated each year or every few years depending on changes to both annual budget and the number and types of business within the DBIA. This is absolutely necessary due the uncertainty of economic conditions from year-to-year and how such conditions will affect the number and types of businesses that may exist within the DBIA in any given year.

As previously detailed, there are several ways in which other BIDs apportion assessments to businesses: some use a rate per \$1,000 of gross receipts, some use a rate per floor area, some use employee counts, etc. Since none of these factors are available from the City, as they relate to the DBIA, NBS must work within the confines of the existing rate structure. This isn't exactly ideal for purposes of analyzing potential new assessment structures, but it may actually be more favorable from a business owners' perspective, as working within the existing rate structure at least provides a certain level of familiarity. It's also worth noting that many of the other examined BIDs use business categories similar to those of the DSMA.

That being said, NBS does recommend some modifications to the existing structure, as well as increasing the existing assessment rates, as the DSMA has expressed its desire to increase annual BID revenue to \$350,000, in order to hire an executive director, expand existing services and activities, and create value for the downtown area. Achieving this level of revenue under the current rate structure is simply not possible, as the DSMA anticipates only \$190,000 in assessment revenue in FY 2019/20, per the DSMA's annual report for FY 2018/19. This represents a desired revenue increase of approximately 84.2% from current levels.

To start, NBS has analyzed the current listing of active businesses within the DBIA, as provided by the City. The count of each business type within each of the two Zones are shown in the following table:

TABLE 3 – COUNT OF EACH BUSINESS TYPE

Type	Annual Gross Receipts	Zone 1 Count	Zone 2 Count	Total Count
Retail	\$0 - \$150,000	31	8	39
	\$150,001 - \$400,000	39	9	48
	\$400,001 - \$600,000	14	3	17
	\$600,001 – \$1,000,000	21	4	25
	\$1,000,001 +	50	12	62
Professional		146	21	167
Miscellaneous		22	9	31
Service		85	38	123
Hotel		0	1	1
Financial		11	1	12
TOTALS		419	106	525

Table 3 shows that there is only one business in the DBIA classified as *Hotel*. However, after researching the listing of business licenses provided by the City, it was discovered that this business is not actually a hotel in the traditional sense – it is actually a rooming house. As this is the only business classified in this manner, NBS recommends that the *Hotel* category be consolidated with the *Service* category.

NBS also recommends that businesses in the *Miscellaneous* category be reassigned to either the *Service* or *Professional* category, and the *Miscellaneous* category be eliminated.

Regarding the *Service* category, the DSMA desires to break-up this classification into five tiers using ranges of employee counts: Up to 5 Employees, 6-15 employees, 16-35 employees, 36-75 employees, and 76+ employees. DSMA also would like to break-up the *Professional* category in the same manner. As employee count data is not available from the City, an estimate of the employee count range was made for each business classified as either *Service* or *Professional*.

In addition, the DSMA wishes to assess the Mills Health Center, as it is the largest employer in the City. Although this medical complex is not currently assessed under the current rate structure, as it is a non-profit entity, the DSMA feels that it does benefit from the services and activities provided. Since it is such a large complex and a top employer, NBS suggests assessing the Mills Health Center 24 times more than businesses in the *Retail \$0 - \$150,000* category.

Since we're constrained to working mostly under the existing rate structure, in order to propose any modifications, we must first examine such structure by analyzing how the various rates for each category relate to the Zone 1 rate for *Retail \$0 - \$150,000* (the "Base Assessment Rate") businesses.

TABLE 4 – EXISTING RELATIVE RATE STRUCTURE

Type	Annual Gross Receipts	Zone 1 Rate	Zone 1 Benefit Factor ¹	Zone 2 Rate	Zone 2 Benefit Factor ¹
Retail	\$0 - \$150,000	\$166.36	1.00x	\$66.55	0.40x
	\$150,001 - \$400,000	332.72	2.00x	99.82	0.60x
	\$400,001 - \$600,000	665.43	4.00x	133.10	0.80x
	\$600,001 – \$1,000,000	998.15	6.00x	199.62	1.20x
	\$1,000,001 +	1,330.88	8.00x	332.72	2.00x
Professional		99.82	0.60x	66.55	0.40x
Miscellaneous		99.82	0.60x	66.55	0.40x
Service		133.08	0.80x	66.55	0.40x
Hotel		266.18	1.60x	66.55	0.40x
Financial		998.15	6.00x	665.44	4.00x

1 – Relative to the Base Assessment Rate.

From Table 4, we can see how the current rates are structured. In Zone 1, businesses classified as *Retail \$150,001 - \$400,000* are assessed two times the Base Assessment Rate, businesses classified as *Retail \$400,001 - \$600,000* are assessed four times the Base Assessment Rate, etc.

The same follows in Zone 2: businesses classified as *Retail \$0 - \$150,000* are assessed 0.40 times the Base Assessment Rate, businesses classified as *Retail \$150,001 - \$400,000* are assessed 0.60 times the Base Assessment Rate, etc.

NBS recommends that the *Retail* benefit factors in Zone 1 be kept intact.

Next, we need to examine how the rates for each business type in Zone 2 relate to the corresponding business type in Zone 1:

TABLE 5 – EXISTING ZONE 2 FACTORS

Type	Annual Gross Receipts	Zone 1 Rate	Zone 2 Rate	Zone 2 Zone Factor ¹
Retail	\$0 - \$150,000	\$166.36	\$66.55	0.40x
	\$150,001 - \$400,000	332.72	99.82	0.30x
	\$400,001 - \$600,000	665.43	133.10	0.20x
	\$600,001 – \$1,000,000	998.15	199.62	0.20x
	\$1,000,001 +	1,330.88	332.72	0.25x
Professional		99.82	66.55	0.67x
Miscellaneous		99.82	66.55	0.67x
Service		133.08	66.55	0.50x
Hotel		266.18	66.55	0.25x
Financial		998.15	665.44	0.67x

1 – Relative to the corresponding business type in Zone 1.

From Table 5, we can see how the current rates for each business type in Zone 2 relate to the corresponding business types in Zone 1: businesses classified as *Retail \$0, - \$150,000* in Zone 2 are assessed 0.40 times the corresponding rate in Zone 1, businesses classified as *Retail \$150,001 - \$400,000* are assessed 0.30 times the corresponding rate in Zone 1, etc. Curiously, this table shows that there are currently six different Zone 2 “Zone Factors”. In our experience in working with various assessment districts throughout the State, best practice dictates that a Zone Factor should be consistently applied among all categories or business types within a specific zone of benefit. E.g., if it is determined that businesses in one zone receive half of the benefit of another zone, a Zone Factor of 50% should be applied evenly among all business types within the zone benefitting less, relative to the same business types in the zone benefitting more. In the DBIA’s case, the average of the various existing Zone 2 Zone Factors is 0.40, or 40% the benefit of businesses in Zone 1. After discussing with the DSMA, we will apply a 0.50 Zone 2 Zone Factor in our proposed structural modifications and consistently apply this number across all business types in Zone 2, relative to the same business types in Zone 1.

After making the recommended modifications to the *Service* and *Professional* categories, eliminating the *Hotel* and *Miscellaneous* categories, adding a new category for the Mills Health Center, and consistently applying the 0.50 Zone 2 Zone Factor to all business types in Zone 2 relative to corresponding businesses in Zone 1, results in the following revised benefit factors for the DBIA:

TABLE 6 – PROPOSED RELATIVE RATE STRUCTURE

Type	Annual Gross Receipts	Zone 1 Benefit Factor	Zone 2 Benefit Factor ¹
Retail	\$0 - \$150,000	1.00x	0.50x
	\$150,001 - \$400,000	2.00x	1.00x
	\$400,001 - \$600,000	4.00x	2.00x
	\$600,001 – \$1,000,000	6.00x	3.00x
	\$1,000,001 +	8.00x	4.00x
Financial		6.00x	3.00x
Mills Health Center		24.00x	n/a
Professional: Up to 5 Employees		2.00x	1.00x
Professional: 6-15 Employees		6.00x	3.00x
Professional: 16-35 Employees		9.00x	4.50x
Professional: 36-75 Employees		12.00x	6.00x
Professional: 76 + Employees		12.00x	6.00x
Service: Up to 5 Employees		1.50x	0.75x
Service: 6-15 Employees		4.50x	2.25x
Service: 16-35 Employees		6.75x	3.38x
Service: 36-75 Employees		9.00x	4.50x
Service: 76 + Employees		9.00x	4.50x

1 –50% of the benefit factor for the same business type in Zone 1.

In order to develop rates based on these new benefit factors, the benefit factors shown in Table 6 were applied to each of the businesses within the DBIA, mostly pursuant to the business types from the listing provided by the City (*Hotel* and *Miscellaneous* were reassigned, and a handful of businesses were reassigned to a more appropriate category). The total benefit factors within the DBIA is shown in the following table:

TABLE 7 – TOTAL BENEFIT FACTOR WITHIN THE DBIA

Type	Annual Gross Receipts	Total Benefit Factor
Retail	\$0 - \$150,000	35.00
	\$150,001 - \$400,000	87.00
	\$400,001 - \$600,000	62.00
	\$600,001 – \$1,000,000	132.00
	\$1,000,001 +	448.00
Financial		69.00
Mills Health Center		24.00
Professional: Up to 5 Employees		193.00
Professional: 6-15 Employees		354.00
Professional: 16-35 Employees		99.00
Professional: 36-75 Employees		96.00
Professional: 76 + Employees		36.00
Service: Up to 5 Employees		116.25
Service: 6-15 Employees		123.75
Service: 16-35 Employees		40.50
Service: 36-75 Employees		0.00
Service: 76 + Employees		0.00
TOTAL		1,915.50

Using the total benefit factor of 1,886.63 allows us to come up with a rate per 1.00 benefit factor, depending upon the DSMA's desired annual budget. For this example, we'll use the DSMA's anticipated revenue for FY 2019/20:

TABLE 8 – RATE PER 1.00 BENEFIT FACTOR (19/20 REVENUE ESTIMATES)

Total DBIA Benefit Factor	1,915.50
DSMA Budget	\$190,000.00
Rate per 1.00 Benefit Factor	\$99.19

This shows that the New Base Assessment Rate would need to be \$99.19 to achieve a budget of \$190,000, which is approximately 40.4% lower to the existing Base Assessment Rate of \$166.36.

In order to meet the DSMA's desired goal of a \$350,000 annual budget, the New Base Assessment Rate would need to be \$182.72, or about 9.8% higher than the existing structure:

TABLE 9 – RATE PER 1.00 BENEFIT FACTOR (PROPOSED)

Total DBIA Benefit Factor	1,915.50
DSMA Budget	\$350,000.00
Rate per 1.00 Benefit Factor	\$182.72

Appendix B shows the detailed schedule of recommended rates for each business type, assuming a FY 2020/21 budget \$350,000, and a Zone 2 Zone Factor of 0.50.

Appendix C compares the average assessment for each general category of business under the existing structure with the average assessment for each general category of business under the proposed structure.

If other data points were available from the City, specifically gross sales, accurate employee counts, and/or gross floor area of each business, we could provide different options for a revised rate structure. Because we do not have such data, we are mostly constrained to working within the limitations of the existing model.

Conclusion

As discussed within this memo, the business landscape in the Downtown San Mateo area has changed a lot since the original DBIA was formulated. There has been a pronounced increase in office space and foot traffic from those workers and office users. Meanwhile, there has been a natural increase in the cost of operations while revenues have remained flat. Due to the DSMA's desire to provide increased services and improved equity among the payors for those services, there is a need for increased revenue. Therefore, it's important for the DSMA to re-evaluate its method of assessment for the DBIA. NBS believes that the rate modifications proposed within this memo will help put the DSMA on a sustainable path in terms of having a reliable source of annual revenue and creating assessment equity among the various categories.

Appendix A

BID Name	# of Businesses	Annual Revenue	Annual Budget	Size	Activities	Number of Zones
Downtown Alameda Business Association (Park Street Business Improvement Area)	470+	<ul style="list-style-type: none"> • \$122,000 from BIA Assessment • \$206,000 from other sources 	\$328,000	see map	Special Events Clean, Green and Safe Program Promotions Program Member outreach Administration	2
Palo Alto Downtown Business and Professional Association (Downtown Palo Alto Business Improvement District)	800+	<ul style="list-style-type: none"> • \$112,500 from BID Assessment • \$21,000 from other sources 	\$133,500	see map	Banners Summer Concert Series Special Events Downtown Street Team Member outreach Administration	2
Downtown Association of Santa Cruz (Downtown Santa Cruz Business Improvement District)	650+	<ul style="list-style-type: none"> • \$250,000 from BID Assessment • \$279,584 from other sources 	\$526,084	n/a	Marketing Special Events Member outreach Administration	2
Downtown Novato Business Association (Downtown Business Improvement District)	380+	<ul style="list-style-type: none"> • \$55,500 from BID Assessment • \$55,500 from City (dollar for dollar assmt match) • \$92,940 from other sources 	\$268,400	see map	Marketing Special Events Member outreach Administration	2
Petaluma Downtown Association (Downtown Business Improvement District)	175+	\$65,000	\$65,000	see map	Beautification Marketing Security Administration	3
Downtown Organization of Santa Barbara (Downtown Business Improvement District / Old Town Business Improvement District)	1,480+	<ul style="list-style-type: none"> • \$263,000 from BID Assessment • \$375,580 from other sources 	\$637,270	see map	Marketing/Communications/Advertising Outreach and Involvement Administration	2
Downtown Long Beach PBIA	1,800+	\$633,000	\$633,000	see map	Community Advocacy Marketing and Communications Economic Development	1
East Anaheim Street PBIA	425+	<ul style="list-style-type: none"> • \$142,255 from BID Assessment • \$100 from other sources 	\$142,355	see map	Cleanliness Event Support Member and Area Marketing & Promotion Member Representation & Communication	1
Downtown Santa Ana Business Improvement District	600+	\$200,000	\$200,000	see map	Decorations Events Promotion of Business Activities	1
Huntington Beach Downtown Business Improvement District	260	<ul style="list-style-type: none"> • \$120,000 from BIA Assessment • \$588,000 from other sources 	\$708,000	see map	Marketing Special Events Safety Maintenance and Beautification Administration	2

Appendix A

BID Name	Business Mix / Assessment Methodology
Downtown Alameda Business Association (Park Street Business Improvement Area)	<p>Non-Retail: Area A - \$172 Area B - \$110</p> <p>Retail Service: Area A - \$0.40/\$1,000 Gross Receipts (min: \$172; max: \$2,259) Area B - \$0.20/\$1,000 Gross Receipts (min: \$110; max: \$1,136)</p> <p>Retail Goods: Area A - \$0.40/\$1,000 Gross Receipts (min: \$336; max: \$2,259; +surcharge of \$4,495 if business exceeds 30k sqft) Area B - \$0.20/\$1,000 Gross Receipts (min: \$172; max: \$1,136)</p> <p>Financial/Utilities: Areas A & B: \$1,136</p>
Palo Alto Downtown Business and Professional Association (Downtown Palo Alto Business Improvement District)	<p>Retailers and Restaurants: Zone A: \$225 (under 6 FTE); \$340 (6-10 FTE); \$450 (11+ FTE) Zone B: \$170 (under 6 FTE); \$260 (6-10 FTE); \$340 (11+ FTE)</p> <p>Service Businesses: Zone A: \$170 (under 4 FTE); \$260 (4-6 FTE); \$340 (7+ FTE) Zone B: \$130 (under 4 FTE); \$200 (4-6 FTE); \$260 (7+ FTE)</p> <p>Professional Businesses: Zone A: \$60 (0.26-1 FTE); \$110 (2-4 FTE); \$170 (5-9 FTE); \$225 (10+ FTE) Zone B: \$50 (0.26-1 FTE); \$90 (2-4 FTE); \$130 (5-9 FTE); \$170 (10+ FTE)</p> <p>Lodging Businesses: Zone A: \$225 (up to 20 rooms); \$340 (21-40 rooms); \$450 (41+ rooms) Zone B: \$170 (up to 20 rooms); \$260 (21-40 rooms); \$340 (41+ rooms)</p> <p>Financial Institutions: Zones A & B: \$500</p>
Downtown Association of Santa Cruz (Downtown Santa Cruz Business Improvement District)	<p>\$0.41/square foot</p> <p>Retail & Food: Type 1 - 100%</p> <p>Financial, Bars, and Theaters: Type 2 - 60%</p> <p>Wholesale Trade, Services and Professions, Auto Dealers: Type 3 - 40%</p> <p>Zone Factors: Zone 1 - 100%; Zone 2 - 60%</p> <p>Assessment = Business SqFt x \$0.41 x Type% x Zone% + \$50</p>
Downtown Novato Business Association (Downtown Business Improvement District)	<p>Retailers/Restaurants: Zone A: \$158 (1-3 employees); \$263 (4-6 employees); \$368 (7+ employees) Zone B: \$79 (1-3 employees); \$131 (4-6 employees); \$184 (7+ employees)</p> <p>Service Businesses: Zone A: \$158 Zone B: \$79</p> <p>Professional Businesses: Zone A: \$131 Zone B: \$65</p> <p>Financial Institutions: Zones A & B: \$525</p> <p>Lodging (Bed & Breakfast): Zones A & B: \$158</p> <p>Lodging (Hotels and Motels): Zones A & B: \$263</p>
Petaluma Downtown Association (Downtown Business Improvement District)	Based on Zone, type of business, number of employees
Downtown Organization of Santa Barbara (Downtown Business Improvement District / Old Town Business Improvement District)	<p><u>Old Town BID</u></p> <p>Businesses located on State Street: equal to 100% of business license (minimum of \$100)</p> <p>Businesses not located on State Street: equal to 75% of business license (minimum of \$100)</p> <p>Automobile Sales and Service Businesses: \$600 max</p> <p>Other Businesses: Wholesale, Professional, Real Estate: \$100</p> <p><u>Downtown BID</u></p> <p>Professionals: equal to 15% of business license (minimum of \$50)</p> <p>All others: equal to 100% of business license</p>
Downtown Long Beach PBIA	<p>Independent Contractors: Base fee of \$317.23 + \$5.36 per employee</p> <p>All Other Businesses: Base fee of \$461.92 + \$7.76 per employee</p>
East Anaheim Street PBIA	<p>Non-Profit: Base fee of \$100</p> <p>Commercial / Industrial Space Rental: Base fee of \$120</p> <p>Contractors, Insurance Companies, Manufacturing, Misc Mobile, Professionals, Services, Vending & Wholesale: Base fee of \$200 + \$15 per employee</p> <p>Financial Institutions, Recreation / Entertainment, Retail & Unique Business: Base fee of \$300 + \$15 per employee</p>
Downtown Santa Ana Business Improvement District	<p>1.5 times the annual business license tax for the following businesses:</p> <p>Amusement Services, Pawnbrokers, Service Stations, Retail Sales, Hotels, Motels, Theaters, Food Establishments</p> <p>0.25 times annual business license tax for the following businesses:</p> <p>Commercial Rental Property, Rental Property, Residential and Rooming House</p> <p>1 times the annual business license tax for all other businesses</p>
Huntington Beach Downtown Business Improvement District	<p>Retail / Restaurants: Zone 1 - \$351 (<= 1ksqft); \$702 (1,001sqft-2,500sqft); \$1,053 (2,501sqft-4,999sqft); \$1,404 (5k+sqft) Zone 2 - \$200 (<= 1ksqft); \$400 (1,001sqft-2,500sqft); \$600 (2,501sqft-4,999sqft); \$800 (5k+sqft)</p> <p>Hotels: Zone 1 - \$468 (<= 20 rooms); \$936 (21-50 rooms); \$1,404 (50+ rooms) Zone 2 - \$400 (<= 20 rooms); \$800 (21-50 rooms); \$1,200 (50+ rooms)</p> <p>Services / Offices: Zone 1 - \$281 (First Floor); \$120 (Basement or 2nd Floor+, <=1ksqft); \$150 (Basement or 2nd Floor+, 1,001sqft-2,500sqft); \$300 (Basement or 2nd Floor+, 2,501sqft-4,999sqft); \$700 (Basement or 2nd Floor+, 5k+sqft) Zone 2 - \$160 (First Floor); \$90 (Basement or 2nd Floor+, <=1ksqft); \$120 (Basement or 2nd Floor+, 1,001sqft-2,500sqft); \$150 (Basement or 2nd Floor+, 2,501sqft-4,999sqft); \$350 (Basement or 2nd Floor+, 5k+sqft)</p> <p>Cart / Kiosk: Zone 1 - \$100 Zone 2 - \$80</p> <p>Banks / ATM: Zone 1 - \$600 Zone 2 - \$400</p> <p>Seasonal: Zone 1 - \$500 Zone 2 - \$300</p>

Appendix A

BID Name	Non-Profit	Hospital	2nd Floor
Downtown Alameda Business Association (Park Street Business Improvement Area)	No - only businesses selling things are assessed	"Health/Medical Professions" listed as a Non-Retail use	Businesses treated the same as those on the ground floor
Palo Alto Downtown Business and Professional Association (Downtown Palo Alto Business Improvement District)	No - specifically exempt	"Doctors" listed as Professional Business use	Second floor (and higher) businesses located within Zone A are assessed the same as similar street-level businesses within Zone B
Downtown Association of Santa Cruz (Downtown Santa Cruz Business Improvement District)	Yes	Yes - lots of medical professions + Kaiser Medical Office -	Businesses treated the same as those on the ground floor
Downtown Novato Business Association (Downtown Business Improvement District)	Not clear if non-profits are assessed	Yes - lots of medical professions	Businesses treated the same as those on the ground floor
Petaluma Downtown Association (Downtown Business Improvement District)	No - specifically exempt	Some Medical/Dental uses	Businesses treated the same as those on the ground floor
Downtown Organization of Santa Barbara (Downtown Business Improvement District / Old Town Business Improvement District)	No - specifically exempt	Yes - if for profit	Businesses treated the same as those on the ground floor
Downtown Long Beach PBIA	No	Yes - lots of medical professions	Businesses treated the same as those on the ground floor
East Anaheim Street PBIA	Yes - base fee only	Yes - lots of medical professions	Businesses treated the same as those on the ground floor
Downtown Santa Ana Business Improvement District	No	Some Medical/Dental uses	Businesses treated the same as those on the ground floor
Huntington Beach Downtown Business Improvement District	No, but may voluntarily participate by paying \$30	Some Medical/Dental uses	Yes

Appendix B
Downtown San Mateo Association
Downtown Business Improvement Area
Proposed Assessment Rates for FY 2020/21 Assuming a Budget of \$350,000, Zone 2 Factor of 50%

Business Type	Zone 1				
	Current Structure		Revised Structure		
	FY 2019/20		FY 2020/21		
	Benefit Factor	Rate	Benefit Factor	Rate @ \$350k	Annual % Change
Retail: \$0 - \$150,000	1.00	\$166.36	1.00	\$182.72	9.83%
Retail: \$150,001 - \$400,000	2.00	332.72	2.00	365.44	9.83%
Retail: \$400,001 - \$600,000	4.00	665.43	4.00	730.88	9.84%
Retail: \$600,001 - \$1,000,000	6.00	998.15	6.00	1,096.32	9.84%
Retail: \$1,000,001 +	8.00	1,330.88	8.00	1,461.76	9.83%
Professional ¹	0.60	99.82	-	-	-100.00%
Miscellaneous ²	0.60	99.82	-	-	-100.00%
Service ¹	0.80	133.08	-	-	-100.00%
Hotel ³	1.60	266.18	-	-	-100.00%
Financial	6.00	998.15	6.00	1,096.32	9.84%
Mills Health Center ⁴	-	-	24.00	4,385.28	n/a
Professional: Up to 5 Employees ¹	-	-	2.00	365.44	n/a
Professional: 6-15 Employees ¹	-	-	6.00	1,096.32	n/a
Professional: 16-35 Employees ¹	-	-	9.00	1,644.48	n/a
Professional: 36-75 Employees ¹			12.00	2,192.64	n/a
Professional: 76 + Employees ¹⁵			12.00	2,192.64	n/a
Service: Up to 5 Employees ¹	-	-	1.50	274.08	n/a
Service: 6-15 Employees ¹	-	-	4.50	822.24	n/a
Service: 16-35 Employees ¹	-	-	6.75	1,233.36	n/a
Service: 36-75 Employees ¹			9.00	1,644.48	n/a
Service: 76 + Employees ¹⁶			9.00	1,644.48	n/a

1 - The *Professional* and *Service* categories are proposed to be broken-up into five new categories, with tiers based on employee counts. For purposes of this analysis, assumptions were made regarding employee counts at existing businesses within the DBIA (using the listing of business licenses provided by the City of San Mateo), as such information is not available from the City of San Mateo.

2 - NBS proposes to eliminate the *Miscellaneous* category and reassign existing businesses with that designation into one of the *Professional* or *Service* categories.

3 - Only one business in the DBIA is classified as *Hotel*; however, it is not actually a hotel, it is a rooming house. In the future, NBS recommends that the *Hotel* category be consolidated into one of the *Service* categories.

4 - Assigned 24 times the Benefit Factor assigned to *Retail: \$1,000,001 +*.

5 - Base rate of \$2,192.64, plus \$9.79 per employee over 75 employees.

6 - Base rate of \$1,644.48, plus \$7.34 per employee over 75 employees.

Appendix B
Downtown San Mateo Association
Downtown Business Improvement Area
Proposed Assessment Rates for FY 2020/21 Assuming a Budget of \$350,000, Zone 2 Factor of 50%

Business Type	Zone 2				
	Current Structure		Revised Structure		
	FY 2019/20		FY 2020/21		
	Benefit Factor	Rate	Benefit Factor ⁴	Rate @ \$350k	Annual % Change
Retail: \$0 - \$150,000	0.40	\$66.55	0.50	\$91.36	37.28%
Retail: \$150,001 - \$400,000	0.60	99.82	1.00	182.72	83.05%
Retail: \$400,001 - \$600,000	0.80	133.10	2.00	365.44	174.56%
Retail: \$600,001 - \$1,000,000	1.20	199.62	3.00	548.16	174.60%
Retail: \$1,000,001 +	2.00	332.72	4.00	730.88	119.67%
Professional ¹	0.40	66.55	-	-	-100.00%
Miscellaneous ²	0.40	66.55	-	-	-100.00%
Service ¹	0.40	66.55	-	-	-100.00%
Hotel ³	0.40	66.55	-	-	-100.00%
Financial	4.00	665.44	3.00	548.16	-17.62%
Professional: Up to 5 Employees ¹	-	-	1.00	182.72	n/a
Professional: 6-15 Employees ¹	-	-	3.00	548.16	n/a
Professional: 16-35 Employees ¹	-	-	4.50	822.24	n/a
Professional: 36-75 Employees ¹	-	-	6.00	1,096.32	n/a
Professional: 76 + Employees ¹⁵	-	-	6.00	1,096.32	n/a
Service: Up to 5 Employees ¹	-	-	0.75	137.04	n/a
Service: 6-15 Employees ¹	-	-	2.25	411.12	n/a
Service: 16-35 Employees ¹	-	-	3.38	616.68	n/a
Service: 36-75 Employees ¹	-	-	4.50	822.24	n/a
Service: 76 + Employees ¹⁶	-	-	4.50	822.24	n/a

1 - *Professional* and *Service* categories are proposed to be broken-up into five new categories, with tiers based on employee counts. For purposes of this analysis, assumptions were made regarding employee counts at the existing businesses within the DBIA (using the listing of business licenses provided by the City of San Mateo), as such information is not available from the City of San Mateo.

2 - NBS proposes to eliminate the *Miscellaneous* category and reassign existing businesses with that designation into one of the *Professional* or *Service* categories.

3 - Only one business in the DBIA is classified as *Hotel*; however, it is not actually a hotel, it is a rooming house. Accordingly, NBS recommends that the *Hotel* category be consolidated into one of the *Service* categories.

4 - The Benefit Factor for all business types in Zone 2 have been modified to be 50% (Zone 2 Factor) of the Benefit Factor for corresponding business types in Zone 1. The Zone 2 Factor is not consistently applied under the current rate structure.

5 - Base rate of \$1,096.32, plus \$4.89 per employee over 75 employees.

6 - Base rate of \$822.24, plus \$3.67 per employee over 75 employees.

Appendix C
Downtown San Mateo Association
Downtown Business Improvement Area
Comparing Average Assessments Between Current Structure and Proposed Structure

	Zone 1	
	Current Structure	Revised Structure
	FY 2019/20	FY 2020/21
Business Type	Average Assessment	Average Assessment @ \$350k
Retail - All Tiers	\$739.98	\$825.19
Professional - All Tiers	99.82	795.23
Service - All Tiers	133.08	474.61
Financial	998.15	1,113.10
Mills Health Center	-	4,452.40

	Zone 2	
	Current Structure	Revised Structure
	FY 2019/20	FY 2020/21
Business Type	Average Assessment	Average Assessment @ \$350k
Retail - All Tiers	\$183.92	\$407.11
Professional - All Tiers	66.55	309.19
Service - All Tiers	66.55	226.93
Financial	665.44	556.55

Minerva Pulido
Mi Rancho Market
80 North B St
San Mateo, CA 94401

November 1, 2022

City Council
City of San Mateo
330 West 20th Avenue
San Mateo, CA 94403

Dear Council Member:

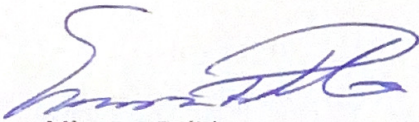
I have been doing business in the Downtown Business Improvement Area for 27 years, and I am writing to express my full support for the new fee structure proposed by the Downtown San Mateo Association ("DSMA").

I have personally benefited from the services provided by DSMA, especially during the North B Improvement Initiative, as well as support with our annual "North B Fiesta". It is important for DSMA to continue to be able to provide services that support business owners like myself.

I understand that the proposed fee structure is more equitable as it considers the changes in downtown San Mateo, reflects the benefits of businesses in the DBIA, ensures the viability of the DSMA, and provides additional funding required for the enhancement and expansion of services.

I urge you to move forward with the decision to update the fee structure from the current model to DSMA's requested model.

Sincerely,



Minerva Pulido
Mi Rancho Market

From: Jennifer Chen

Sent: Tuesday, November 1, 2022 2:00 PM

To: Seamus <seamus@gmail.com>; Lew Cohen <bstreetbooks@gmail.com>

Cc: 'Danielle Wood' <dwood@nbsgov.com>

Subject: 101 S San Mateo Drive

Hi All –

I received a phone call from Willian Tatomer MD who is a therapist at 101 S San mateo Drive. He thinks that his fee going from \$99 to \$550 is too high. He does share his office with 3 other therapist and I mentioned that he would share the DBIA with all three therapist.

His contact information is as follows: [REDACTED] and [REDACTED]

Thanks,
Jennifer

Jennifer Chen “陳珍妮”

Economic Development Manager | City Manager’s Office

330 W. 20th Ave. San Mateo, CA 94403

650-522-7009 | jchen@cityofsanmateo.org





ADMINISTRATIVE OFFICE
291 UTAH AVENUE
SO. SAN FRANCISCO, CA 94080-6802

TASTE FLAVOR AGAIN

CONTACT INFORMATION
TEL 650-244-6500 FAX 650-416-7558
WWW.DRAEGERS.COM

10/25/2022

10/25/2022 1:30PM

Richard Draeger
Draeger's Super Markets, Inc.
291 Utah Avenue
South San Francisco, CA 94080

City Council
City of San Mateo
330 West 20th Avenue
San Mateo, CA 94403

Dear Council Member:

I have been doing business in the Downtown Business Improvement Area ("DBIA") for 26 years, and I am writing to express my full support for the new fee structure proposed by the Downtown San Mateo Association ("DSMA"). I have personally benefited from the services provided by DSMA, especially from sidewalk cleaning. It is important for DSMA to continue to be able to provide services that support business owners like myself. I understand that the proposed fee structure is more equitable as it considers the changes in downtown San Mateo, reflects the benefits of businesses in the DBIA, ensures the viability of the DSMA, and provides additional funding required for the enhancement and expansion of services. I urge you to move forward with the decision to update the fee structure from the current model to DSMA's requested model.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Draeger", with a long horizontal line extending to the right.

BLACKHAWK
4100 BLACKHAWK PLAZA C.
DANVILLE, CA 94506
925-648-5800

LOS ALTOS
342 FIRST STREET
LOS ALTOS, CA 94022
650-948-4425

MENLO PARK
1010 UNIVERSITY DRIVE
MENLO PARK, CA 94025
650-324-7700

SAN MATEO
222 E. FOURTH AVENUE
SAN MATEO, CA 94401
650-685-3700

Tyson Mao
Wursthall
310 Baldwin Ave
San Mateo, CA 94401
October 21, 2022

City Council
City of San Mateo
330 West 20th Avenue
San Mateo, CA 94403

Dear Council Member:

I have been doing business in the Downtown Business Improvement Area ("DBIA") for 12 years, and I am writing to express my full support for the new fee structure proposed by the Downtown San Mateo Association ("DSMA").

I have personally benefited from the services provided by DSMA. It is important for DSMA to continue to be able to provide services that support business owners like myself.

I understand that the proposed fee structure is more equitable as it considers the changes in downtown San Mateo, reflects the benefits of businesses in the DBIA, ensures the viability of the DSMA, and provides additional funding required for the enhancement and expansion of services.

I urge you to move forward with the decision to update the fee structure from the current model to DSMA's requested model.

Sincerely,

A handwritten signature in black ink, appearing to read "Tyson Mao", with a stylized, cursive script.

Tyson Mao



24 Second Avenue
San Mateo, CA 94401
peninsulafamilyservice.org
(650) 403-4300

October 25, 2022

City Council
City of San Mateo
330 West 20th Avenue
San Mateo, CA 94403

Dear Council Member:

Peninsula Family Service ("PFS") has been doing business in the Downtown Business Improvement Area ("DBIA") for over 20 years, and I am writing to express my full support for the new fee structure proposed by the Downtown San Mateo Association ("DSMA").

PFS staff and participants personally benefit from the services provided by DSMA, especially from the efforts to bring people downtown and keeping the downtown clean. A clean downtown benefits the entire community. It is important for DSMA to continue to be able to provide services that support our employees and program participants.

I understand that the proposed fee structure is more equitable as it considers the changes in downtown San Mateo, reflects the benefits of businesses in the DBIA, ensures the viability of the DSMA, and provides additional funding required for the enhancement and expansion of services.

I urge you to move forward with the decision to update the fee structure from the current model to DSMA's requested model.

Sincerely,


Heather Cleary, CEO

Integrity Compassion Respect Diversity Teamwork Adaptability

From: Betty Shon [REDACTED]
Sent: Thursday, October 27, 2022 3:50 PM
To: Clerk <clerk@cityofsanmateo.org>
Cc: Lino Campanile [REDACTED]; Jeff Bak [REDACTED]; Richard Ng [REDACTED]
[REDACTED]; Kelly Chang Levine [REDACTED]
Subject: Resolution of intent to modify the basis and method of levy for the downtown business Improvement Area (DBIA)

To whom it may concern,

Westlake DMD LLC, owners of the property at 500 and 520 S. El Camino Real hereby protests the proposed changes to the BID assessment structure and rates effective July 1, 2023. The proposed change represents an increase of more than 23 times our current fee. The services provided by the DBIA do not warrant this increase. Kindly confirm receipt of our protest. Thank you.

Sincerely,

Betty Shon

From: Deborah Postal [REDACTED]
Date: Tuesday, October 18, 2022 at 3:50 PM
To: Clerk <cityclerk@cityofsanmateo.org>
Subject: Response to BID Assessment Fees

Dear City Clerk,

This correspondence is to protest the increase in BID assessments. For those of us who are self-employed and work (very) part-time, having to make an additional increased payment is just too much. Perhaps, DSMA should consider an increase to businesses with a full-time schedule, or put this increase off until we get through this time of high inflation, and the exorbitant costs for rent, supplies, and materials to run many businesses these days.

Sincerely,

Deborah Postal

From: Gene Manyak [REDACTED]

Sent: Wednesday, October 26, 2022 12:31 PM

To: Clerk <clerk@cityofsanmateo.org>; Rick Bonilla <RBonilla@cityofsanmateo.org>; Amourence Lee <alee@cityofsanmateo.org>; Joe Goethals <jgoethals@cityofsanmateo.org>; Diane Papan <dpapan@cityofsanmateo.org>; Eric Rodriguez <erodriguez@cityofsanmateo.org>

Subject: Protest to proposed DBIA tax/levy (Downtown Business Improvement Area)

Hello,

My wife and I own a professional business in downtown San Mateo, and have a strong issue with the proposed DBIA tax. Currently we pay \$98.82 per year, and the City is proposing a 10x/20x/30x increase. That seems excessive, unfair, and unreasonable!

- We already pay Business License taxes based on revenue. If the city needs money to pay for downtown beautification and upkeep, then use the proceeds of the business license tax, which is fairly based on revenue. The additional thousands of dollars in extra taxes for the DBIA seems unfair. Especially the proposed increase in the Professional tier.
- The businesses that would truly benefit the most from downtown upkeep and beautification, the Retail tier, are being practically untouched. **The proposed tax increase is primarily going to businesses who benefit the least (Service & Professional). Very unfair!**
- Our office is on the 6th floor of a multi-story building with its own garage. Downtown beautification is important, but won't meaningfully impact our business. If anything, we help other businesses in downtown, so why should we pay a disproportionate amount of this new tax (Professional Services are hit very hard).
 - Patients who come to our office drive into the building garage, come up an elevator to our office, and then leave. Perhaps they then go out and about in downtown San Mateo, but that is our business helping other city merchants, not the other way around. The primary purpose of the trip to downtown San Mateo is to visit our office, not the other way around. Why should we pay a 10-30x increase in this tax if we aren't really getting any benefit from it? Perhaps an extra fee for street-level businesses

would be fair, but even in this case the amount should be reasonable given that a separate business tax already exists.

- And why such a large increase to the Professional tier? Again, we already pay the city via a % of annual revenues.
- Also, why base the amount on number of employees, and how do you define an employee? Someone who works 2 hours per week, or FTE? How about owner, are they included in the count?

This proposed tax seems flawed and unjust. If the city needs money to pay for downtown beautification and upkeep, that is why the business license tax exists. We are fundamentally opposed to the new DBIA tax in the way that it is being proposed.

Regards,

Gene Manyak
Manyak Dental Group
[REDACTED]

From: San Mateo Lock Works <sanmateolockworks@gmail.com>
Sent: Wednesday, October 19, 2022 2:43 PM
To: Clerk <cityclerk@cityofsanmateo.org>
Subject: Regarding the proposed BID Assessment Rate Increase

To All ,

We are emphatically not in favor of the proposed rate increase. Our business, San Mateo Lock Works, established 1927 does not support this proposal.
Please share will all involved.

Steve DeSantis Owner
Gary DeSantis Owner
Sid Shimabuku Owner
Jesse DeSantis Owner

--

Trust your real locksmith with real experience and a real location. Watch out for locksmiths advertising on the internet with no location or phantom addresses!

***San Mateo Lock Works
Family Owned Since 1927
321 Second Ave, San Mateo, CA 94401
650-344-4905
WWW.sanmateolockworks.com***



From: Andrew Klein [REDACTED]
Sent: Sunday, October 30, 2022 7:45 PM
To: Clerk <clerk@cityofsanmateo.org>
Subject: Updated Information - DSMA

Wanted to make sure this objection to the Resolution regarding the DBIA - please confirm receipt.

Best,

Andrew Klein

Begin forwarded message:

From: Andrew Klein [REDACTED]
Subject: Re: Updated Information - DSMA
Date: October 29, 2022 at 8:25:02 PM PDT
To: Seamus [REDACTED]
Cc: Lew Cohen <bstreetbooks@gmail.com>, cityclerk@cityofsanmateo.org, Wendy Klein [REDACTED]

Hello Seamus -

Thanks for your message.

I'm sorry to say we are even less supportive now then we were when we originally responded and very opposed to the fee increase. Our comments would be as follows:

1) Nothing in your document answers the question of what have you done in our area of B Street nor what will you be doing in our area of B Street that would drive business to our Yoga Studio - may help the businesses on 2nd through 4th - but nothing for us out here. We have asked this question every time you have asked for a fee raise, we asked the Mayor to tell us what has been done - we were promised an audit and never have received it.

2) The “fairness” issue is not addressed properly - we are kept being told it’s about FTEs which is not in any of the formal documents nor does it include contractors which a lot of businesses use in spite of AB 5 - which means we (Nandi Yoga) are going to have an excessive burden for zero services that will get to our area. In our conversations about employees versus FTEs, we have been told it’s “self reporting” and that no one is going to check it - this is the same argument we heard about covid mask restrictions from the County when they said “no one is checking anyway so if you are safe, just go ahead and tell people not to wear their masks” - playing in the gray area of the law is not how we run our business.

3) There is nothing in the document that gives any evidence of value - some general comments on trash pickup and planting - I would think that should be part of the City buildings and grounds budget - that is the city’s responsibility and we all pay trash fees for ecology for exactly that service - but if I were an investor, and someone asked me for \$220,000 extra (much less the \$400,000 in total), I would demand to see the potential return with some data and proof. It’s not there. I can see what Hillsborough does with their investment in the Hillsborough Beautification Foundation; I can see what Burlingame did downtown with their investment - both were costly but very clear on the outcomes - visible, tangible, obvious - I don’t see that here.

4) Most small businesses are still dealing with the consequences of Covid - for us we are still operating on less than 1/3 of revenue at a time when our rent and other utility costs are going up - the last thing we need is an additional tax from the City (which you can call this whatever you want - it is a TAX from the city) where there is zero impact on our business or in our area. Now is not the time to be pushing additional costs on businesses that are already struggling to get by, especially when there is limited to no impact on their business.

Bottom line:

1) We see no benefit to our specific business at all

2) We have seen nothing done between 6th and 9th Avenue between B Street and the railroad tracks in the 15 years we have been here - absolutely nothing. If you want to do this for downtown, then eliminate our section from the downtown association - it is nothing more than a transfer tax from us to the DSMA and downtown businesses and restaurants.

3) If you’re going to do something for downtown, do something major like Burlingame did on Burlingame Ave - make a real difference the area.

At Nandi, we have experienced multiple unnecessary and useless cost impositions from the City and County - from Covid restrictions to unequitable fire protection requirements to now this. You can be sure when our lease is up in March 2025, after 17 years in San Mateo, we will be looking at other jurisdictions than San Mateo - when we started San Mateo was so easy to do business with, far easier than our neighboring towns - our experience in these past few years have us questioning that point of view and certainly asking whether there is a better place to continue for our community.

Regards,

Andrew Klein
Co-Owner, Nandi Yoga

On Oct 28, 2022, at 9:34 AM, Seamus <seamus@gmail.com> wrote:

Hello Andrew,

Thank you and your wife for taking the time to reach out to us with your concerns about the proposed DSMA rate modification. Also, thank you for taking the time to speak to our consultant, Danielle at CivicMic.

We have attached a letter that explains where we are and what we would like to do in the future. Our focus is on creating equity across all ratepayers and increasing the support for our businesses. We hope the detail we have provided in the phone call and this letter will help create a better understanding of our objective and benefit.

We would greatly appreciate your support. Thank you,

Seamus Whitley
Treasurer, DSMA

P.S. Thank you for letting us know of your wife's interest in the DSMA Executive Director position we hope to create with this rate modification. We will look forward to seeing her application when the position is posted.

<Dear Businesses Owner.pdf>



CITY OF SAN MATEO

City Hall
330 W. 20th Avenue
San Mateo CA 94403
www.cityofsanmateo.org

Agenda Report

Agenda Number: 16

Section Name: NEW BUSINESS

Account Number: 25-3112

File ID: 22-6553

TO: City Council
FROM: Drew Corbett, City Manager
PREPARED BY: Community Development Department
MEETING DATE: November 7, 2022

SUBJECT:

Draft Goals, Policies and Actions for the Land Use, Community Design and Historic Preservation, and Safety Elements – General Plan Update

RECOMMENDATION:

Provide direction on the Goals, Policies and Actions for the Land Use, Community Design and Historic Preservation, and Safety Elements that should be included in the City's Draft General Plan Update.

BACKGROUND:

The City's General Plan Update (GPU) kicked off in fall 2018 and began with a series of visioning workshops and community meetings. From April 2019 through July 2022, the General Plan team held a series of meetings and events to establish the General Plan study areas, create the range of alternatives, confirm the draft alternatives, and receive feedback and direction on the preferred land use and circulation scenarios from the community and, ultimately, the City Council. More information about the background information, technical reports and the outreach process, including meeting materials and recordings, is available online at www.StriveSanMateo.org.

To date, the Strive San Mateo General Plan Update has focused on crafting a shared community vision for what San Mateo can be in the year 2040, as well as selecting the preferred land use and circulation scenarios that will guide the General Plan's Land Use and Circulation Elements. The process is now shifting to focus on the goals and policies for all of the elements in the City's General Plan Update. The draft Goals, Policies and Actions were published on July 21, 2022, which started the next phase of community outreach and engagement (public meetings, workshops and pop-up events, as well as an online survey), that wrapped up at the beginning of October 2022.

Goals, Policies and Actions Definitions

A General Plan is made up of a Vision Statement and Guiding Principles (Attachment 1), text describing key issues of community interest, and goals and policies that outline how the City will address those issues, as well as accompanying maps and diagrams. Each element of the General Plan will also include a concise set of background narratives that summarizes current conditions in the city related to the topics in the element. The background information will provide context about the issues the City plans to address, explaining why there is policy direction so that the the policies and actions can focus on how the City can achieve a desired outcome. The narratives also provide information on other regulations and/or agencies that influence the decision-making process. Together, these items paint a picture of the community's future. A draft outline of how the complete draft General Plan will be composed is included in Attachment 2. It is anticipated that this outline will continue to evolve and be refined based on ongoing community input and Council direction before the draft General Plan document is published in 2023.

Each element, or chapter, of the General Plan addresses a specific set of topics and includes a set of goals, policies and actions that provide a blueprint for how the City will address these issues. Definitions of what a goal, policy, and action are, and the relationship between them, is as follows:

- A goal is a description of a general desired result that the City seeks to create through the implementation of its General Plan.
- A policy is a specific statement that regulates activities in the City, guides decision-making and directs ongoing efforts as the City works to achieve a goal. General Plan policies establish standards that will be used by City staff, Planning Commission, and City Council when prioritizing initiatives and expenditures, reviewing and approving new development, and in related City decision-making.
- An action is a measure, procedure, or technique intended to help reach a specified goal or implement a policy. The actions in the General Plan will serve as a to-do list for City staff and officials to implement the goals and policies of the General Plan.

These goals, policies, and actions provide guidance to the City on how to direct change and manage resources over the next 20 years.

The basis for the draft Goals, Policies and Actions started with the City’s current General Plan. However, there are many important policy topics in which the current General Plan policy language is outdated and/or no longer adequately responds to current conditions and other present-day issues. To address these policy gaps, the General Plan team drafted updated versions by refining existing policies and creating new ones, as needed. The process to prepare the draft Goals, Policies, and Actions that go into the GPU includes the following steps:

- **Review of existing General Plan Goals, Policies, and Actions.** City staff from all departments, the GPU Technical Advisory Committee (TAC), reviewed the existing General Plan Goals, Policies, and Actions and provided direction on which policies needed clarification, improvement, or removal. In addition, the General Plan team carefully reviewed the Goals, Policies, and Actions and identified what changes were needed to respond to community input collected throughout the GPU process and State requirements by drawing from best practices used by other California communities.
- **Draft new and revised Goals, Policies, and Actions.** The preparation of the updated Goals, Policies, and Actions for the GPU has been going on for over two years, with the TAC and General Plan Team focused on addressing policy gaps, alignment with current processes and policies, and in response to community input. These draft Goals, Policies, and Actions are available online at: www.strivesanmateo.org/general-plan-documents/.
- **Collect input and direction on draft Goals, Policies, and Actions.** The General Plan team is sharing the draft Goals, Policies, and Actions with the community, General Plan Subcommittee, Planning Commission, and City Council this summer and fall to receive input and direction. Table 1 summarizes the community outreach program.

Table 1 – Goals, Policies, and Actions Outreach Activities and Events

Event	Date
Strive San Mateo Newsletter	Mailed to all households Citywide during week of July 19-22, 2022
Online Survey	Monday, July 18 to Friday, October 14, 2022
Informational Virtual Workshop	Thursday, September 8, 2022
In-Person Spanish Language Workshop	Saturday, September 10, 2022 at the King Center
In-Person Open House	Saturday, September 17, 2022 at the Downtown Library
Pop-up Events	See Attachment 4 for the list of events
Community Group Presentations	Dates and locations TBD

Community Feedback

On July 21, 2022, the City published an online survey to collect feedback and reactions to the draft Goals, Policies and Actions. Survey participants had the option of selecting which draft Goals, Policies, and Actions from the seven General

Plan Elements to provide feedback on. The online survey was open through October 14, 2022, and a total of 221 responses were submitted. In addition, as of October 21, the City had received 39 written comment letters. Based on the survey responses and written comments, some of the key issues that the community wants to see addressed within the GPU are as follows:

- Improving public safety;
- Limiting noise exposure;
- Maintaining the City’s visual and architectural character;
- Adding more affordable housing;
- Preserving historic resources;
- Planning for sea level rise;
- Maintaining and improving infrastructure, public services, parks and recreational facilities; and
- Improving bicycle and pedestrian safety and connectivity.

A more detailed summary of the online survey results, community input and comment letters received through October 21, 2022, is included in Attachment 3.

General Plan Subcommittee Meetings

The General Plan Subcommittee (GPS) met on August 11, 18, and 30, 2022, to review and provide feedback on the draft Goals, Policies and Actions. At all three meetings, the GPS accepted public comments, asked clarifying questions and provided a range of comments and feedback on all of the topics covered in the seven elements. Some of the overarching themes that emerged from the GPS’s discussions and comments are listed below. A more detailed summary of the comments and input provided by the GPS is included in Attachment 4.

- Focus on ways to support increased housing production and providing housing for residents at all income levels.
- Support the transition away from single-occupancy vehicles to other forms of mobility and prioritize investment in infrastructure that supports the safety and comfort of walking, biking and transit.
- Highlight how the City will be addressing environmental justice and climate change in all of the elements.
- Support high quality, pedestrian oriented, human-scale design in new development, with a focus on establishing objective standards for architectural design and historic preservation.
- Support investment in the City’s parks and recreational facilities, and ensure that they are accessible to all residents and neighborhoods.

Planning Commission Meetings

The Planning Commission reviewed the draft Goals, Policies and Actions at their meetings on September 13 and September 27. At the September 27th meeting, the Commission provided recommendations on the Land Use, Community Design and Historic Preservation and Safety Elements. Overall, the Commission generally supported the comments provided by the GPS and made comments about the need for some policies to be more focused and, in many cases, include stronger language. Some of the Commissions’ overarching recommendations for each Element are listed below. A more detailed summary of the input and recommendations provided by the Planning Commission is included in Attachment 5.

- **Land Use Element**
 - Address the City’s jobs-housing balance and include policies that improve the balance.
 - Support the inclusion of environmental justice policies and actions in the General Plan.
 - Strengthen policies related to climate change.
- **Community Design and Historic Preservation Element**
 - Clarify what the term “character” means in the General Plan.
 - Avoid stark differences in building mass within a single block.
 - Revisit the language in the historic preservation policies and actions.
- **Safety Element**

- Sea level rise is an important hazard to consider in the General Plan.
- Provide an emphasis on emergency readiness in the equity priority community areas.
- Add policies focused on reducing per capita energy use.

To respond to reoccurring comments and feedback that were received from the community, GPS and/or Planning Commission, the General Plan Team drafted updated language for various goals, policies and actions in the four elements under review at this meeting (Attachments 6-8). These recommendations include edits/revisions to existing language, as well as potentially new policies and actions for the Council to consider. Policies and actions with suggested revisions are shown in track changes and listed below the original draft language that was published in July 2022 for comparison purposes. These recommended edits are not inclusive of all comments received and should be considered a starting point for the discussion. Staff is looking for direction on other topics and comments before drafting edits or evaluating updated policy language.

DISCUSSION:

The goal of this meeting will be for the Council to provide direction to the General Plan Team on the draft Goals, Policies and Actions and which ones should or should not be included in the draft General Plan. As noted above, for this meeting, the Council is reviewing and providing direction on the Goals, Policies and Actions for the following three General Plan elements:

- Land Use (Attachment 6)
- Community Design and Historic Preservation (Attachment 7)
- Safety (Attachment 8)

When considering the draft Goals, Policies and Actions, as well as all of the comments and feedback collected, the Council should consider the following questions:

- Do you agree with the proposed revisions to the draft Goals, Policies, and Actions, and the proposed new policies and actions in response to input received to date (Attachments 6-8)?
- Is there anything you would add or change?
- Should any of the policies be changed from a recommendation to a requirement or vice versa?
- Are there additional specific actions that should be added to support implementation of the policies?

NEXT STEPS:

Following the two October meetings, the General Plan Team will finalize the Goals, Policies and Actions per Council direction and incorporate them into the draft General Plan. Publication of the draft General Plan is targeted in spring 2023. The draft General Plan will then be available for review and input from the community, the GPS, the Planning Commission, and the City Council in spring and summer of 2023.

BUDGET IMPACT:

There are no direct budgetary impacts to taking this action.

ENVIRONMENTAL DETERMINATION:

In accordance with Public Resources Code section 21065, the City Council's direction on the draft Goals, Policies and Actions is not a project subject to CEQA because it can be seen with certainty that this activity will not cause a physical change in the environment. Preparation of a draft Environmental Impact Report for the General Plan Update commenced in August 2022, with publication of the report for public review anticipated in the spring of 2023. The draft Environmental Impact Report will have a 45-day public comment period once it is published. A final EIR will be prepared prior to any formal decisions on the updated General Plan.

PUBLIC COMMENTS:

A summary of the community feedback and comments on draft Goals, Policies and Actions that has been received since July 2022 is included in [Attachment 3](#). All written comments that have been submitted on this topic are available online at www.strivesanmateo.org/documents/publiccomments. This link also includes all comments that have been submitted since the beginning of the GPU effort in September 2018.

NOTICE PROVIDED:

All meeting noticing requirements were met.

ATTACHMENTS

Att 1 – General Plan Vision Statement

Att 2 – Draft General Plan Outline

Att 3 – Updated Summary of Community Feedback

Att 4 – Summary of General Plan Subcommittee Meetings

Att 5 – Summary of Planning Commission Recommendations

Att 6 – Land Use Element Draft Goals, Policies and Actions

Att 7 – Community Design and Historic Preservation Element Draft Goals, Policies and Actions

Att 8 – Safety Element Draft Goals, Policies and Actions

STAFF CONTACT

City of San Mateo

Zachary Dahl, AICP, Deputy Director

(650) 522-7207

generalplan@cityofsanmateo.org

PlaceWorks

Joanna Jansen, AICP, LEED AP, Principal

Vision & Values

Our Vision:



San Mateo is a vibrant, livable, diverse, and healthy community that respects the quality of its neighborhoods, fosters a flourishing economy, is committed to equity, and is a leader in environmental sustainability.

Our Values:

Diversity

We embrace diversity and respect the experiences, contributions, and aspirations of people of all ages, abilities, incomes, and backgrounds. We celebrate arts and culture.



Balance

We seek to balance well-designed development and thoughtful preservation with a full spectrum of choices for housing and effective transportation.



Inclusivity

We strive to include everyone in community life and decisions for a shared, sustainable future.



Prosperity

We cultivate a diverse and thriving economy with different types of homes, jobs, recreation, lifelong learning opportunities, and services for both current and future generations.



Resiliency

We are leaders in sustainability, making San Mateo strong and resilient by acting boldly to adapt to a changing world.





Draft General Plan – Outline

I. INTRODUCTION

- A. WHAT IS A GENERAL PLAN?
- B. WHO MADE THE GENERAL PLAN?
- C. VISION AND VALUES
- D. USER'S GUIDE
 - 1. Overview of elements
 - 2. Topics integrated throughout:
 - a. Environmental Justice
 - b. Climate Change and Sustainability
 - c. Community Engagement
 - 3. Definition of goal, policy, and action
- E. IMPLEMENTING THE GENERAL PLAN
 - 1. Relationship to zoning code, other plans, annual budget, etc.
 - 2. Amendments process

II. LAND USE

- A. INTRODUCTION
- B. BACKGROUND
 - 1. Area Description
 - 2. History
 - 3. Projected Growth
 - 4. Economic Profile
 - 5. Land Use
 - i. Land Use Standards
 - ii. Land Use Map
 - iii. Specific Plans and Master Plans
- C. GOALS, POLICIES, AND ACTIONS
 - 1. Balanced, Orderly, and Equitable Growth and Preservation
 - 2. A Diverse Range of Land Uses
 - 3. Focused Planning Areas
 - a. Downtown
 - b. El Camino Real

DRAFT GENERAL PLAN OUTLINE

- c. Hillsdale Station Area
 - d. Shopping Centers in Transition
- 4. Environmental Justice
 - a. Community Health
 - b. Equity Priority Communities
 - c. Access to Healthy Food
- 5. Community Engagement
- 6. Climate Change and Sustainability
- 7. A Sustainable Economy
 - a. Economic Development
 - b. Fiscal Health
- 8. Development Review
- 9. Regional Cooperation
- 10. General Plan Maintenance

III. CIRCULATION**A. INTRODUCTION****B. BACKGROUND**

- 1. 21st Century Transportation
- 2. Transit
- 3. Bicycle and Pedestrian
- 4. Roadway Classifications
- 5. Future Traffic Conditions
- 6. Roadway improvements
- 7. Parking
- 8. Future Transportation Technology

C. GOALS, POLICIES, AND ACTIONS

- 1. Multimodal Transportation
- 2. Transportation Demand Management
- 3. Pedestrians
- 4. Bicycles and Micromobility
- 5. Transit and Mobility Services
- 6. Roadway Improvements
- 7. Parking Management
- 8. Future Mobility and Technology

IV. HOUSING *[prepared separately]***V. COMMUNITY DESIGN AND HISTORIC RESOURCES****A. INTRODUCTION****B. BACKGROUND**

1. Setting
2. Historic Resources
3. Elements of Design (e.g. scale, massing, materials, lighting, landscaping)
4. Art in Public Places

C. GOALS, POLICIES, AND ACTIONS

1. Natural Landscapes and the Urban Forest
2. Historic Resources
3. City Image
4. Residential
5. Mixed-Use and Commercial Areas
6. Area-Specific Design Policies
 - i. North Central
 - ii. Shoreview
 - iii. Marina Lagoon/ Bridgepointe
 - i. Northwest Heights
 - iv. Hayward Park/SunnyBrae
 - v. Beresford Park
 - ii. Hillsdale/Sugarloaf
 - iii. Western Hills

VI. CONSERVATION, OPEN SPACE, PARKS AND RECREATION**A. INTRODUCTION****B. BACKGROUND**

1. Natural Resources
2. Tribal Cultural Resources
3. Parks and Recreation

C. GOALS, POLICIES, AND ACTIONS

1. Environmental Stewardship
2. Access to Nature
3. Water Quality, Creeks, and Riparian Areas
4. Air Quality

DRAFT GENERAL PLAN OUTLINE

5. Hillsides
6. Archaeological Resources and Tribal Cultural Resources
7. Parks and Recreation

VII. PUBLIC SERVICES AND FACILITIES**A. INTRODUCTION****B. BACKGROUND**

1. Equitable Access to Public Services and Facilities
2. Water Supply/Storm Drainage/Wastewater/Street Maintenance
3. Public Buildings
4. Schools
5. Library Services
6. Hospital and Medical Services
7. Childcare
8. Social Services
9. Communications
10. Solid Waste and Recycling
11. Waste Management

C. GOALS, POLICIES, AND ACTIONS

1. Community Safety
2. Water Supply
3. Sewer and Storm Drainage
4. Public Services and Facilities
5. Children and Youth
6. Healthcare and Social Services
7. Solid Waste

VIII. SAFETY**A. INTRODUCTION****B. BACKGROUND**

1. Emergency Readiness and Emergency Operations
2. Geologic and Seismic Hazards
3. Sea Level Rise and Flood Hazards
4. Wild Fire Hazards
5. Hazardous Materials
6. Energy Supply

C. GOALS, POLICIES, AND ACTIONS

1. Emergency Readiness and Emergency Operations
2. Geotechnical Hazards
3. Flood Hazards
4. Sea Level Rise
5. Wildfire Hazards
6. Hazardous Materials
7. Energy Supply

IX. NOISE**A. INTRODUCTION****B. BACKGROUND**

1. Basic Concepts of Environmental Noise
2. Noise in San Mateo
3. Mitigating Noise Impacts

C. GOALS, POLICIES, AND ACTIONS**X. APPENDICES****XI. GLOSSARY****XII. ACKNOWLEDGEMENTS**

Separate from General Plan: ACTION PLAN (or IMPLEMENTATION PLAN)

MEMORANDUM

DATE October 21, 2022

TO San Mateo City Council

FROM Joanna Jansen and Carey Stone, PlaceWorks

SUBJECT Summary of Community Engagement and Public Input on the Draft Policies and Actions

This memorandum summarizes the community input received on the draft policies and actions as of October 21, 2022. Table 1 summarizes the outreach events. The purpose of the outreach events was to spread the word about the draft policies and actions, answer questions, and collect feedback and reactions to the proposed policy language.

TABLE 1 COMMUNITY OUTREACH EVENTS

Date	Outreach Event	# of Participants
Thursday, July 21, 2022 to Friday, October 14, 2022	Draft Policies and Actions Online Survey	221
Saturday, July 16, 2022 to Friday, October 21, 2022	Written Public Comments	39
Tuesday, August 23, 2022	Video Loco Pop-up	25
Thursday, August 25, 2022	Video Loco Pop-up	20
Friday, August 26, 2022	Chavez Market Pop-up	15
Saturday, August 27, 2022	Rediscover San Mateo Community Fest Pop-up	140
September 06, 2022	Chavez Market Pop-up	50
Thursday, September 8, 2022	Virtual Community Workshop	26
Friday, September 9, 2022	Movies in the Park Pop-up	50
Saturday, September 10, 2022	Spanish Language Workshop	4
Saturday, September 10, 2022	September Nights on B Street Pop-up	30
Thursday, September 15, 2022	September Nights on B Street Pop-up	15
Friday, September 16, 2022	Movies in the Park Pop-up	50
Saturday, September 17, 2022	Open House	30

TABLE 1 **COMMUNITY OUTREACH EVENTS**

Date	Outreach Event	# of Participants
Thursday, September 22, 2022	September Nights on B Street Pop-up	31
Friday, September 23, 2022	Movies in the Park Pop-up	25
Saturday, September 24, 2022	San Mateo Firefighters Association Chili Cook-off Pop-up	45

SUMMARY OF COMMUNITY INPUT BY TOPIC/ELEMENT

This section summarizes the feedback on the draft policies and actions. The City collected feedback via:

- **Draft Policies and Actions Online Survey.** The online survey was available on www.strivesanmateo.org from July 21, 2022 through October 14, 2022 to allow community members an opportunity to share reactions and feedback on the draft policies and actions. Respondents can choose to provide input on some or all of the goals and policies of the seven General Plan elements. The settings of the survey restricted the number of responses to one per person and track web browser cookies to help ensure that each participant only completes the survey once. The online survey is not considered statistically significant.
- **Pop-up Events.** The City has planned 12 pop-up events to occur at locations throughout the city to ensure the outreach process collects input from the following groups per Council direction:
 - Non-English speakers
 - Renters
 - Residents 44 and under
 - Low-income and very low-income households
 - Under-represented neighborhoods:
 - North Shoreview
 - Shoreview
 - North Central
 - Central
 - East of 101

At the pop-up events, City staff has been sharing information about the General Plan update, publicized the upcoming outreach events, and encouraging people to take the online survey.

- **Virtual Workshop and Open Houses.** The City hosted a virtual workshop on Thursday, September 8, 2022, an in-person Spanish language Open House on September 10, 2022, and an in-person Open House on September 17, 2022. At these events, participants could ask questions and provide feedback on the draft policies and actions.

- **Written Comments.** Throughout the General Plan Update the City has encouraged people to submit written comments to generalplan@cityofsanmateo.org. From July 16, 2022 to October 21, 2022, the City received 39 written comments. Attachment A includes the original written comments submitted to the City. Any written comments submitted after this date will be posted to: www.strivesanmateo.org/documents/publiccomments/

The following sections organize the feedback according to the relevant General Plan element. Environmental justice comments are located under the “Environmental Justice” header.

Land Use Element

- When asked how the City should focus its land use planning efforts, the top two answers selected by survey respondents included:
 - Maintain downtown San Mateo as the economic, cultural, and social center of the community.
 - Promote residential and mixed use land uses and improvements along El Camino Real to strengthen its role as both a local and regional connector.
- When asked what top goals this element should prioritize, the top three goals selected by survey respondents included:
 - Encourage a wide range of land uses, including housing, parks, open space, retail, etc.
 - Help improve conditions in equity priority communities. *Note: Equity priority communities are areas that have a significant concentration of underserved populations, such as households with low incomes and people of color.
 - Promote balanced, orderly and equitable growth.
- Other comments:
 - Focus housing growth close to public transit and retail areas where the impact on existing neighborhoods will be limited.
 - Build structures over three stories along El Camino Real given limited land supply and to add more affordable housing.
 - Prioritize residential uses in mixed use designations. Push for a higher number of housing units and resident parking in mixed use buildings.
 - Increase the Below Market Rate housing from 15 percent to 20 percent or more for new projects that provide affordable housing.
 - Maintain the jobs/housing balance.
 - Prioritize land use policies that will further the City’s environmental and social equity goals. There seems to be a disconnect between these goals and the physical planning and design approaches outlined in the draft Land Use Element.
 - Encourage transit-oriented, high density, mixed used developments.
 - Plan for two- and three-bedroom housing units to accommodate families.

- Create a requirement that new multifamily units have a minimum mix or percentage of 3+ bedrooms.
- Increase family friendly rental housing that have three bedroom units.
- Create a vacancy tax on all units that are vacant for six months or longer.
- Create a policy to provide and prioritize housing for City employees, teachers, firefighters, etc.
- Streamline permitting for new housing if it meets affordability targets.
- Simplify the Accessory Dwelling Unit requirements.
- Add a policy that prohibits the removal of housing units similar to the City of San Francisco. For example, if a property has two legal units, any redevelopment of the site should have at least two units or pay in-lieu fees for the removal of the unit.
- Prioritize housing over retail or office space in mixed use designations.
- Develop along our various arterials with bus routes, like Alameda de las Pulgas and Hillsdale Blvd, not just El Camino Real.
- Height, density, and parking requirements make it impossible to build affordable housing.
- Preserve existing medical office sites; the shortage of primary care doctors will be exacerbated by new housing.
- Limit the density of downtown development.
- Require downtown development to account for grade separation.
- Increase the maximum building height in downtown and elsewhere to support more housing options around major transit centers.
- Add more housing and less office space.
- Increase housing for all income levels.
- Stop building housing to reduce traffic and noise. Maintain retail spaces.
- Stop big developments.
- Respect Measure Y limits. Keep San Mateo's small town feel.
- Increase building heights.
- Consider five/six-story buildings along El Camino Real and near transit.
- Stop the construction of housing provided by the government.
- Accommodate the 1900 Norfolk development and the possible new building at the Fish Market.
- Support Draegers marketstaying in downtown. Add a grocery store in downtown if Draegers leaves.
- Promote smaller stores within communities instead of big stores.
- Require mixed use projects to have a minimum of 40 percent housing if housing program benefits are to apply.
- Consider the transition of office uses to residential uses only if there is access to transit, infrastructure, and recreation services.
- Encourage retail uses.

- Preserve retail to protect local jobs.
- Locate mini-markets, pocket parks, and mini-town squares within walking distance of housing.
- Increase family-friendly entertainment uses.
- Maintain vacant land for park use.
- Expand outdoor dining along B Street. Add more B Street type closures around the city.
- Maintain commercial developments to buffer residential areas from traffic and train noise.
- Make shopping centers more “green” and safe.
- Repurpose underutilized spaces.
- Improve the building permit process so that it is less complicated and time consuming.
- Hold town halls and health fairs to engage with the community.
- Employ ambassadors to walk around the City and engage with people about their issues and needs. Need more door to door visits.
- Publicize/have larger presence about City initiatives in the San Mateo Daily Journal.
- Send out more mailers about City happenings.
- Continue to offer Zoom meetings/workshops in the afternoons/evenings.
- Offer in-person meetings.
- Increase public noticing.
- Consider renters in all City decisions. Encourage renters to participate in community engagement processes.
- Provide child care at meetings.
- Add WiFi at senior housing; offer digital classes.
- Reduce greenhouse gas emissions by promoting access to shops, jobs, recreation, and services within walking distance.

Circulation Element

- When asked how the City should work toward a sustainable transportation system, the top two answers selected by respondents included:
 - Prioritize bicycle and pedestrian safety improvements.
 - Encourage mixed-use transit oriented development near Cal Train stations and transit corridors.
- When asked what top goals this element should prioritize, the top three goals selected by survey respondents included:
 - Foster a sustainable transportation system that has walking, biking, and transit connections.
 - Build and maintain a safe, connected, and equitable pedestrian network.
- Other comments:

- Reduce and eliminate traffic fatalities.
- Reduce traffic congestion.
- Reduce speed limits on driving corridors, especially on El Camino Real to improve pedestrian and bicycle safety.
- Average vehicle speeds of 25 mph is a degradation to our quality of life.
- Add stop signs to Sunnybrae Boulevard to reduce traffic speed.
- Add stop signs to slow drivers between El Camino Real and San Mateo Drive.
- Implement “less drastic” speed bumps along Alameda de las Pulgas.
- Keep 26th Avenue and Pico Avenue closed from Campus Drive.
- Consider oneway streets for narrow roadways.
- Design roadways across railroad tracks so you don’t have to drive on 19th Avenue to get from west San Mateo to east San Mateo.
- Add connections under railroad tracks as part of grade separation projects.
- As part of Hayward Station Caltrain redevelopment, connect 16th Avenue under the tracks for bicycle, pedestrian, and vehicles.
- Need more frequent, faster bus service.
- Provide electric public transportation options such as buses and scooters.
- Add a Downtown shuttle.
- Incentivize parents not to drive their kids to school. Add free busing for all students.
- Add bicycle/pedestrian paths along the right-of-way as part of Caltrain construction efforts.
- Encourage biking and walking and prioritize bicycle and pedestrian safety improvements.
- Increase off-street/protected bicycle and pedestrian trails.
- Create a program to purchase electric bicycles and scooters to help resolve the last mile issue.
- Prohibit circular bike racks; they are difficult to lock your bike to. Look to bike racks and bicycle parking program the City of Davis uses/has.
- Prioritize and seek out funding for existing proposed bicycle lanes.
- Add more bike lanes. Add bike lanes along El Camino Real, 3rd Avenue, and 4th Avenue,
- Add bike lockers.
- Add a bicycle boulevard along Hacienda and Mason along with traffic calming measures.
- Add a buffered bike lane on the Alameda.
- Improve and widen sidewalks whenever possible.
- Increase the safety and walkability of El Camino Real by adding crosswalks, improving sidewalks and increasing transit.
- Widen sidewalks along El Camino Real between 20th and 25th Avenues.

- Update downtown development guidelines so that building to the lot line does not reduce the existing sidewalk width.
- Add a pedestrian bridge over SR 92 between 26th Avenue and Campus Drive.
- Slow down traffic to 15 mph in school zones, even on main corridors like Alameda de las Pulgas in front of Aragon High School and Baywood Elementary.
- Develop a safe routes for seniors program.
- Improve pedestrian safety, especially along East Poplar and San Mateo Drive.
- Allow riding on the sidewalk in appropriate areas.
- Educate people about the benefit of bicycling and walking in terms of climate change.
- Attract a micromobility provider to San Mateo.
- Plan for improvements in micromobility including scooters and other new technology.
- Apply complete streets design standards to future projects.
- Improve transit, walking, and biking connections to parks, public facilities, shops, and schools.
- Incentivize the use of public transportation.
- Increase bicycle and pedestrian connectivity when reviewing new development projects.
- Encourage electric bike rentals or electric bike subsidies for residents.
- Add electric vehicle charging stations in public parking areas including schools.
- Encourage carpooling.
- Require developers to provide on-site parking instead of paying in-lieu fees.
- Taking away parking to disincentivize car use doesn't work; don't remove parking for bike lanes.
- Reduce parking requirements. Eliminate parking minimums citywide.
- Limit parking lots.
- Repave the roads in the Sunnybrae neighborhood.
- Avoid purely aspirational transportation policies; taking away parking will not decrease driving. To reduce traffic, encourage hybrid work approaches.
- Make toll lanes on US 101 free to residents of the county where the lanes are located.
- Add an off ramp at the office park/Marriott near SR 92/US 101.
- Consider shared parking, e.g. use Hillsdale Shipping Center for overnight parking.
- Add street lighting citywide.
- Focus engaging with homeowners, especially over 65 years old.

Community Design and Historic Preservation Element

- When asked how the City can help develop and maintain San Mateo's unique character, the top two answers selected by survey respondents included:

- Promote pedestrian improvements that increase neighborhood and citywide walkability.
 - Require usable public open space areas in new developments.
- When asked what top goals this element should prioritize, the top three goals selected by survey respondents included:
 - Protect heritage trees and street trees.
 - Preserve historic and culturally important structures, assets, and districts.
 - Preserve and enhance San Mateo's natural setting.
- Other comments:
 - Preserve historic resources.
 - Update the historic resource survey.
 - Pair historic and ecological preservation with a forward-looking approach to new development, including higher densities and acceptance of a range of architectural styles.
 - Ensure the preservation of historic resources is not overused to deny projects.
 - Strengthen the historic resource preservation policies. See the letter from the San Mateo Heritage Alliance in Attachment A for the list of suggestions.
 - Allow developers to contribute money for public education and interpretation of historic and archaeological resources as a mitigation measure.
 - Educate the public about cultural resources.
 - Update historical plaques and landmarks; incorporate native voices.
 - Create spaces that are specific to different age groups in San Mateo.
 - Maintain the character of San Mateo in new development by incorporating classical design elements and sufficient green space.
 - New buildings in Downtown San Mateo have negatively affected the historic character and ambience.
 - Improve Downtown's cleanliness and design.
 - Incorporate design principles to ensure that new buildings and additions are responsive and complementary to the existing historic character, local topography, urban design and sense of place that is evident throughout San Mateo.
 - Incorporate more traditional architectural in new buildings in or near the historic district.
 - Improve the character of downtown.
 - Include shorter buildings at the street front and transition to taller buildings at the back to prevent an "alley" feeling on a street.
 - Support more stories of building height if building design is attractive.
 - Add more benches downtown.
 - Prioritize pedestrian and wheelchair friendly design.
 - Continue to support ground floor retail uses and improvements the physical and aesthetic nature of the Borel Square commercial district. New buildings or

remodels should incorporate natural landscaping that compliments the residential neighborhood. Encourage a mixed-use and community recreation facility.

- Add more trees to keep the city cool from excessive heat.
- Regularly water trees planted as part of the tree planting program.
- Add flexibility for the removal and replacement of historic trees. Look at the criteria for tree removal.
- Add incentives to remove trees that pose a fire danger.

Conservation, Open Space, Parks and Recreation Element

- When asked how the City can improve access to parks, recreational programs, and facilities, the top two answers selected by survey respondents included:
 - Increase availability of free park facilities and amenities that are open to the public.
 - Increase opportunities for residents to provide input on major park improvements.
- When asked how the City should prioritize future park improvements, the top two answers selected by survey respondents included:
 - Improve and create new passive use outdoor spaces such as linear parks and pocket parks.
 - Invest in underserved areas and areas with limited access to park facilities.
- When asked what top goals this element should prioritize, the top three goals selected by survey respondents included:
 - Protect and enhance the City's natural resources.
 - Ensure that all San Mateo residents breathe safe, clean air.
 - Provide a comprehensive system of parks and recreation programs and facilities.
- Other comments:
 - Maintain and preserve heritage trees.
 - Amend Policy CD-P2.3 to protect tree roots during construction activity.
 - Incorporate fire prevention measures in open space.
 - Require new construction to incorporate green space and carbon neutralizing features.
 - Develop more green space and sports fields.
 - Add pocket parks everywhere. Work with the community to identify the locations.
 - Stop approving new development until there is a plan for the City to meet the park service standards.
 - Highlight a "park of the month."
 - Make private open space requirements flexible to increase open space.

- Open Mickelson Pool.
- Add a 50 meter swimming pool.
- Upgrade the pickle ball courts at Central Park.
- Paint and update all City buildings and community centers.
- Reduce the amount of trash at Central Park.
- Get rid of the Poplar Creek Golf Course VIP program.
- Create a program where individuals can sponsor dog poop bag stations.
- Offer a variety of professional concerts and performances at the San Mateo Performing Arts Center.
- Ensure the accessibility of all public services and facilities, such as playgrounds and recreational programs for children with disabilities.
- Add more spaces for community groups to gather.
- Incorporate maker spaces in libraries or recreation centers.
- Work with schools to open their playgrounds for public use.
- Implement a “Take a Hike” program similar to the County of San Mateo.
- Complete the Bay Trail.
- Encourage healthy lifestyles through City events like walk-a-thons.
- Add exercise stations along walking and jogging trails.
- Add a water faucet at the Seal Point dog park bench/shade structure.
- Plant trees at Seal Point.
- Allow off-road bicycle access, including on singletrack trail segments, in Sugarloaf Open Space.
- Utilize vacant lots for community gardens, trails, and exercise use.
- Increase outdoor trails.
- Provide safe connecting routes to open spaces in Belmont.
- Increase rooftop gardens.
- Use native and drought tolerant plants in City parks.
- Not enough parking at Central Park.
- Beresford Park is too crowded.
- Reduce the use of artificial chemicals (fertilizers, herbicides, pesticides) to create a more regenerative local ecosystem.
- Clean up outdoor spaces and waterways.
- Improve access to creeks and the lagoon. Add benches and trails along the lagoon.
- Educate the community about the benefits of creeks, ex. they provide habitat for plants and animals and flood protection.
- Protect and preserve open space; no mitigation should be allowed.
- Maintain our natural areas to help protect residents from heat events.
- Raise our levees to protect the city from sea level rise.
- Encourage solar panels; consider City subsidies.
- Ban gas leaf blowers to improve air quality and reduce noise.

- Create an outdoor, dedicated roller skating area.
- Reduce light pollution.

Public Services and Facilities Element

- When asked how the City should support access to health care facilities, social services, and other community health amenities, the top two answers selected by survey respondents included:
 - Support efforts to provide the city's fair share of social services.
 - Encourage the expansion of high-quality medical care services.
- When asked how the City should maintain adequate water supplies, the top two answers selected by survey respondents included:
 - Encourage water efficiency in new developments and existing buildings.
 - Distribute recycled water for non-drinking purposes, such as toilet flushing and laundry.
- When asked what top goals this element should prioritize, the top three goals selected by survey respondents included:
 - Provide access to a safe, sustainable and resilient supply of water.
 - Provide for adequate police, fire, and life safety protection.
 - Foster the healthy development and education of children of all abilities, incomes, and backgrounds.
- Other comments:
 - Ensure that future growth can be supported by City infrastructure. There should be a plan in place to ensure our infrastructure can support future population growth.
 - Require developers to pay their fair share for improvements to infrastructure and public services.
 - Make library services more inclusive, dynamic, and reflective of the community.
 - Increase police street patrol to reduce crime.
 - Improve police and fire response times.
 - Maintain police service levels and response times as the population grows.
 - Create a fund that the City contributes to every year to move City Hall to Downtown, closer to transit and local businesses.
 - Modernize the fair grounds.
 - Make it easier for people to dispose of large items.
 - Add features to garbage trucks to prevent waste from flying out.
 - Require hauling services to provide evidence waste was disposed of properly before being paid for the service.
 - Require wastewater services to operate like a public utility where the City can access capital markets for funding needs.
 - Develop lighting plans for public facilities to mitigate impacts to animals and insects while preserving community safety.

- Incentivize grey water systems.
- Maintain the corporation yard in its existing location.
- Focus water conservation strategies on big water users.
- Add more lawn removal requirements.
- Fix water leaks.
- Reduce water waste from heating water.
- Expand programs that reimburse homeowners for sewer mainline repairs or replacements.
- Need environmentally safe buildings and infrastructure.
- Partner with Recology to promote composting/food waste reduction at publicly owned apartment complexes.
- Reduce construction waste.
- Reduce litter on streets, sidewalks, creeks, etc. Add more garbage cans to reduce littering.
- Eliminate street sweeping machines in neighborhoods that do not restrict parking for street sweeping.
- Mirror the San Francisco “Pit Stop” program (i.e. public restrooms).
- Need more support for the homeless.
- Retain and support healthcare providers and first responders.
- Establish wellness centers.
- Partner with medical companies to promote wellness.
- Need quality full day child care.
- Add a middle school in District 3 to reduce traffic.
- Require school vending machines to sell water bottles for 25 cents similar to Costco.
- Need healthier restaurants.
- Need more dental facilities and discounts for dental service.
- Increase farmers’ markets and publicize their availability.
- Fund healthy school lunches.

Safety Element

- When asked what top goals this element should prioritize, the top three goals selected by survey respondents included:
 - Maintain adequate safety protection from wildfires.
 - Promote clean energy supply.
 - Support emergency preparedness efforts.
- Other comments:
 - Establish a metric or rule to limit development in areas that would reduce 911 response times.
 - Ensure that every community has a community center that can serve as a cooling center or emergency shelter during extreme and other types of

disasters.

- Support emergency preparedness efforts.
- Continue to manage vegetation to reduce wildfire risks.
- Trim eucalyptus trees along SR 92 (near Murphy) to reduce wildfire hazards.
- Create a City program to address trees that pose a wildfire hazard; offer financial incentives to remove trees.
- Ensure that the new wastewater treatment plant incorporates a horizontal levee design for resilience to sea level rise.
- Plan for sea level rise.
- Consider the limits of our electricity grid when advocating for the use of clean energy sources.
- Quicken the transition to all electric heating and power.
- Add security cameras in public areas and parks.
- Move the Energy Supply section to the Public Services and Facilities Element.
- Create a plan to generate clean electric power.
- Encourage rooftop solar and electrification.

Noise Element

- Prohibit the use of outdoor equipment on Sundays.
- Require the use of electric leaf blowers.
- Reduce Caltrain and Union Pacific noise. Upgrade Caltrain crossings so no train horn is required.
- Train warning horn blasts seem excessively loud.
- Reduce Caltrain noise by adding greenery along US 101 and SR 92.
- Implement a Caltrain quiet zone similar to Atherton.
- Caltrain grade separation will help reduce noise.
- Explore whether Caltrain operators need to honk their horns as much as four times.
- Reduce commercial train activity.
- Improve the sound wall on the west side of US 101.
- Reduce the noise level along SR 92; it is too high and constant.
- Ensure noise impacts are equitable on both the east and west sides of San Mateo.
- Reduce the use of illegal fireworks.
- Establish and enforce a maximum noise limit for vehicles.
- Prohibit the use of after market vehicle accessories that create loud vehicles.
- Reduce noise pollution from aircraft. Require airplane “quiet hours” from 1 am to 4 am to allow for rest and peace.
- Pay for noise reduction window replacement for all housing within a flight path.
- Reduce noise pollution from automobiles and buses.
- Reduce traffic noise along El Camino Real.

- Require noise and vibration abatement for older, existing buildings that apply for rehabilitation/construction permits.
- As temperatures rise, consider the influence of AC units and increased noise and encourage all passive modes of cooling before mechanical cooling.
- Limit the number of construction projects happening in an area to reduce noise impacts.
- Limit street sweeping to 5 am and later in the downtown area.
- Ticket loud cars and motorcycles.

Environmental Justice (*covered in multiple elements*)

Environmental justice addresses our living environments, and specifically the health, safety, and opportunities available in different communities. The General Plan must include policies and actions that will lead to an equitable distribution of resources and opportunities and will reduce the impacts of environmental hazards in equity priority communities. Per State law, the General Plan's environmental justice policies and actions must reflect the needs of the jurisdiction's equity priority communities. To understand the needs of San Mateo's equity priority communities, the City is holding a series of pop-ups in North Central and North Shoreview. This section summarizes input collected through a paper survey about environmental justice topics at the August 23 and 25, 2022 Video Loco Pop-up (North Central), August 26, 2022 Chavez Market Pop-up (North Shoreview), and Rediscover Community Fest Pop-up (Downtown) and at the Spanish language workshop on September 10, 2022. The paper survey was available in Spanish, Simplified Chinese, and English. City staff collected approximately 91 survey responses at these pop-ups.

Walking, Biking, and Taking the Bus

- Too many homeless people especially on the bus. Provide bicycles to homeless people.
- San Mateo has good access to public transit and bike lanes.
- Need more frequent bus service to reduce wait times.
- San Mateo needs BART service.
- Establish autonomous transportation in the downtown corridor.
- Do not allow cars in the downtown.
- Improve bike lanes; it is dangerous and difficult to ride your bike on the road.
- Add more bike lanes, but maintain existing parking.
- Require helmets on electric scooters. Establish speed limits for electric scooters.
- Improve pedestrian access on El Camino Real.
- Need to add crosswalks, especially where students take the bus near 2nd Avenue and Humboldt Street.
- Add more pedestrian crossings along Poplar Avenue; it is very dark in places.
- Improve 4th Avenue and Idaho Street.
- Improve the sidewalks.
- Have accessible ramps at every sidewalk crossing.
- Improve the roads.

- Reduce traffic speeds.
- Parking is an issue.
- Reduce car break-ins.
- Add more street lighting citywide including along Monte Diablo Avenue and Grant Street.

Access to Healthy Foods

- San Mateo has access to healthy food.
- One thing that is missing is a large grocery store like Safeway. Safeway is a little bit far away. There used to be a Kmart next to Ross but now it is gone. Add a large grocery store at the Ross site.
- Many people get free, healthy food; there is a lot of support from churches and nonprofits.
- Add food lockers or refrigerators with free food at local worksite spaces or recreation centers.
- Improve access to low-cost food.
- Improve the food offered at schools; make school food healthier.
- Reduce the cost of fresh, healthy food.
- Lower income people are in poorer health because they can't afford organic food.
- Increase community gardens in San Mateo; convert Fitzgerald Field into a community garden.

Civic Engagement

- Make a flyer with tear out phone numbers that people can take with them with information about events or where to call if they have a problem or question.
- These bilingual pop-ups are great. Talk to people where they are; go directly to their neighborhoods.
- Have meetings and events in parks and sports fields.
- Increase advertising of events; increase social media posts.
- Need to think about how to engage with people who don't know how to read or write.
- Need more community events that are culturally specific.
- Have options to participate in many languages; need more Spanish language workshops.
- Hold after-work meetings.
- Hold events at local North Central churches.
- Increase the presence of City staff at community events to meet people and learn about our community's needs.
- Use community groups and other agencies already working in our neighborhoods as messengers for City initiatives.
- Hold more neighborhood meetings.

- Expand advertisements of City Council meetings and make it clear that people can provide comments, immigrants don't participate. Let people know that this is the only way you get your voice heard.
- Translate City Council meetings into multiple languages.
- Schedule meetings on alternating days.
- Organize and educate the people that live here. Have meetings to orient them on how to improve the quality of life.
- Send more frequent notices through the mail, television, and radio; educate people about what is happening.
- Go to schools to provide information.
- Enforce compliance with Home for All housing plan.

Physical Activity and Community Health

- San Mateo could use a community health center.
- Need more fitness programs, fitness is not a priority for people. Fitness programs should be free.
- San Mateo needs more gyms.
- We need more gym equipment in parks. Especially the type of equipment that suggests the number of repetitions to do on each machine.
- There are a lot of places outdoors to run and walk; need to improve the promoting the availability of these spaces.
- Fix the playground slide at the Martin Luther King Park playground.
- Need basketball courts.
- City should promote or advertise sports events and sponsor events such as races.
- Promote physical activities with the support of different agencies.
- Offer free classes like Zumba or martial arts in public spaces.
- Convert Fitzgerald Field into a multipurpose use including basketball, Tai Chi, and al fresco group exercise classes.
- We have quite a few parks, trails and fields for sports.
- Add signage and posters to promote exercise and health.
- Need more exercise programs like the City of Burlingame offers.
- Need more programs for youth and more space for youth programs; provide funding for participation in programs.
- There are no opportunities for physical exercise for children with disabilities.
- Need more activities for senior citizens, organize and promote programs and short field trips for seniors.
- Focus on keeping the areas clean. People should not leave their trash everywhere. Clean the streets regularly.
- Improve public safety.
- Increase the height of the freeway sound wall.

Equitable Access to Public Facilities

- There are public services, parks, public restrooms. Very good access to public services here.
- There are some private places, there should be assistance to pay for the use of private spaces and private lessons and classes. Or just don't have any private spaces and make everything public.
- Provide assistance/financial aid to cover the cost of recreation programs.
- All programs in public spaces must be free.
- Treat everyone the same. Do not differentiate between people.
- Educate people about the public services that are available. Support schools that have fewer resources.
- Ensure that public programs benefit as many people as possible, not just the same families.

Pollution and Air Quality

- There is very little pollution. There are no factories that contaminate the air in this neighborhood.
- Require a health risk assessment.
- There are a lot of electric vehicles here which will help improve air quality.
- Electric cars and public transportation are expensive.
- Need more electric vehicle charging stations.
- Make solar panels an affordable option for everyone.
- Offer low cost public transportation options.
- Add housing near jobs so you don't have to drive.
- Incentivize people to not drive to work.
- Do not cut trees.
- Provide other options instead of driving. Provide more bike lanes, give drivers an incentive for getting electric cars such as rebates.
- The City can't really do much for pollution, focus regionally, but the City cannot fix it.
- What open space and traffic and noise pollution measures can be put in place for North Central?
- Everybody deserves a piece of open space, fresh air, and nature. Add more open space to the affected areas.

Other Ideas

- There is a lot of vandalism and crime. They have tried to rob me in my house. The gangs try to steal cars. The most important thing is for people to feel safe in the neighborhoods.
- Everyone should support each other and help each other out.
- More activities to keep children occupied and more investment in public safety.

- Schools need more materials, maintenance and resources for the children. They need materials such as personal hygiene supplies. There should also be more vigilance and security in our schools.
- Need a lot more housing. Need to make affordable housing for low-income people.
- There is no parking on B Street and downtown at lunchtime.
- Have the City approve permits for neighborhood block parties to improve community building.
- The police need better relationships and to be more present in the community. More police are needed but they should be talking to the people and building relationships.
- Fix the properties on Norfolk.
- Add more neighborhood shops.
- Review City/County Association of Governments of San Mateo County (C/CAG) documents for their screening of the needs of lower income areas.

Other Comments

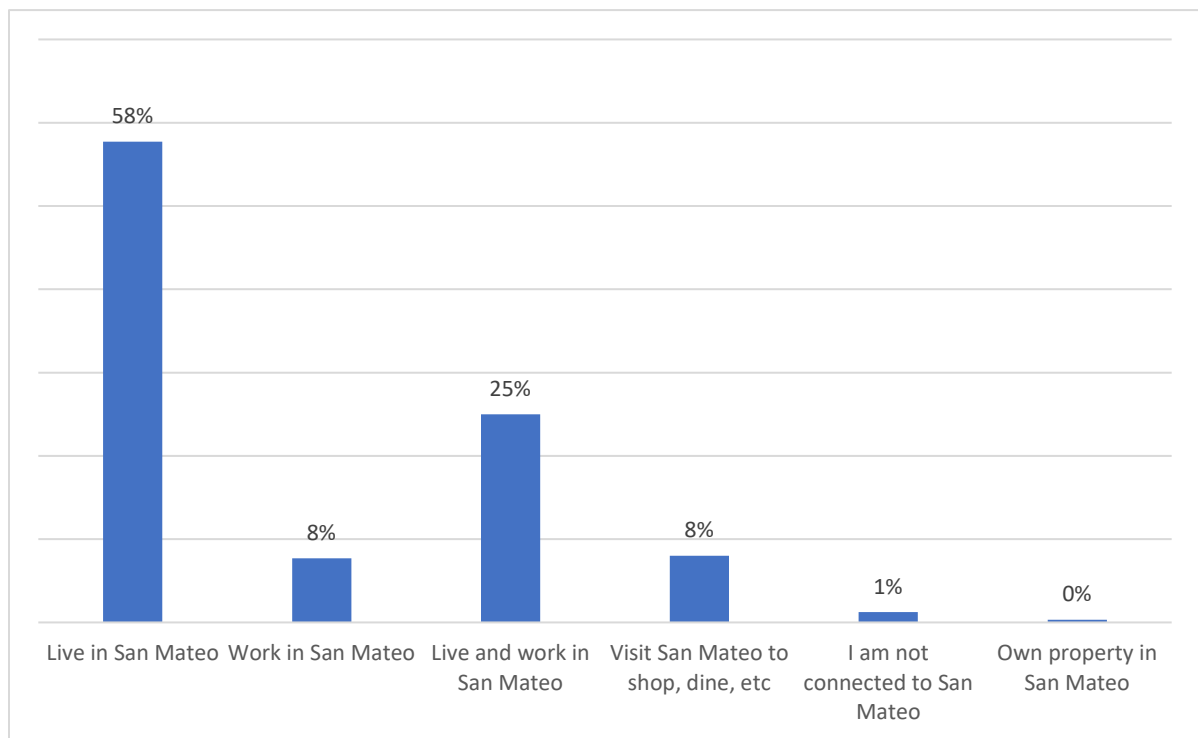
- Consider the cumulative traffic impacts of all the proposed projects within the city.
- Do not allow downzoning under the preferred land use scenario.
- Apply a Mixed Use High designation at the PS Business Park site in Study Area 8.
- I do not support environmental justice.
- Need to build new schools to support additional housing growth.
- There is not enough water for additional housing growth.
- Limit job growth to what is needed for economic health.
- Create progress reports every five years to summarize what the City has accomplished and identify ways to further meet the General Plan goals.

Draft Policies and Actions Outreach Demographics

This section summarizes the demographic characteristics of the outreach participants. Of the 713 total participants, 324 participants provided voluntary demographic data. The demographic data helps the project team determine if the outreach program is reaching the full range of San Mateo's demographics. This data indicates that the outreach program should continue to be refined to increase involvement of renters, younger residents, and residents who identify as Asian and Black/African American. A summary of the demographics of the outreach participants is presented below.

How are you affiliated with San Mateo?

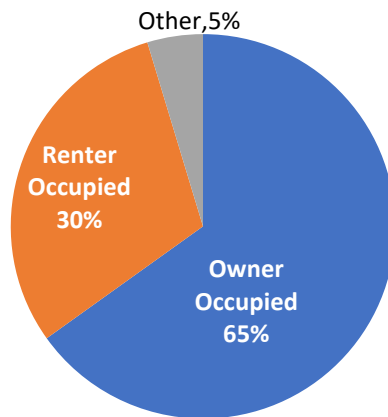
Number of Respondents: 324



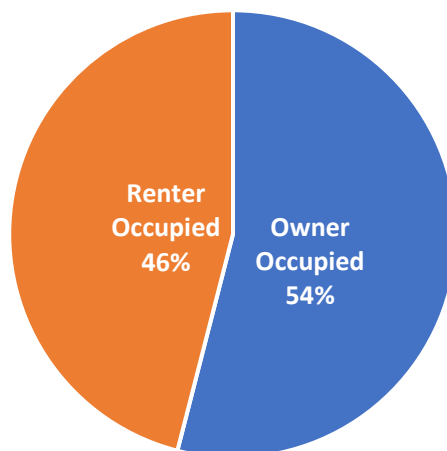
Which best describes your current housing situation?

Number of Respondents: 278

Draft Policies and Actions Outreach Participants

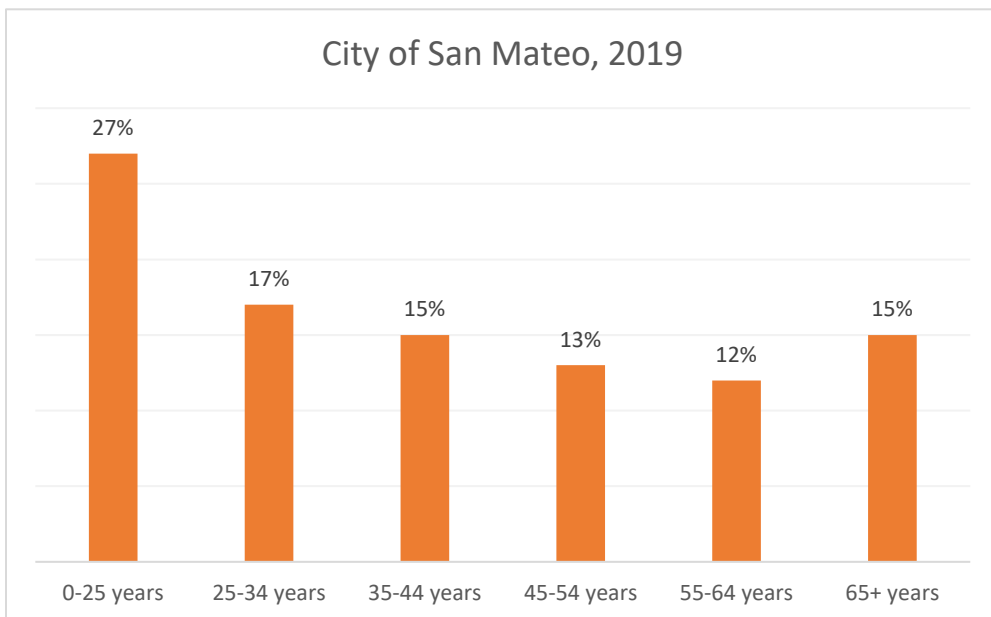
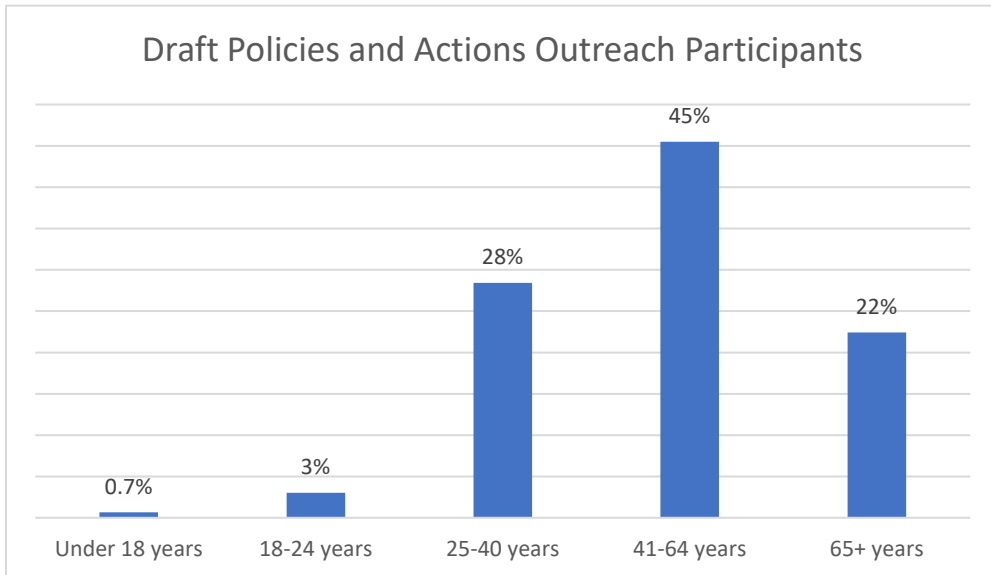


City of San Mateo, 2019



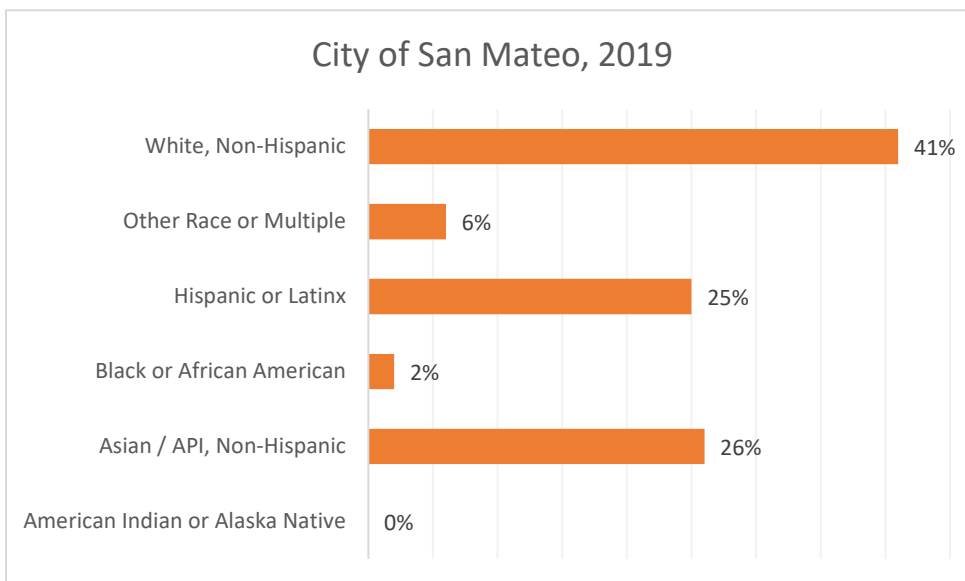
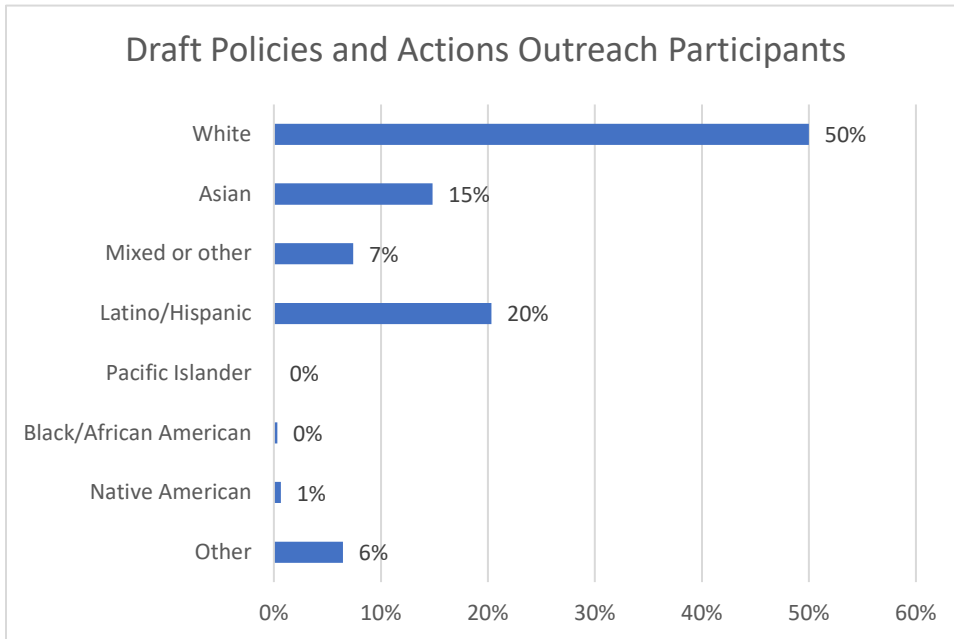
What is your age group?

Number of Respondents: 299



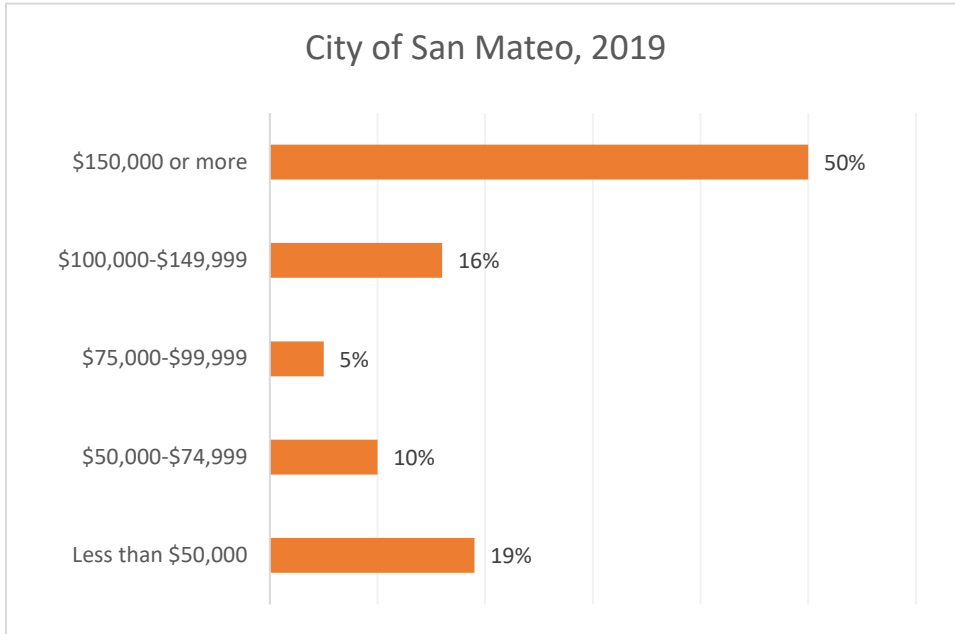
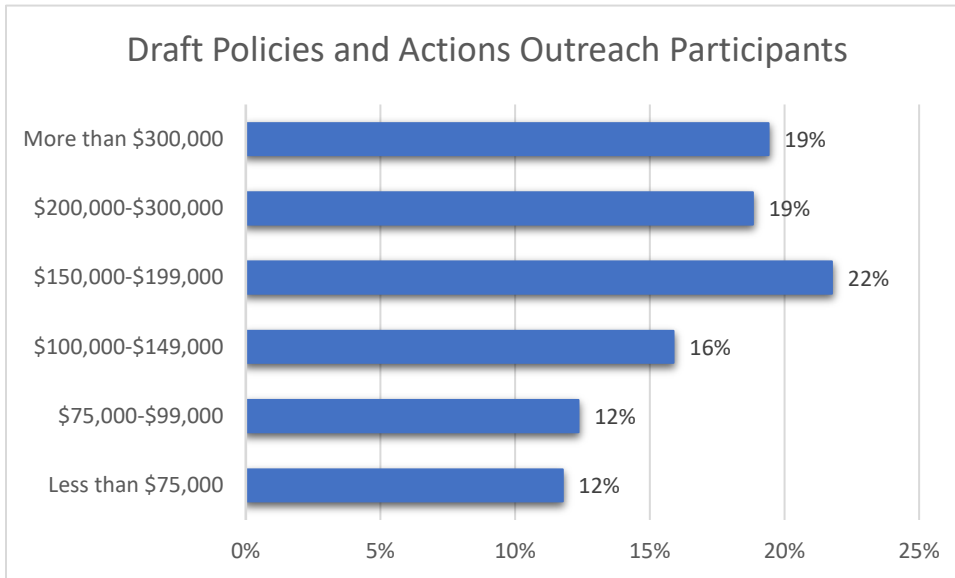
What is your race or ethnicity? (Check all that apply).

Number of Respondents: 310



Which best describes your household annual income?

Number of Respondents: 170



Attachment A

Written Public Comments

Sent: Saturday, July 16, 2022 9:58 PM

To: City Council (San Mateo) <CityCouncil@cityofsanmateo.org>

Subject: To the Council For Monday's City Council Mtg...thanks

Under the preferred general plan, what are you going to do about the traffic that will be generated in and through the now planned "land locked" Hayward Park area?

Railroad tracks on the East and 4 plus story, high density buildings on the North, South and West with only two streets through Hayward Park: Palm Avenue and B Street.

Larry Patterson promised that when Bay Meadows and the TOD overlay was approved, there would be no net increase in terms of traffic on Palm Ave and B St. He said that on the record.

But that is clearly not going to be the case when this GP update is implemented.

Did planning forget to look at these planning issues comprehensively? Or did they just look at various sections of the City, separately - Downtown, El Camino and 92/101, without looking at the cumulative impacts that each of those 3 individual high density sections might have on one particular neighborhood?

For the GP update, were there cumulative traffic studies done on the impact of high density being built on the north, west and south sides of Hayward part or were they just done separately on the downtown, El Camino and Hayward Park TOD sections?

The problem is the cumulative impact of each of those separate sections on Hayward Park itself. This issue happens nowhere else in the City under the preferred GP update.

I would appreciate your response as to the cumulative traffic impact on Hayward Park, if the present preferred GP is passed.

A quick final note, it also seems that you're giving up on solar access for a wide swath of Hayward Park residents along the El Camino Real.

Sincerely Yours,

Laurence Kinsella



San Mateo, CA 94402

From: Gustavo Hornos [REDACTED]
Sent: Monday, July 18, 2022 3:54 PM
To: City Council (San Mateo) <CityCouncil@cityofsanmateo.org>
Subject: Please do not allow "Downzoning" in Zone Study 4

[Download full resolution images](#)
[Available until Aug 17, 2022](#)

Dear San Mateo City Council,

We ask for your help in this matter because after reading the Staff's suggestions and looking at the zone map they prepared for today's Plan Update Meeting they are proposing to lower our current R4 Residential Multiple Family Dwelling High Density into a Low/Medium designation.

It is clear to us that even they say otherwise they are still trying to limit and downgrade our block building rights while allowing a huge increase for other properties in the same Downtown area, actually in front of our eyes, right in our backyard.

This is happening even after the City Council and the Mayor in person clearly said that "Downzoning" was not fair.

We are attaching a picture from our backyard where you will see how the newly approved 5 Story MidPeninsula Garage Building is changing completely our view and PDFs of the current San Mateo Zoning Plans for you to compare in order to make justice and to exercise fairness.

Attached is also the PDF file with our previous letter regarding a "Request to do not lower our home land use zone density category" and to be considered as our comments for today's City Council Meeting where you will decide about Land Use in San Mateo.

Sincerely,
Gustavo Hornos and Jesica Salomon
[REDACTED], San Mateo CA 94402 (between 5th & 9th Avenue)







**Request to the City Council of San Mateo
To do not lower our home land use zone density category.
606 S Delaware St, San Mateo, CA 94402**

April 18, 2022

Dear San Mateo Mayor Rick Bonilla, Deputy Mayor Diane Papan and City Council Members Joe Goethals, Amourence Lee and Eric Rodriguez.

We are writing to you in regards of the recent General Plan discussions that could greatly affect our homeowners rights.

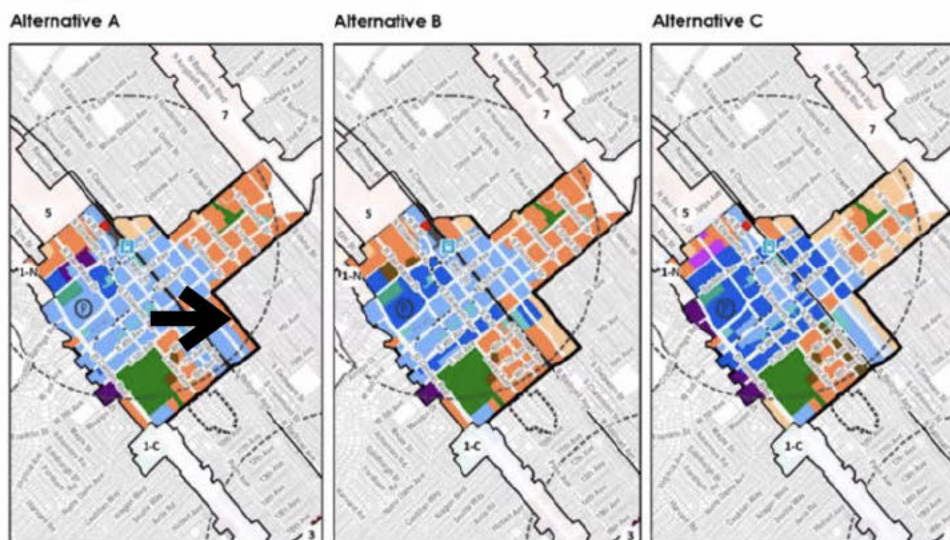
We are opposed and concerned about the proposed down zoning to my block, it could face legal scrutiny and is contrary to our City's stated goals of zoning to meet our RHNA (Regional Housing Needs Allocation) numbers.

Our property is currently zoned R4 (high density multifamily housing) and the Land Use Alternatives for Zone 4 all propose down-zoning: the Alternative A is proposing to change it to a Medium Density and Alternative B and C want to lower it into a Low Density.

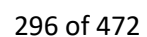
The property is located clearly in the Downtown District and inside the Half Mile Mass Transit Radius, right where many new tall building constructions is already happening, so we should be equally treated and our current zoning should not be lowered.

Our property shown in the map below with an arrow is located at 606 S Delaware St, between 5th and 7th Ave which is inside the Downtown city limits and referenced as Study Area 4 for the General Plan Update.

Study Area 4 - Downtown



When we bought our home in 2013 one very important factor for us to purchase this specific one was that it was designated as a R4 High Density Zoning. Our reasoning was that San Mateo will keep growing and eventually we could start building more square feet of living area since there is always an increasing need for more housing.



After participating in person and later watching numerous City Council meetings we saw that the Council was firmly determined to tackle this lack of housing, a goal that it is also greatly encouraged by the California State Government.

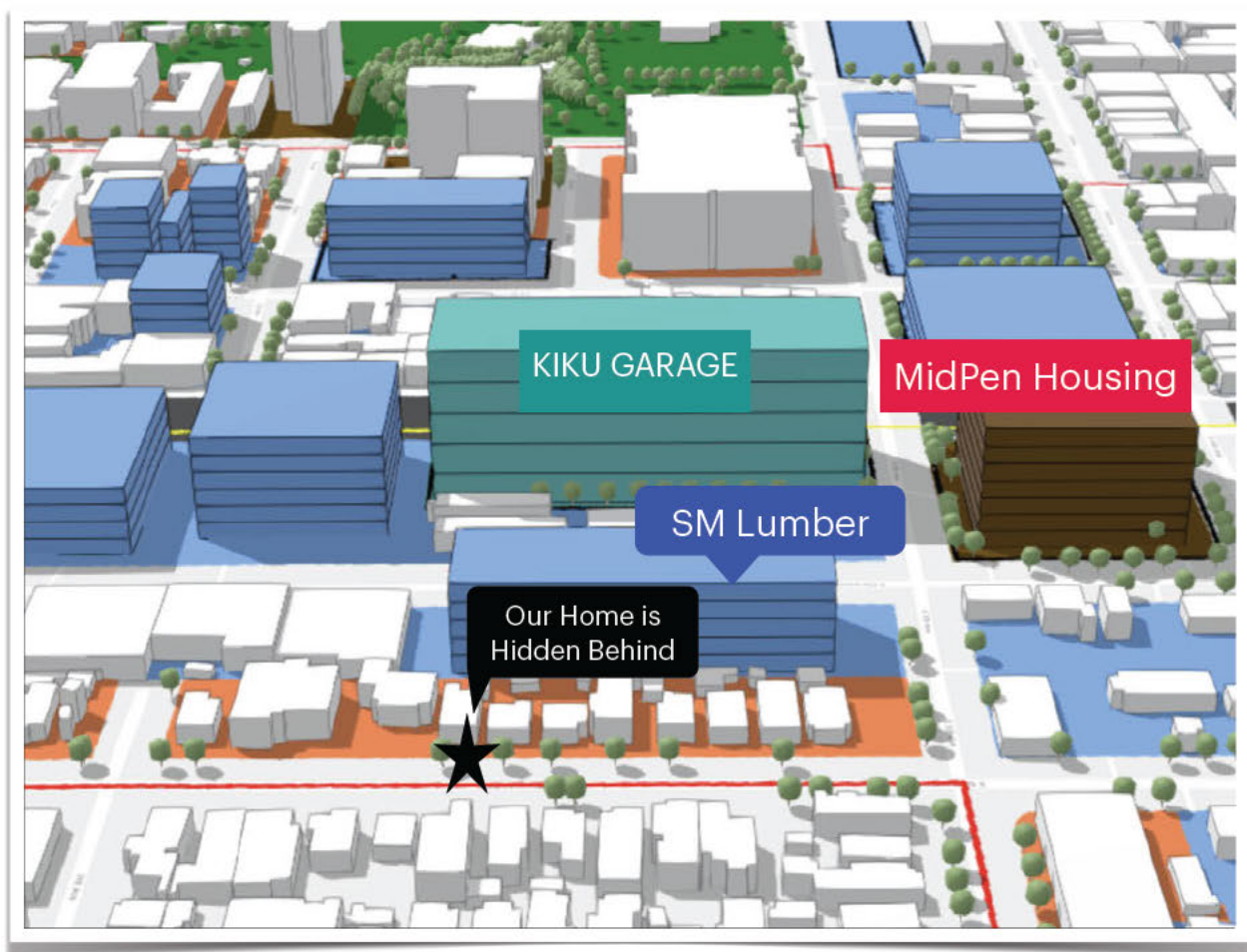
We witness how many new buildings have been approved just in the next two blocks of our home, like the one at 405 E 4th Ave, where Verkada has its headquarters and the recently approved Kiku Crossing MidPen Housing just one block from us.

We are very happy that new affordable housing is coming to the city, but unfortunately the height of the 7 floors of the residences and the 5 Floors of the Garage will greatly affect our privacy in our backyard, the amount of open view and even the hours of sunlight that we are used to enjoying everyday.

This view taken from the Online Virtual Tool that the city provides shows our block hidden behind the possible construction at the San Mateo Lumber (blue color in the following picture). In green color is the representation of the Kiku Crossing Garage while the MidPen Housing is shown in color brown.



Below is another view from a different angle of our block that shows the near future and how everything will look when construction is completed. Our property shouldn't be downzoned with so much construction right in-front of us!



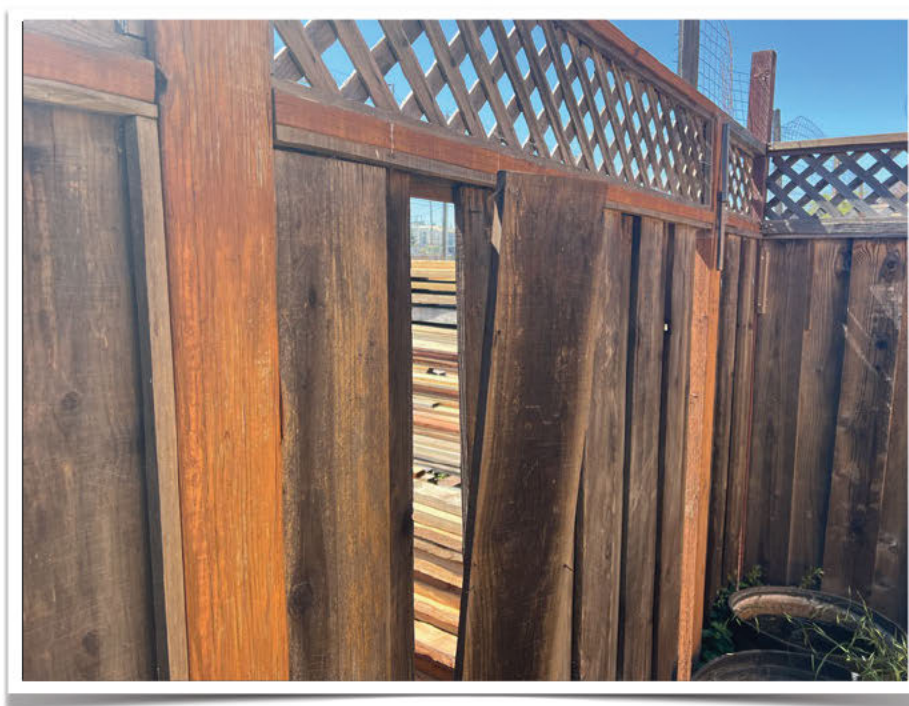
We understand that on top of that it will not be fair at all to us (and to the rest of the residents in our block) to suffer an unjustified zoning downgrading of our future building capabilities as it is shown at the moment in the alternatives A, B and C of Study Area 4, while every other property in our zone is being greatly improved in their building density zoning.

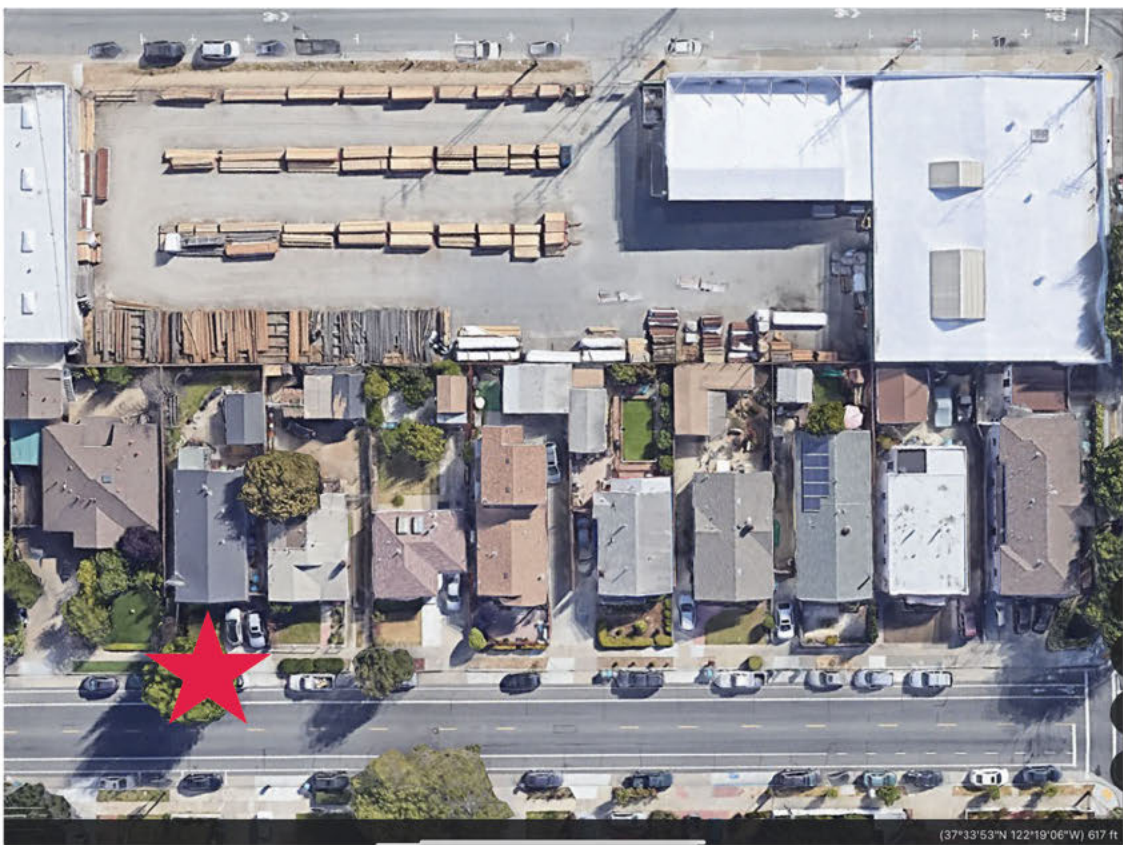
If any of these proposals are approved by the Council it will inflict a direct economic harm to the value of our main family asset and that of our S Delaware St. neighbors in the two blocks between 5th Ave and 9th Ave. The affected properties addresses by this possible change are: S Delaware St. 500, 504, 512, 514, 518, 522, 600, 604, 606, 610, 622, 626, 702, 706, 710, 714, 718, 720, 724, 800, 804, 810, 814 and 820).

Moreover, our neighbor right behind our backyard is the San Mateo Lumber, which is sitting in a big lot that could easily be converted in the future into another tall building that will completely diminish our privacy and quality of life.

As you can see it is very clear to visualize in the previous images that our homes could be massively shaded by present and future constructions and that at least the Council should protect our current zone density designation..

Below is a picture of the fence of our backyard recently broken by regular operations by the lumber yard that unequivocally shows that we are in the Downtown Business Area after all.





Please make justice and consider this request to ease our situation and just imagine for a moment how you would personally feel if this ever happened to your home and property. We believe this zoning downgrading is against the spirit of the General Plan, it is arguably a policy mistake that did not consider in depth the dynamics of this block and something that was never proposed at any meeting by any of the San Mateo neighbors.

We respectfully ask you to keep our block with the zoning that it currently has which is an R4 High Density Multi-Family one.

At this moment Alternative A is proposing to change it to a Medium Density and Alternative B and C want to lower it into a Low Density.

The San Mateo City website says that the city is committed to equity but we will not feel equally treated if our block is the only block in the San Mateo Downtown District that is lowered when everything else is upgraded and getting ready for more construction as required and mandated by law.

Sincerely yours,

Gustavo Hornos & Jesica Salomon

[REDACTED] San Mateo, CA 94402

Email: [REDACTED]

From: Bradley Karvasek [REDACTED] >
Sent: Monday, July 18, 2022 2:59 PM
To: City Council (San Mateo) <CityCouncil@cityofsanmateo.org>; Rick Bonilla <RBonilla@cityofsanmateo.org>; Diane Papan <dpapan@cityofsanmateo.org>; Joe Goethals <jgoethals@cityofsanmateo.org>; Amourence Lee <alee@cityofsanmateo.org>; Eric Rodriguez <erodriguez@cityofsanmateo.org>
Cc: Bradley Karvasek [REDACTED]
Subject: Agenda Item #20: General Plan Update - Land Use Map

Dear Mayor Bonilla and Members of the City Council:

I am writing on behalf of PS Business Parks (PSBP), the owner of Bayshore Corporate Commons, located at 1720 South Amphlett Boulevard in San Mateo, CA.

Tonight, you are being asked to confirm the draft land use map and the heights and densities associated with the land use designations for the City's General Plan Update. We have been participating in the General Plan Update process this year and have been very encouraged by the City's willingness to consider designating our site as Mixed-Use to optimize the opportunity for redevelopment.

We were thankful when both the Planning Commission and City Council agreed that the Mixed-Use High designation would be appropriate for the City's General Plan Update environmental review to allow for future flexibility in determining the appropriate mixes and locations of uses on a redeveloped site.

Last week, we were concerned to see staff's recommendation to split our site between Mixed-Use Medium and Mixed-Use High. When combined with staff's recommendation to lower the number of stories, Mixed-Use Medium impacts any developer's ability to build industry standard residential construction - 5 stories of residential (type III wood construction) over 2 levels of parking. These changes would make it harder to envision new housing on our site, which is counter to the discussions we've had regarding providing a pathway to providing more housing.

We appreciate the discussion at the last City Council meeting regarding appropriate transitions to the nearby residential neighborhood, but that should not split the CEQA analysis of the site at this stage.

Therefore, we ask that the City Council stay the course with the Mixed-Use High designation for the site, so that the maximum building intensity can be studied as part of the General Plan Update and its environmental review. Moving forward, the City will have many opportunities to weigh in on a project when an application is filed—for now the Mixed-Use High designation provides flexibility and opportunity.

Thank you for your hard work on this General Plan Update. We appreciate our partnership with the City.

Sincerely,

Bradley Karvasek



Bradley Karvasek | Vice President - Senior Development Executive
2525 152nd Ave NE | Redmond, WA 98052
T 425.883.1300 C 206.369.1355
psbusinessparks.com



This e-mail may contain confidential or proprietary materials for the sole use of the intended recipient. Any review, use, distribution or disclosure by others is strictly prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and delete all copies.

From: Strive San Mateo <email@strivesanmateo.org>
Sent: Wednesday, July 20, 2022 4:56 PM
To: General Plan <generalplan@cityofsanmateo.org>
Subject: New message on Strive San Mateo

Name: Bob Childs

Email: [REDACTED]

Message: Your mailer on the general plan states "the general plan team will reach out to communities in San Mateo where health and well-being are harmed by inequities to ask about the needs and priorities of those residents". How about having the general plan team reach out to the communities that are paying the bulk of the taxes? We are paying your salary and you should be listening to us, the tax payers! Your " Environmental Justice" plan stinks of woke ideology. If you listen to the people who are paying the taxes you might actually hear that there are people who do not support these socialist programs you are pushing.

Date: July 20, 2022

Time: 11:55 pm

Page URL: <http://strivesanmateo.org/participate-online/>

User Agent: Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko)

Chrome/103.0.0.0 Safari/537.36

Remote IP: 162.144.147.225

Powered by: Elementor

From: Strive San Mateo <email@strivesanmateo.org>
Sent: Thursday, July 21, 2022 2:30 PM
To: General Plan <generalplan@cityofsanmateo.org>
Subject: New message on Strive San Mateo

Name: Keith

Email: [REDACTED]

Message: Ronald Reagan once said that if fascism ever comes to America it'll come in the name of liberalism, (ie. socialism). That's what I see when I hear the terms social justice, environmental justice, etc...

Funding and organizing the radical left wing since day one are the central banking oligarchs. They are fascists/neo-feudalists using socialist dupes and socialist policies to consolidate political and economic power.

The central banking oligarchs are implementing their new/one world order agenda at the local, state, national and international level using ignorant and corrupt political hacks like the person reading this message.

PS. CO2/plant food does not drive global temperatures, never has, never will. The CO2/plant food scare is an oligarch scam.

Date: July 21, 2022

Time: 9:30 pm

Page URL: <https://strivesanmateo.org/participate-online/>

User Agent: Mozilla/5.0 (Android 10; Mobile; rv:91.0) Gecko/91.0 Firefox/91.0

Remote IP: 162.144.147.225

Powered by: Elementor

From: Strive San Mateo <email@strivesanmateo.org>
Sent: Wednesday, July 20, 2022 3:16 PM
To: General Plan <generalplan@cityofsanmateo.org>
Subject: New message on Strive San Mateo

Name: John Konopka

Email: [REDACTED]

Message: I'm most concerned about global warming and sea level rise. Much of San Mateo lies close to sea level. How at risk are we? What can be done? How are we coordinating with other cities bordering the Bay?

Date: July 20, 2022

Time: 10:16 pm

Page URL: <http://strivesanmateo.org/participate-online/>

User Agent: Mozilla/5.0 (Macintosh; Intel Mac OS X 10_15_7) AppleWebKit/605.1.15 (KHTML, like Gecko) Version/15.5 Safari/605.1.15

Remote IP: 162.144.147.225

Powered by: Elementor

From: Strive San Mateo <email@strivesanmateo.org>
Sent: Thursday, July 21, 2022 12:14 PM
To: General Plan <generalplan@cityofsanmateo.org>
Subject: New message on Strive San Mateo

Name: Sue Papilion

Email: [REDACTED]

Message: Received literature on plan participation which said take survey and I see the survey is over? Either I got literature late 7/20/22 or you got your wires crossed. I think far too often committees assume everything runs as fast as their decisions and the public is a pain anyway because you only hear the negative from them. Well I'd like to be positive about growth and you needed my input as a renter!

Date: July 21, 2022

Time: 7:14 pm

Page URL: <https://strivesanmateo.org/participate-online/>

User Agent: Mozilla/5.0 (Macintosh; Intel Mac OS X 10_15_7) AppleWebKit/605.1.15 (KHTML, like Gecko) Version/15.4 Safari/605.1.15

Remote IP: 162.144.147.225

Powered by: Elementor

From: Strive San Mateo <email@strivesanmateo.org>
Sent: Wednesday, July 20, 2022 6:14 PM
To: General Plan <generalplan@cityofsanmateo.org>
Subject: New message on Strive San Mateo

Name: jim tilton

Email: [REDACTED]

Message: It does not matter how much affordable housing you build there will always be a need for more. If enough of the elites can not find and hire the help they need to maintain there lawns and teach in the schools then the desirability of the are will decrease and people will be able to afford housing. Building high density housing on every available inch is clearly not the answer. . .

Date: July 21, 2022

Time: 1:13 am

Page URL: <http://strivesanmateo.org/participate-online/>

User Agent: Mozilla/5.0 (Macintosh; Intel Mac OS X 10_15_7) AppleWebKit/605.1.15 (KHTML, like Gecko) Version/15.5 Safari/605.1.15

Remote IP: 162.144.147.225

Powered by: Elementor

From: Strive San Mateo <email@strivesanmateo.org>
Sent: Thursday, July 21, 2022 3:47 PM
To: General Plan <generalplan@cityofsanmateo.org>
Subject: New message on Strive San Mateo

Name: Violeta

Email: [REDACTED]

Message: I just got your flyer. While you talk about reshaping the city and talk about development and growth -so far I've only seen the construction of offices and housing but have not heard or read ANYTHING about building new schools considering the amount of people these new housing will bring to the city. Are you going to build new schools? or does development only means property taxes the city will collect without considering that more families mean even bigger class sizes in our already crammed schools?

Date: July 21, 2022

Time: 10:47 pm

Page URL: <http://strivesanmateo.org/participate-online/>

User Agent: Mozilla/5.0 (iPhone; CPU iPhone OS 15_0_2 like Mac OS X) AppleWebKit/605.1.15 (KHTML, like Gecko) Version/15.0 Mobile/15E148 Safari/604.1

Remote IP: 162.144.147.225

Powered by: Elementor

From: Strive San Mateo <email@strivesanmateo.org>
Sent: Thursday, July 21, 2022 9:46 PM
To: General Plan <generalplan@cityofsanmateo.org>
Subject: New message on Strive San Mateo

Name: Kent Carrillo

Email: [REDACTED]

Message: you guys are ruining San Mateo with the continued construction of more, and more, and more high density housing. where is it written that San Mateo needs to be the next New York City? Stop already. We dont have enough water now. Where will the water come from for all these hundreds of new units? Why is it nobody is talking about that? Just stop. I dont care what the State says. How about listening to your residents for a change, especially your long time residents. San Mateo used to be so very nice. Now, its pretty much urban sprawl. we dont need it, dont want it.

Date: July 22, 2022

Time: 4:45 am

Page URL: <https://strivesanmateo.org/participate-online/>

User Agent: Mozilla/5.0 (Windows NT 10.0) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/103.0.0.0 Safari/537.36

Remote IP: 162.144.147.225

Powered by: Elementor

From: Frank Markowitz [REDACTED]
Sent: Friday, July 29, 2022 3:33 PM
To: General Plan <generalplan@cityofsanmateo.org>
Cc: Rick Bonilla <RBonilla@cityofsanmateo.org>; Diane Papan <dpapan@cityofsanmateo.org>; Joe Goethals <jgoethals@cityofsanmateo.org>; Amourence Lee <alee@cityofsanmateo.org>; Eric Rodriguez <erodriguez@cityofsanmateo.org>
Subject: General Plan - support for higher densities, higher building heights, and improved bicycle/pedestrian facilities

General Plan Subcommittee -

As a single-family homeowner in the Beresford/Hillsdale area since 2002 (and an experienced urban/transportation planner), I commend the City Council for **supporting targeted higher densities**. Given the severe local jobs/housing imbalance, resulting in teachers and other middle-class jobholders unable to afford to live here, it is imperative that **more housing** be approved, while limiting job growth.

I support concentrating housing growth in areas close to public transit and shopping (like near Caltrain stations and along El Camino Real) or in areas where the impact on existing neighborhoods will be limited (like redeveloping the Campus Drive Peninsula Office Park). The **Measure Y height limit of 55 feet is far too restrictive**, and I support a higher limit, going back to the voters again if needed. This limit is inconsistent with what neighboring cities are approving and a potential impediment to efficient development. I strongly **support rezoning commercial areas** to encourage residential or mixed-use redevelopment. I also support **more affordable housing**.

There is a recent trend among a number of other cities locally (like South SF, Burlingame, and Redwood City) to support huge biotech development, out of scale with housing growth. I hope that San Mateo will not follow this trend, and job growth should be limited to the amount needed to stay economically healthy.

Regarding transportation, I support local proposals, including a **bicycle boulevard** on Hacienda and Mason (with significant traffic calming measures) and a **buffered bike lane** on the Alameda. **Pedestrian safety improvements and improved street lighting** are needed citywide.

Thanks very much.

Frank Markowitz
[REDACTED]

From: [REDACTED]

Sent: Thursday, August 4, 2022 4:04 PM

To: General Plan <generalplan@cityofsanmateo.org>; Eric Rodriguez <erodriguez@cityofsanmateo.org>

Subject: Housing...

To the members of the general plan:

Yesterday, I called many offices of primary care doctors to seek an appointment since my primary care doctor is retiring. I was repeatedly told that the doctor had a full practice and was not accepting new patients. The harsh reality that our peninsula has a shortage of primary care doctors amplifies the lack of thought and foresight for the needs of our citizens. The irresponsible building of hundreds of affordable homes will create a medical catastrophe because of this shortage.

Additionally, each day there are more and more news articles about the water shortage in the West because of the historic drought we are experiencing. Imagine the amount of water needed in all of these structures that have been and are being built. Where do you plan to obtain this need in order to supply the everyday multiple need for water in these homes? Here is a riveting article about this, and sadly you continue to build.

The end of snow threatens to upend 76 million American lives

Disappearing snowpack is accelerating the historic drought across the Western US, and so far government responses haven't matched the scale of the problem.

Read in Bloomberg: <https://apple.news/AFXdahSKETISf29wcUCIvQQ>

Alarminglly,
Maureen Zane

From: Kristie Eglsaer [REDACTED]
Sent: Friday, August 5, 2022 11:39 AM
To: General Plan <generalplan@cityofsanmateo.org>
Subject: Public comments re Community Design and Historic Preservation; and Conservation, Open Space and Recreation

Dear General Plan Community Design and Historic Preservation and Conservation, Open Space and Recreation subcommittee,

I am writing to provide comments on the [Aug 11 meeting](#).

I am very glad to see conservation and protecting natural resources as part of the general plan and plans to ensure access to nature for all!

Regarding historic preservation, I am so happy to see that alternatives to demolition must be submitted for historic buildings. I would encourage the committee to expand this in all cases of construction.

Deconstruction and recycling should be the first option rather than demolition.

According to the EPA, [Construction and Demolition debris is the largest source of waste in America, more than twice the amount of waste generated by municipal solid waste](#).

San Mateo is a leader in waste reduction, as with finding reasonable solutions to support businesses transitioning to compostable take out containers. Construction and demolition debris must be addressed.

[US EPA Best Practices for Reducing, Reusing, and Recycling Construction and Demolition Materials](#)

[CalRecycle C&D Recycling Tools for Contractors, Local Governments, and Processors](#)

[Deconstruction: The Story of Two Homes \(video\)](#)

Also regarding historic preservation, consider creating [education and training programs, like in San Antonio, Texas](#).

Thank you very much for considering my comments.

Best, Kristie Eglsaer

From: Jim Sell [REDACTED]
Sent: Monday, August 8, 2022 1:42 PM
To: General Plan <generalplan@cityofsanmateo.org>
Subject: Height and Density

Dear Planners,

Current height, density and parking requirements make it mathematically impossible to build affordable housing in San Mateo. I own two R4 lots in the block adjacent to El Camino and W. 3d, nine years ago I had an evaluation done to develop housing on the property. The study projected that 22 two bedroom units would need to sell for 1.5 to 1.8 million and take 3 to 4 years to complete. Our zoning laws make it affordably impossible West of El Camino.

Jim Sell
650 465 1569



Virus-free. www.avast.com

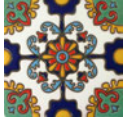
From: zorigt@gmail.com [REDACTED]
Sent: Tuesday, August 9, 2022 8:33 AM
To: General Plan <generalplan@cityofsanmateo.org>
Subject: Public Comment on Caltrain Noise

I am a registered voter in San Mateo City. I would like to suggest San Mateo City should implement Caltrain quiet zone similar to Atherton. Especially in downtown San Mateo area, the trains blast their horns nonstop all through the downtown area since there are so many railroad crossings. It's disruptive to residents and businesses in the affected areas. For example: trains run from 5am - past midnight, how does one get restful sleep. It's a non-stop alarm clock. Maybe start with a pilot program on 9th St railroad crossing.

<https://www.ci.atherton.ca.us/456/Quiet-Zone>

At 12:01 AM on Monday, June 13, 2016, the Atherton Fair Oaks Quiet Zone was officially established by the Town of Atherton. Railroad Quiet Zones can be established based on criteria outlined in the Final Rule on Use of Locomotive Horns at Highway-Rail Grade Crossings (Final Rule), which was made effective on June 24, 2005 by the Federal Railroad Administration (FRA) and amended on August 17, 2006.

Thanks for the consideration,
Zorigt Bazarragchaa



SAN MATEO HERITAGE ALLIANCE

RECOMMENDED ALTERNATIVE HISTORIC RESOURCES ELEMENT GENERAL PLAN 2040

HISTORIC RESOURCES

The Historic Resources component of the General Plan confirms the City's commitment to the protection, enhancement, perpetuation, and use of historic resources as economic, cultural, and aesthetic benefits to the City of San Mateo.

GOALS

GOAL CD-3.1 Identify and preserve historic, architectural and cultural resources, including individual properties, districts and sites, to maintain San Mateo's sense of place and special identity, and to enrich our understanding of the city's history and continuity with the past.

GOAL CD-3.2 Use historic preservation principles as an equal component in the planning and development process. Fully integrate the consideration of historic, architectural and cultural resources as a major aspect of the City's planning, permitting and development activities.

GOAL CD-3.3 Ensure compatibility between new development and existing historic, architectural and cultural resources.

POLICIES

Policy CD-P3.1 Historic Resource Definition. A district, landscape, object, sign, site, or structure significant in American archeology, architecture, culture, engineering, or history that is either designated or eligible for designation under city, state, or national criteria.

Policy CD-P3.2 Historic Preservation. Identify and preserve historic buildings, districts and sites, unless proven not feasible.

Policy CD-P3.3 Demolition. The City shall consider demolition of historic resources as a last resort, to be permitted only if rehabilitation of the resource is not feasible, demolition is necessary to protect the health, safety, and welfare of its residents, or the public benefits outweigh the loss of the historic resource.



SAN MATEO HERITAGE ALLIANCE

Policy CD-P3.4 Historic Districts. Actively identify and protect concentrations of buildings which convey the flavor of local historical periods or provide an atmosphere of exceptional architectural interest or integrity, when they meet national, state or local criteria.

Policy CD-P3.5 Downtown Historic District. Maintain the identified historic district along portions of 3rd Avenue and B Street, and continue to implement regulations to protect the overall historic and architectural character and integrity of the area.

Policy CD-P3.6 Scale and Character of New Construction in Historic Districts. Promote an architecturally sensitive approach to new construction in Historic districts. Demonstrate the proposed project's contextual relationship with land uses and patterns, spatial organization, visual relationships, cultural and historic values, and relationships in height, massing, modulation, and materials.

Policy CD-P3.7 Downtown Building Heights. Relate the height of new buildings to the pattern of downtown and to the character of existing and proposed development. New development shall be encouraged to step down towards some existing buildings in order to be compatible with the pattern of Downtown.

Policy CD-P3.8 Historic Surveys and Context Statements. For areas that have not been surveyed, the City shall seek funding to prepare new historic context surveys. In these surveys, the potential eligibility of all properties 45 years and older for listing in National, California or local registers shall be evaluated.

Policy CD-P3.9 Historic Structure Renovation, Rehabilitation, and Adaptive Reuse. Promote the renovation and rehabilitation of historic structures that conforms to the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Structures and the California Historical Building Code and prioritize historic structures for available rehabilitation funds.

Policy CD-P3.10 Public Awareness. Foster public awareness and appreciation of the City's historic, architectural, cultural and archaeological resources and educate the community about how to preserve and improve these resources.

Policy CD-P3.11 Historic Preservation Funding. Pursue and promote historic preservation funding sources to incentivize the protection of historic resources such as the California Mills Act Property Tax Abatement Program and Federal Historic Preservation Tax Incentives Program.

Policy CD-P3.12 Encourage both public and private stewardship of the City's historic and cultural resources.



SAN MATEO HERITAGE ALLIANCE

ACTIONS

Action CD-A3.1 Incorporate preservation as an integral part of the general plan, specific plans, environmental processes, planning, permitting, and development activities.

Action CD-A3.2 Historic Resources Survey. Establish and maintain an inventory of architecturally, culturally, and historically significant structures, districts and sites. Proactively update and maintain an up-to-date historic resources inventory. Actively seek funding opportunities to update the historic survey.

Action CD-A3.3 Historic Preservation Ordinance. Update and maintain the City's Historic Preservation Ordinance to be consistent with State and Federal standards and guidelines, and to support local historic preservation objectives. Incorporate zoning tools such as Historic Preservation Overlay Zones (HPOZs) and conservation districts.

Action CD-A3.4 Historic Design Standards. Create objective design standards for development within commercial and residential historic districts and adjacent properties, to maintain the historic character of these resources. Revise the Downtown and Historic District Design Standards to give consideration to new development within a historic preservation context.

Action CD-A3.5 Demolition Alternatives. Require an applicant to submit alternatives to full demolition on how to preserve a historic building as part of any planning application and implement methods of preservation unless health and safety requirements cannot be met.

Action CD-A3.6 Encourage and assist owners of historically significant buildings in finding ways to adapt and rehabilitate these buildings, including participation in state and federal tax relief programs.

Action CD-A3.7 Streamline, to the maximum extent feasible, any future processes for design review of historic structures to eliminate unnecessary delay and uncertainty for the applicant and to encourage historic preservation.

Action CD-A3.8 Preservation Incentives. Create incentives to preserve historic and cultural resources such as reducing parking requirements, allowing a flexible use, or establishing a transfer of development rights program.

Action CD-A3.9 Create incentives to encourage salvage and reuse of discarded historic building materials.

Laurie and Randy Hietter

August 11, 2022

Mr. Zachary Dahl, Deputy Director
General Plan Subcommittee
Community Development Department
City of San Mateo
330 West 20th Avenue
San Mateo, California 94403

VIA EMAIL

Dear Mr. Dahl and General Plan Subcommittee Members:

Thank you for the opportunity to provide comments regarding the proposed 5. *Community Design and Historic Resources Element* of the 2040 General Plan. The San Mateo Heritage Alliance (SMHA) submitted suggested revised policies yesterday. It is especially important to include the initial discussion of Principles. We support the SMHA revisions to the City's document.

The comments below reference the Policies and Actions in the City's Goals, Policies, and Actions to emphasize certain points.

NATURAL LANDSCAPES AND THE URBAN FOREST

Policy CD-P2.3 New Development Requirements.

Add protection of tree roots to the policy to protect the health of the trees during construction. Damage to roots can be fatal to trees.

"Require the protection of trees and their roots during construction activity; ..."

HISTORIC RESOURCES

Please replace these goals, policies, and actions with those presented by the San Mateo Heritage Alliance (submitted August 10, 2022).

Policies

Policy CD-P3.1 Historic Preservation. This should be a policy to identify and preserve resources. The City must follow the law, not just "where feasible."

Policy CD-P3.2 Historic Districts. Insert "Identify and" at the beginning of the policy. The City is currently not conducting adequate review or protection of historic district must follow the direction of the State Historic Preservation office, which states:

Local government surveys should consider the presence of potential historic districts which may be eligible for national, state or local designation or may warrant special consideration in local planning such as the development of design guidelines, historical preservation overlay zones (HPOZs), conservation zones, or review by a historic preservation commission prior to granting permits for demolitions or other actions which could alter or destroy district contributors.

State Historic Preservation Office website https://ohp.parks.ca.gov/?page_id=23317

Policy CD-P3.7 Demolition Alternatives. This policy is too narrowly defined to be only National Register-eligible resources. This policy should apply to all pre-war structures to preserve the integrity of our neighborhoods, minimize waste diverted to a landfill, and foster sustainable development.

Actions

Action CD-A3.1 Historic Building Survey. This action should address historic districts as well as buildings and sites. "Establish and maintain an inventory of architecturally, culturally, and historically significant structures, ~~and sites,~~ and districts.

Action CD-A3.2 Historic Preservation Ordinance. Update and maintain the City's Historic Preservation Ordinance to be consistent with State and Federal standards and guidelines, and to support local historic preservation objectives.

Action CD-A3.4 Historic Design Standards. Create objective design standards for development within historic districts ~~or~~ and adjacent to historic structures and/or culturally important sites to maintain the historic character of these resources.

In my letter to Zachary Dahl of February 8, 2022 regarding the General Plan Notice of Preparation, I requested that the City hold a General Plan EIR workshop to address the scope, methodology, and potential mitigation measures for the historic resources sections of the General Plan and EIR. You have not yet responded to this request so I am reiterating the request here.

Thank you for your attention to these comments.

Sincerely,

Laurie Hietter

Randy Hietter

Laurie and Randy Hietter

From: Janna Kolodii [REDACTED]
Sent: Tuesday, August 23, 2022 2:37 PM
To: General Plan <generalplan@cityofsanmateo.org>
Subject: Noise from the rail road

Hello,
it seems like the issue of the train signal/noise will never be resolved. Can you revisit this problem and think better about what can be done to minimize the torture? There are a lot of people who are affected, elderly and children included who lack sleep and rest because of the noise. My heart goes to the people who live in close proximity to the rails and I would be mentally broken from having this nuisance 24/7 (except for a few hours at night).
I hope you will include the conversation (at least) in your plan and will try to improve our lives.

Thank you,

--

Janna Kolodii
[REDACTED]

Name: Janna Kolodii

Email: [REDACTED]

Message: Infrastructure is important for each city and San Mateo is not an exception. I have recently moved to SM from the South Bay and noticed right away how in bad shape the city was, especially North San Mateo. Yes, it's an unprivileged people's area and you can see it once you cross the 4th Ave. Roads are crumbling, and sidewalks pose immediate hazards. Trash is everywhere and is not being regulated. (Owners and landlords must follow the rules and keep their properties and around them neat). I believe San Mateo can do better and care about their citizens, and the conditions they live in. Just drive/walk along Grant street and you will see the neglect (by the city). It screams "Oh, it will do for them, they are used to these conditions". Please change your attitude and make the area as nice as other streets. Thank you

Date: August 23, 2022

Time: 9:30 pm

Page URL: <https://strivesanmateo.org/participate-online/>

User Agent: Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko)

Chrome/104.0.0.0 Safari/537.36

Remote IP: 73.202.225.10

Powered by: Elementor

From: Khanh Russo <krusso@sff.org>

Sent: Friday, August 26, 2022 11:48 AM

To: Zachary Dahl <zdahl@cityofsanmateo.org>; General Plan <generalplan@cityofsanmateo.org>

Cc: Aysha Pamukcu <apamukcu@sff.org>; Evita Chávez <echavez@sff.org>; [REDACTED]

Subject: Equity Focused Input for Housing Elements

Dear City of San Mateo:

Thank you for the opportunity to provide input on the city of San Mateo's housing element. The Partnership for the Bay's Future ("PBF") is a public-private-nonprofit partnership working to create a more livable Bay Area in which diverse people of all walks of life can afford to live and thrive. To do so, we address the challenges of housing and protecting tenants through the support of equitable policy change as well as investing in the production and preservation of affordable housing.

In consultation with government leaders, housing policy experts, and communities, we have compiled a list of equitable housing priorities that we hope San Mateo will consider incorporating into the new housing element. We are including the following resources for your review and consideration:

- a slide deck covering each priority policy idea, with template language for your jurisdiction to consider,
- examples of places where the policy has been adopted, and
- additional links and resources.

We believe that your current efforts already include some of the listed policies, which we applaud. In addition to the attached equitable policy resources, we are offering technical assistance from Baird + Driskell Community Planning if your jurisdiction is interested in exploring or developing some of these policies even further. If you have any questions, please contact me (krusso@sff.org) and our colleagues at Baird + Driskell (Kristy Wang, wang@bdplanning.com, and Joshua Abrams, abrams@bdplanning.com). We will follow up with you shortly to see if we can provide further support.

Thank you again for the opportunity to provide input into San Mateo's housing element. We appreciate all your efforts to address the housing needs of Bay Area and California residents.

Sincerely,

Khanh Russo
Vice President of Policy and Innovation
San Francisco Foundation



Khanh Russo

Vice President of Policy and Innovation

One Embarcadero Center, Suite 1400 | San Francisco, CA 94111

T: (415) 733-8570 |

krusso@sff.org | www.sff.org



Pronouns: He, Him, His

Please follow the **Partnership for the Bay's Future** on [Twitter](#)  [Facebook](#)  [LinkedIn](#) 

August 24, 2022



Submitted by email to: Planning@sanramon.ca.gov

RE: San Ramon's 6th Cycle Housing Element Update

Dear City of San Ramon:

Thank you for the opportunity to provide input on the city of San Ramon's housing element. Your work supporting your community to meet its housing needs is critical in addressing the current housing affordability crisis. We understand that at this moment in the housing element process, your jurisdiction is waiting for comments from HCD. As such, we request that you incorporate additional equitable housing policies into your draft housing element during your next revision. We offer the attached equitable policy resources as well as potential technical assistance from Baird + Driskell Community Planning ("B+D") if your jurisdiction is interested in this level of support.

The Partnership for the Bay's Future ("PBF") is a public-private-nonprofit partnership working to create a more livable Bay Area in which diverse people of all walks of life can afford to live and thrive. To do so, we address the challenges of housing and protecting tenants through the support of equitable policy change as well as investing in the production and preservation of affordable housing.

In consultation with government leaders, housing policy experts, and communities, we have compiled a list of equitable housing priorities that we request San Ramon incorporate into the new housing element. In some cases, these are policies that housing element law requires jurisdictions to address as a potential action or recommendation in their housing elements, but in other cases, these are suggested policies that we are raising up as PBF's equitable planning priorities. We are including the following resources for your review and consideration:

- a slide deck covering each priority policy idea, with template language for your jurisdiction to consider,
- examples of places where the policy has been adopted, and
- additional links and resources.

We believe that San Ramon's current efforts already include some of the listed policies, which we applaud. We also believe that all Bay Area communities can take more steps to make their housing elements more equitable. The attached summaries can be used as resources for staff as they communicate with both decision makers and the public, and we are happy to provide further assistance to incorporate these policies into your housing element as well as help draft talking points that can be tailored for local implementation.

We believe the following policies can play an important role in meeting the requirements of this housing element and supporting thriving communities, and we request that San Ramon include them in the next housing element draft:

1. Favorable Zoning and Land Use
 - Make multifamily infill easier to develop
 - Allow, require or encourage multifamily housing in more places
 - Allow or encourage missing middle housing in single-family neighborhoods
 - Provide incentives for affordable housing development
 - Provide incentives for affordable ADUs and "missing middle" housing
2. Accelerating Production Timeframes
 - Streamline development approvals and environmental review process for multifamily housing
 - Streamline permitting process for multifamily housing
3. Reducing Construction and Development Costs
 - Ensure local requirements are not making development more expensive without requisite benefits
 - Actively support the use of modular and factory-built construction methods
4. Providing Financial Subsidies: Generate new or dedicate existing revenue for affordable housing
5. Advocating for Rent Control and Just Cause for Eviction Policies
 - Adopt or update rent stabilization policies
 - Adopt or update just cause eviction policies
6. Advocating for Community Land Trusts (CLTs): Support the formation and operation of community land trusts
7. Advocating for Inclusionary Zoning and Impact Fees: Create or review/update inclusionary housing (including in-lieu fees) and commercial linkage fee requirements
8. Inventory of Sites: Ensure that land is equitably zoned for multifamily housing, especially in high-opportunity areas

If you have any questions, please contact me (krusso@sff.org) and our colleagues at Baird + Driskell (Kristy Wang, wang@bdplanning.com, and Joshua Abrams, abrams@bdplanning.com). We will follow up with you shortly to see if we can provide further support, including technical assistance from the B+D team to further explore some of these policies.

Thank you again for the opportunity to provide input into San Ramon's housing element. We appreciate your efforts to address the housing needs of Bay Area and California residents.

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Khanh Russo
Vice President of Policy and Innovation
San Francisco Foundation

August 24, 2022



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8. Inventory of Sites: Ensure that land is equitably zoned for multifamily housing, especially in high-opportunity areas

If you have any questions, please contact me (krusso@sff.org) and our colleagues at Baird + Driskell (Kristy Wang, wang@bdplanning.com, and Joshua Abrams, abrams@bdplanning.com). We will follow up with you shortly to see if we can provide further support, including technical assistance from the B+D team to further explore some of these policies.

Thank you again for the opportunity to provide input into San Ramon's housing element. We appreciate your efforts to address the housing needs of Bay Area and California residents.

Sincerely,



Khanh Russo
Vice President of Policy and Innovation
San Francisco Foundation

PBF's Priorities for 6th Cycle Housing Elements

August 2022

PARTNERSHIP FOR

**THE
BAY'S
FUTURE**

Priority Policies and Actions

1. Favorable Zoning and Land Use

- Make multifamily infill easier to develop
- Allow, require or encourage multifamily housing in more places
- Allow or encourage missing middle housing in single-family neighborhoods
- Provide incentives for affordable housing development
- Provide incentives for affordable ADUs and "missing middle" housing

2. Accelerating Production Timeframes

- Streamline development approvals and environmental review process for multifamily housing
- Streamline permitting process for multifamily housing

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- Ensure local requirements are not making development more expensive without requisite benefits
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4. Providing Financial Subsidies: Generate new or dedicate existing revenue for affordable housing

5. Advocating for Rent Control and Just Cause for Eviction Policies

- Adopt or update rent stabilization policies
- Adopt or update just cause eviction policies

6. Advocating for Community Land Trusts (CLTs): Support the formation and operation of community land trusts (CLTs)

7. Advocating for Inclusionary Zoning and Impact Fees: Create or review/update inclusionary housing (including in-lieu fees) and commercial linkage fee requirements

8. Inventory of Sites: Ensure that land is equitably zoned for multifamily housing, especially in high-opportunity areas

Make multifamily infill easier to develop

Explore the following policies and programs:

- **Revise development codes:** Review multifamily development standards to allow greater density, including floor area ratio, height limits, minimum lot or unit sizes, setbacks, lot coverage and/or allowable dwelling units per acre.
- **Reduced parking requirements:** Adopt policies that reduce parking minimums, establish parking maximums and encourage other practices that reduce cost and the amount of space dedicated to cars.
- **Eliminate design standards:** Eliminate or replace subjective development and design standards with objective standards that simplify zoning clearance and improve approval certainty and timing.
- **Form-based codes:** Establish form-based codes that can be paired³ with by-right approvals.



EXAMPLES

San Francisco, Berkeley and San Diego have eliminated minimum parking requirements in new housing development. San Francisco also has parking maximums.

[Redwood City's Downtown Precise Plan](#) links adherence to development standards with a streamlined approvals process.

Allow, require or encourage multifamily housing in more places

Explore the following policies and programs:

In mixed-use zones where commercial uses outcompete residential uses, cities could:

- **Change zoning standards:** Offer greater FAR, height and other zoning standards for residential developments in mixed use zones.
- **Encourage mixed-use:** Require applicants to build housing when applying to build commercial developments in mixed use zones

Cities can also ensure their regulations don't preclude the development of microunits, single room occupancy (SRO) buildings.



EXAMPLES

Redwood City's Mixed-Use Neighborhood District allows greater height and FAR for residential-only and mixed-use buildings than for commercial-only buildings.

In 2019, San Jose revised its planning regulations to allow for co-living housing types.

Allow or encourage missing middle housing in single-family neighborhoods

Explore the following policies and programs:

- **Rezoning:** Rezone in single-family neighborhoods to allow additional ADUs, duplexes, triplexes and other small-scale multifamily ("missing middle") housing
- **New standards and guidelines:** Establish design and development standards and guidelines that support missing middle housing types
- **SB 9 ordinances:** Develop local SB 9 implementing ordinances that encourage and support the creation of small-scale multifamily housing rather than merely comply with state requirements.



EXAMPLES

Portland has established a strong missing middle policy, including their Better Housing by Design work, focused on design guidelines and related zoning code changes in multi-family zones, and the Residential Infill Project development standards focused on single family neighborhoods.

Eugene, Oregon approved Middle Housing Code Amendments to comply with state law. The amendments include smaller minimum lot sizes, lot size reductions for affordable units, parking reductions for housing built near transit, and other changes.

Provide incentives for affordable housing development

Explore the following policies and programs:

- **Overlay zones:** Establish an affordable housing overlay zone to encourage the production of below-market-rate affordable housing with targeted incentives or relaxed requirements that go beyond state density bonus law
- **Incentives for developers:** Offer zoning concessions and fee exemptions as incentives to developers of multifamily housing projects which meet [JURISDICTION]'s housing needs, in exchange for an agreement that more than [#%] of the total number of units constructed will be affordable to lower-income households



EXAMPLES

[Menlo Park's Affordable Housing Overlay Zone](#)

[Foster City's Affordable Housing Overlay Zone](#)

[Oakley's Affordable Housing Overlay Zone](#)

[Sunnyvale's waiver of parking requirements](#)

[Half Moon Bay's waiver of development standards](#)

Provide incentives for deed-restricted affordable ADUs and "missing middle" housing

Explore the following policies and programs:

- **Lot splits:** Allow nonprofits and community land trusts (CLTs) to sell deed restricted affordable ADUs separately from the main house.
- **Increase ADUs per lot:** Allow nonprofits/CLTs to build two detached, deed restricted, affordable ADUs per property.
- **Community partnerships:** Develop zoning standards that provide additional flexibility to nonprofits/CLTs that want to build ADUs, including 2-story ADUs.
- **Upzoning partnerships:** Allow nonprofits/CLTs to convert single family homes into deed restricted, affordable duplexes, triplexes or quads (more permissive than SB 9)
- **Density bonuses:** Develop rules that extend the density bonus to 100 percent affordable projects smaller than 5 units.



EXAMPLES

San Diego allows an [extra ADU](#) on a site that has reached the maximum ADU limit if the extra one is deed-restricted affordable.

Piedmont has flexibility built into their ADU ordinance where [larger ADUs are permitted](#) if they are deed restricted affordable for low-income households.

Pasadena incentivizes the creation of ADUs affordable to Section 8 voucher holders with incomes below 80% of AML. The city offers [comprehensive assistance](#) (with financing, designing, permitting, and constructing) and low-interest construction loans.

[LA ADU Accelerator](#) matches homeowners with older renters, providing landlord support and reliable rent in return for affordability.

[LA Mas's Backyard Homes Project](#)

Streamline development approvals and environmental review process for multifamily housing

Explore the following policies and programs:

In locations that have not yet met their housing targets, [SB 35](#) pairs a streamlined approval process with objective design standards for infill projects that provide a certain level of affordability and comply with existing residential and mixed-use zoning and other requirements.

Localities could take it further by:

- Establishing [by-right zoning](#) and local systems/dedicated staff for more types of housing beyond SB 35-eligible projects
- Establishing by-right zoning in certain areas or neighborhoods



EXAMPLES

[Redwood City's Downtown Precise Plan](#)

allows for the ministerial approval of certain multifamily infill projects.

Streamline permitting process for multifamily housing

Explore the following policies and programs:

- **Improve application processes:** Review application review and approvals process to identify improvements (convene stakeholders, hire an outside firm).
- **Pre-application checks:** Establish pre-application checks to ensure that applications are complete before submission.
- **One-stop-shops:** Establish one-stop-shop permitting process and/or a single point of contact for coordinating permitting across city approval functions (e.g., planning, public works, building) from entitlement application to certificate of occupancy.
- **Special expedited permits:** Establish priority permit processing or reduced plan check times for specific categories of housing (ADU/JADUs, multifamily housing, affordable housing, etc.)



EXAMPLES

San Diego has an [expedited permitting process](#) for affordable, infill and sustainable buildings.

Seattle has a [expedited approvals program](#) for new construction projects that meet certain sustainability requirements.

San Francisco's [Mayoral Executive Directives](#) on ADUs and setting timelines for approvals have sped up permitting processes by providing a rationale to create a sense of urgency and focus city staff.

San Jose had "[ADU Tuesdays](#)" at the city's permit counter in order to streamline ADU permit processing.

Ensure local requirements do not make development more costly without requisite benefits

Explore the following policies and programs:

- **Flexible standards:** Provide additional flexibility on development standards, including parking standards, for affordable housing
- **Reduce construction costs:** Review current local construction requirements and building standards for excessive and costly terms



EXAMPLES

Half Moon Bay's zoning code allows for flexibility in the application of development standards for affordable housing projects.

Actively support the use of modular and factory-built construction methods

Explore the following policies and programs:

- **Expedited permits:** Establish a clear and expedited approval and permitting process for modular and manufactured homes.
- **Pre-fab trainings:** Conduct or require a training for building officials and relevant staff to ensure they are aware of current state processes and requirements and how they intersect with local authority/responsibilities.

Generate new revenue and/or dedicate existing revenue towards affordable housing

Explore the following policies and programs:

- **Explore new or increased taxes:** Generate new dedicated revenue for affordable housing. This could include:
 - Sales tax increases
 - General obligation bonds
 - Transient occupancy taxes
 - Parcel taxes
 - Head taxes
 - Business license (landlord) taxes
 - Real estate transfer taxes
 - Vacant property and vacancy taxes
- **Prioritize existing revenue:** Establish priorities or set-aside existing local general funds for affordable housing.



EXAMPLES

In 2016, Santa Clara County voters and Alameda County voters approved general obligation bonds for affordable housing through Measure A (\$950 million in Santa Clara County) and Measure A1 (\$580 million in Alameda County).

In 2018, Oakland voters approved a vacant property tax that generates revenue for homeless services.

By resolution, San Mateo County's Board of Supervisors established funding priorities – including affordable housing uses – for 2016's Measure K half-cent sales tax extension.

In 2012, San Francisco established its Housing Trust Fund through a set-aside in the General Fund.

Adopt or update rent stabilization policies

Explore the following policies and programs:

Under [California's Tenant Protection Act of 2019](#) (AB 1482):

- Rent cannot be increased more than 5% + your local CPI (Consumer Price Index) OR 10% annually – whichever of these is lower.

Localities could take it further by:

- Adopting a local ordinance with a smaller allowable annual rent increase
- Adopting a local ordinance that does not sunset in 2030

Localities could also dedicate funding and resources toward education and enforcement.



EXAMPLES

Several Bay Area jurisdictions have [rent stabilization policies](#) that go beyond state law (such as smaller allowed rent increases), including:

- San Francisco
- San Jose
- Oakland
- Berkeley
- East Palo Alto
- Mountain View
- Richmond

Adopt or update just cause eviction policies

Explore the following policies and programs:

California's Tenant Protection Act of 2019 (AB 1482) limits the reasons for which tenants can be evicted. This law does not cover all buildings or all tenants. It expires on Jan. 1, 2030.

Localities could take it further by:

- Applying protections on day 1 of a tenancy (instead of day 365)
- Requiring landlords to have a permit in hand before evicting tenants using the "substantial remodel" provision
- Passing a local ordinance that is permanent
- Expanding just cause eviction policies to cover new construction, single-family homes and condominiums

Localities could also dedicate funding and resources toward education and enforcement.



EXAMPLES

Berkeley, East Palo Alto and Oakland are some Bay Area jurisdictions that have existing permanent Just Cause evictions ordinances.

Most rental units in Oakland and Richmond are subject to their just cause eviction ordinances.

Support the formation and operation of community land trusts (CLTs)

Explore the following policies and programs:

- **Eligibility:** Ensure CLTs are eligible for local housing funding.
- **Opportunity to Purchase:** Establish a right of first offer/refusal that gives nonprofits/CLTs enhanced ability to buy property
- **CLT Incubation:** Establish an initiative to support the incubation or creation of a new community land trust. Provide financial support to CLTs in the early stages of organizational development.
- **CLT Pipeline Development:** Study the feasibility of requiring new inclusionary ownership units to be stewarded by a CLT.
- **Extra Flexibility:** Give CLTs extra flexibility to develop/steward ADUs, allowing CLTs to sell ADUs to low-income buyers and giving CLTs more flexibility with development standards (multiple ADUs, 2-story ADUs, etc.). See *affordable ADU slide*



EXAMPLES

In 2018, New York City funded a citywide CLT initiative to support the incubation/expansion of 10 CLTs

Cities like Irvine and Chicago have city sponsored/chartered CLTs that manage the affordable ownership stock.

Create or review/update inclusionary housing and commercial linkage fee requirements

Explore the following policies and programs:

- **Establish New Inclusionary Requirements:** Require the provision of affordable housing by the private sector through an [inclusionary requirement](#) for market-rate housing (including in-lieu fee options) and a commercial linkage fee paid by new commercial development.
- **Regularly Update Inclusionary Requirements:** Conduct an [inclusionary housing feasibility](#) study in [20XX] and develop policy recommendations on inclusionary zoning in [20XX].



EXAMPLES

[Inclusionary housing requirements](#) have been widely, but not universally, adopted by jurisdictions across the Bay Area.

[San Mateo](#) (city) and [Boulder, CO](#) are two examples of small to mid-sized cities that have set up strong inclusionary programs that deliver affordable units and maintain affordability over time.

Ensure that land is equitably zoned for multifamily housing, especially in high-opportunity areas

Explore the following policies and programs:

- **Zoning:** Rezone sites for [multi-unit housing in high resource areas](#).
- **Public Land:** Set-aside publicly owned land in high opportunity areas for housing development.
- **Affordable Housing Siting Policy:** Develop an affordable housing siting policy to provide affordable housing equitably across a jurisdiction.
- **Tax Credit Competitiveness:** Conduct an analysis of a jurisdiction's geography for [tax credit amenity scoring](#).
 - Zone more land for multi-family in amenity-rich areas, and do land assembly/acquisition in places that score highly for tax credits
 - Address gaps in communities that do not score highly for tax credit amenities, especially if they are high resource areas



EXAMPLES

Los Angeles's 6th Cycle housing element includes an objective to "[Increase the utilization of public land](#) for affordable housing with particular emphasis in high resource and gentrifying areas."

Seattle has a [development siting policy](#) that seeks to provide housing opportunities for the lowest-income and the most vulnerable populations across the city, including amenity-rich neighborhoods.

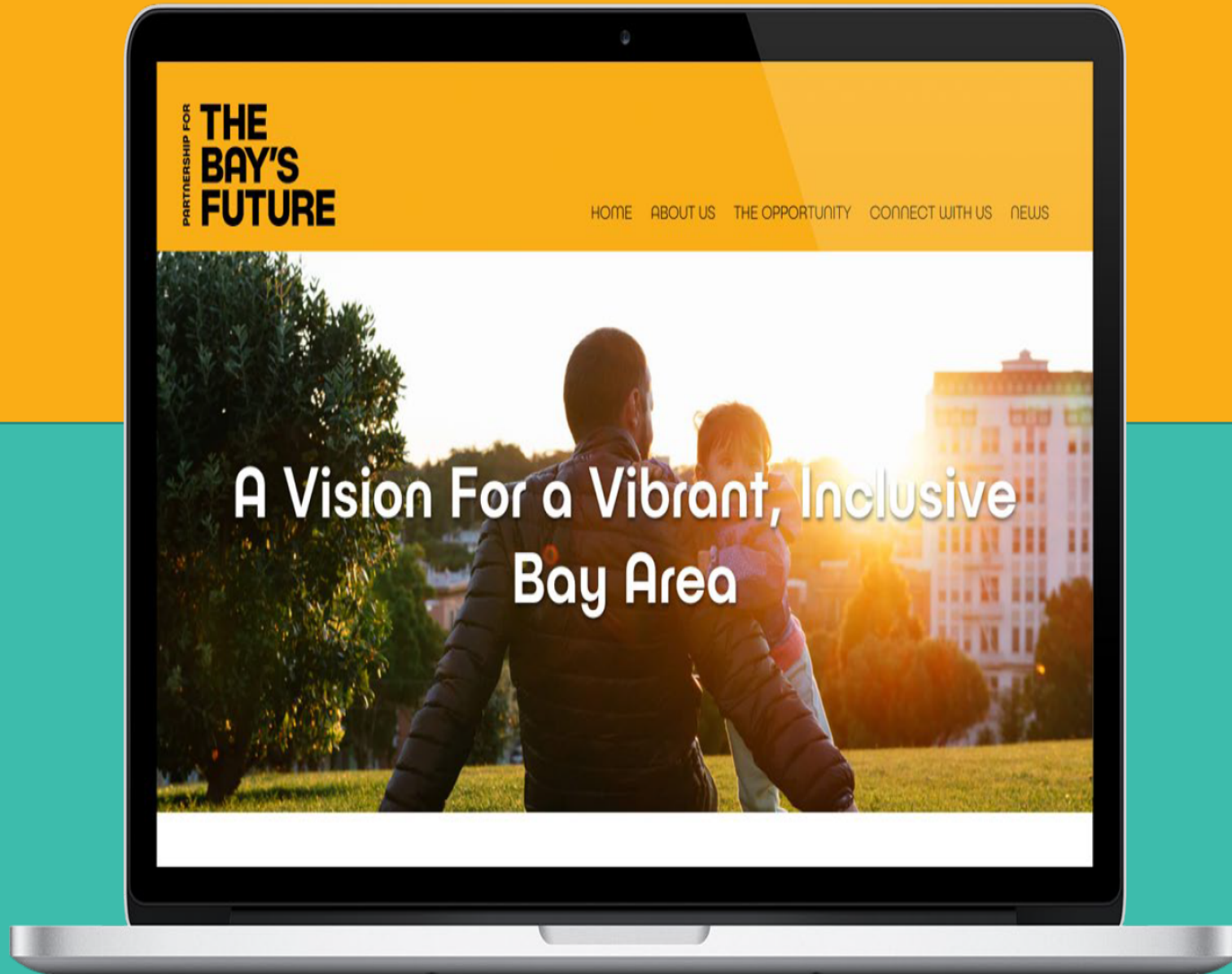
San Jose has begun a process to develop an [affordable housing siting process](#) to ensure the city meets its fair housing and affordable housing goals, including providing affordable housing in higher-opportunity neighborhoods.

Other equitable housing policies for further exploration

Explore the following policies and programs:

- **Anti-tenant harassment policies (Oakland and Concord)**
- **Preservation policies including acquisition/rehab models**
- **Transit Oriented Communities (TOC) policies**

baysfuture.org



From: Raayan Zarandian Mohtashemi [REDACTED]
Sent: Tuesday, August 30, 2022 2:47 PM
To: General Plan <generalplan@cityofsanmateo.org>
Cc: Clerk <clerk@cityofsanmateo.org>
Subject: August 30th Subcommittee Meeting Comments

Dear General Plan Subcommittee,
Attached are my comments regarding the draft circulation element, along with one comment regarding the draft land use element. I have reviewed the draft circulation element, and proposed revised language and additional policies and actions throughout the document. Thank you for your review.

Raayan Mohtashemi
Team Lead, Move San Mateo (Silicon Valley Bicycle Coalition San Mateo Local Team)

Dear General Plan Subcommittee,

Below is my preliminary review of the circulation element (with one comment regarding the land use element). One broad comment I would make is that while it is good to recognize the importance of multimodal streets, we should, in the general plan, clarify that active transportation modes are to be prioritized.

When reviewing the circulation plan, I encourage you to ask: does the policy/program focus on one or more of the following?

1. Increasing active transportation (walking, biking, other micromobility) mode share
2. Increasing transit mode share
3. Reducing driving
4. Making biking or walking safer
5. Making transit faster/more convenient

Further, some elements that should be included in the plan, in my opinion:

6. El Camino Road diet, and/or El Camino HOV/bus-only lanes/BRT improvements
7. Higher standards for bicycle boulevards (not just pavement markings and signage)
8. Cost of parking better reflecting the negative impacts that cars have on safety and livability of cities
9. A reexamination of the capital program's alignment with the general plan goals, policies, and actions, and alignment with the state climate action plan for transportation infrastructure and other climate goals
10. Fully funding the re-evaluated capital program
11. Connecting divided neighborhoods
 - a. Put a cap on Highway 101, to replace the freeway with a mixed-use neighborhood with abundant housing and open space.
 - b. Grade separations, El Camino Real Improvements, and Hwy 92 Improvements
12. Move away from LOS analysis to determine "feasibility" of certain active transportation improvements
13. Invest more staff time/bandwidth and funds in active transportation and transit improvements as opposed to roadway improvements

Below, please see my specific proposed revision to the goals, policies, and actions listed in the draft circulation element. I have bolded/highlighted where I am proposing a revision, and I have listed each draft statement as it appears in the draft plan for comparison.

Thank you,
Raayan Mohtashemi

Goal C-1: Multimodal Transportation

Design and implement a multimodal transportation system that is sustainable, safe, and accessible for all users and that connects the community utilizing all modes of transportation.

Revised language: “Design and implement a multimodal transportation system that **prioritizes transit and active transportation modes**, is sustainable, safe, and accessible for all users, and connects the community.”

Policies:

1. C-P1.1 - Sustainable Transportation: Reduce GHG emissions from transportation by increasing mode shares for sustainable travel modes such as walking, bicycling, and transit.
 - a. **Revised language:** “**Reduce VMT and** GHG emissions from transportation by increasing mode shares for sustainable travel modes such as **active transportation and transit modes**.”
2. C-P1.2 - Complete Streets: Apply complete streets design standards to future projects both in the public right-of-way and on private property. Complete streets are streets designed to facilitate safe, comfortable, and efficient travel for all users regardless of age or ability or whether they are walking, bicycling, taking transit, or driving.
 - a. **Revised language:** “Apply complete streets design standards to future projects both in the public right-of-way and on private property. Complete streets are streets designed to facilitate safe, comfortable, and efficient travel for all users regardless of age or ability or whether they are walking, bicycling, taking transit, or driving. **Complete streets standards should clarify that active transportation and transit mobility should be prioritized over driving convenience**.”
3. C-P1.3 - Vision Zero: Work towards eliminating traffic fatalities and serious injuries. Use a safe systems approach for transportation planning, street design, operations, emergency response, and maintenance that proactively identifies opportunities to improve safety where conflicts between users exist.
4. C-P1.4 - Prioritize Pedestrian and Bicycle Mobility Needs: Prioritize pedestrian and bicycle mobility, connectivity, and safety when designing roadway and intersection improvements.
 - a. **Revised language:** Prioritize **Active Transportation and Transit** Mobility Needs (Active transportation and transit first policy): “Prioritize **active transportation and transit** mobility, connectivity, and safety when designing roadway and intersection improvements.”
5. C-P1.5 - El Camino Real: Prioritize high-capacity travel along El Camino Real
 - a. **Revised language:** “Prioritize high-capacity travel **and safety for active transportation and transit modes** along El Camino Real”
6. C-P1.6 - Transit-Oriented Development: Increase access to transit and sustainable transportation options by encouraging high density mixed-use transit-oriented development near the City’s Caltrain stations and transit corridors

- a. **Revised language:** “Increase access to transit and **active** transportation options by encouraging high density **housing-heavy** mixed-use transit-oriented development near the City’s Caltrain stations and transit corridors.”
- 7. C-P1.7 - Equitable Multimodal Network: Prioritize new amenities, programs and multimodal projects, developed based on community input and data analysis, in San Mateo’s disadvantaged neighborhoods
- 8. C-P1.8 - New Development Fair Share: Require new developments to pay a transportation impact fee to mitigate cumulative transportation impacts
- 9. C-P1.9 - Dedication of Right-of-Way for Transportation Improvements: Require dedication of needed right-of-way for transportation improvements identified in adopted City plans, including pedestrian facilities, bikeways, and trails.
- 10. C-P1.10 - Inclusive Outreach: Involve the community in the City’s efforts to design and implement a multimodal transportation system that is sustainable, safe, and accessible for all users. Use outreach and engagement methods that encourage broad representation and are culturally sensitive, particularly for historically underserved communities.

Actions

- 1. C-A1.1 - Complete Streets Plan: Complete and implement the Complete Streets Plan to improve the City’s circulation network to accommodate the needs of street users of all ages and abilities.
 - a. **Revised language:** “Complete and implement the Complete Streets Plan to improve the City’s circulation network to accommodate the needs of street users of all ages and abilities **and prioritize active transportation and transit modes.**”
- 2. C-A1.2 - Vision Zero Plan: Complete and regularly update a Plan that uses a safe systems approach to work towards Vision Zero and identifies specific citywide changes to policies, practices, funding, and other action items that will reduce speeding, collisions, and collision severity.
- 3. C-A1.3 - El Camino Real Plan: Collaborate with Caltrans, SamTrans, and other partners to prepare and implement a plan to accommodate higher capacity and frequency travel along El Camino Real, exploring Bus Rapid Transit and other modes of alternative transportation.
 - a. **Revised language:** “Collaborate with Caltrans, SamTrans, and other partners to prepare and implement a plan to accommodate **safer, higher capacity, and higher** frequency travel along El Camino Real, **such as Bus Rapid Transit, bicycle facilities, and other modes of alternative transportation.**”
- 4. C-A1.4 - Safe Routes for Seniors: Develop a “safe routes for seniors” program to promote active transportation connections for seniors in collaboration with seniors’ organizations. Prioritize improvements for seniors in disadvantaged communities.
- 5. C-A1.5 - Data Driven Approach to Project Design and Prioritization: Inform the prioritization of improvement projects through the consistent collection and analysis of modal activity data which reveals where the highest concentration of pedestrian, bicycle, and transit trips occur.

6. C-A1.6 - Safety Education: Pursue safety education to increase awareness for all street users
7. C-A1.7 - Transportation Funding: Regularly update adopted City master plans to secure reliable funding for transportation infrastructure projects identified in these plans.
 - a. **Revised language:** Regularly update adopted City master plans to secure reliable, **dedicated** funding for transportation infrastructure projects identified in these plans.
8. C-A1.8 - Transportation Fees: Adopt and maintain fees and fiscal policies to fund circulation improvements and programs equitably and achieve operational goals.
9. C-A1.9 - Performance and Monitoring: Monitor the City's mode split progress on reducing VMT and reducing GHG emissions from VMT, as data is available.
10. **Proposed action:** Review projects in the city's capital improvement plan based on their alignment with the State Climate Action Plan for Transportation Infrastructure and other climate goals. Modify projects and/or project list based on recommendations from this review.
11. **Proposed action:** Establish a realistic, ambitious, time-based goal to fully complete all infrastructure projects outlined in the city's revised capital improvement program and improvements outlined in other plans. Identify increases in staffing levels needed in order to meet that goal.

Goal C-2: Transportation Demand Management

Use transportation demand management (TDM) to reduce the number and length of single-occupancy vehicle trips and encourage sustainable travel behaviors through policy, zoning strategies, and targeted context-appropriate programs and incentives.

Policies

1. C-P2.1 - TDM Requirements: Require new or existing developments that meet specific size, capacity, and/or context conditions to implement TDM strategies.

Actions

1. C-A2.1 - Implement TDM Ordinance: Develop and implement a citywide TDM ordinance for new developments with tiered trip reduction and VMT reduction targets and monitoring that are consistent with the targets in their relevant area plans. Consider parking requirement reductions for projects that include TDM measures.
 - a. **Revised language:** "Develop and implement a citywide TDM ordinance for new developments with tiered trip reduction and VMT reduction targets and monitoring that are consistent with the targets in their relevant area plans. **Reduce parking requirements** for projects that include TDM measures.

2. C-A2.2 - TDM Education and Outreach: Pursue education for developers and employees about programs and strategies to reduce VMT, parking demand, and the resulting benefits.
3. C-A2.3 - Leverage TDM Partnership Opportunities: Work with regional partners to identify and fund TDM strategies that can be implemented at new and existing developments.
4. C-A2.4 - Facilitate TDM Services: Facilitate the provision of TDM services to employees and residents through development agreements, TMAs, and coordination with regional partners.
5. C-A2.5 - Travel to Schools: Reduce private automobile school trips and support student health by collaborating with private and public partners to increase the number of students walking or bicycling to school through expanded implementation of Safe Routes to School. Prioritize school travel safety improvements in disadvantaged communities.
 - a. **Revised language:** "Reduce private automobile school trips and support student health by collaborating with private and public partners to increase the number of students **getting to school with active transportation or transit** through expanded implementation of Safe Routes to School. Prioritize school travel safety improvements in disadvantaged communities."
6. Action C-A2.6 - New Development Shuttle Services: As an option to fulfill TDM requirements, encourage new developments to provide shuttle services to and from activity centers such as the College of San Mateo, Caltrain stations, Downtown, or the Hillsdale Shopping Center. Shuttle service should accommodate the needs and schedules of all riders, including service workers.
 - a. **Revised language:** New Development Shuttle Services **and/or Transit Supplement:** "As an option to fulfill TDM requirements, encourage new developments to provide shuttle services to and from activity centers such as the College of San Mateo, Caltrain stations, Downtown, or the Hillsdale Shopping Center. Shuttle service should accommodate the needs and schedules of all riders, including service workers. **Alternatively, encourage new developments to fund SamTrans transit service in an equal or greater amount as to the cost of running shuttle service.**"
7. C-A2.7 - Unbundled Parking: Encourage residential developments to unbundle the costs of providing dedicated parking spaces. Encourage additional parking capacity created by unbundling to be reallocated as shared or public parking spaces.
 - a. **Require** all residential developments to unbundle the costs of providing dedicated parking spaces. Encourage additional parking capacity created by unbundling to be reallocated as shared or public parking spaces in areas with high parking demand."
8. **Proposed Action:** Parking cashout and post-tax transit/active transportation benefits: **"Require all new developments that do not unbundle parking to offer a parking cash-out program and to provide a post-tax transit or active transportation equal in value to the cost of providing vehicle parking."**

Goal C-3: Pedestrians

Build and maintain a safe, connected, and equitable pedestrian network that provides access to community destinations such as employment centers, transit, schools, shopping and recreation.

Policies

1. C-P3.1 - Pedestrian Network: Create and maintain a safe, walkable environment in San Mateo to increase the number of people who choose to walk. Maintain an updated recommended pedestrian network for implementation.
2. C-P3.2 - Pedestrian Enhancements with New Development: Require new development projects to provide sidewalks and pedestrian ramps and to repair or replace damaged sidewalks, in addition to right-of-way improvements identified in adopted City master plans. Encourage new developments to include pedestrian-oriented design to facilitate pedestrian path of travel.
3. C-P3.3 - Right-of-Way Improvements: Require new developments to construct or contribute to improvements that enhance the pedestrian experience including human-scale lighting, streetscaping, and accessible sidewalks.
4. C-P3.4 - Utility Undergrounding: Require new private development to underground utilities adjacent to the site.
5. **Proposed policy:** Guarantee safe access to recreational spaces, including but not limited to open spaces and car-free streets, for all modes of transportation.

Actions

1. C-A3.1 - Implement Pedestrian Improvements: Implement goals, programs, and projects in the City's adopted plans that improve the comfort, safety, and connectivity of the pedestrian network.
2. C-A3.2 - Utility Underground Requirements: Amend the San Mateo Municipal Code to require new private development to underground utilities on and adjacent to the site and to install and maintain signs, streetlights, and street landscaping adjacent to sidewalks.
3. C-A3.3 - Pedestrian Trails and Routes Awareness: Increase awareness of existing trails and routes by working with outside agencies and developers to promote these amenities to residents. Continue collaborating with the County on development of the trail network.
4. C-A3.4 - Access for Users of All Ages and Abilities: Implement the ADA Transition Plan and maintain accessible streets and sidewalks. Use industry standards for guidance when implementing design standards.
5. C-A3.5 - Pedestrian Connectivity: Incorporate design for pedestrian connectivity across intersections in transportation projects to provide safe interaction with other modes.
6. C-A3.6 - Safe Routes to School: Fund and implement continuous Safe Routes to School engagement with San Mateo elementary, middle, and high schools, and provide support to increase number of students walking to school.
 - a. **Revised language:** "Fund and implement continuous Safe Routes to School engagement with San Mateo elementary, middle, and high schools, and provide

support to increase the number of students using active transportation or transit to get to school.”

7. C-A3.7 - Downtown Pedestrian Mall: Complete design and fund improvements to fully transition B Street between 1st Street and 3rd Street into a pedestrian mall.
 - a. **Revised language:** “Complete design and fund improvements to fully transition B Street between 1st Avenue and 3rd Avenue into a pedestrian mall. Extend the pedestrian mall to B Street between Baldwin Avenue and 1st Avenue.
8. **Proposed action:** Require the safety and quality of sidewalks fronting all properties to be assessed at point of sale. Require the existing or new owner to repair the sidewalk if minimum safety/quality conditions are not met. Provide exemptions for low income individuals from this requirement. Prioritize sidewalk repair program funding for historically marginalized/equity priority communities and/or for low income individuals.
9. **Proposed action:** Implement bulbouts and daylighting at all intersections to reduce crossing distances and improve line of sight, taking into account conflicts with bicycle facilities.
10. **Proposed action:** Implement lead pedestrian intervals and automatic actuation pedestrian signals at all signalized intersections.

Goal C-4: Bicycles and Micromobility

Build and maintain a safe, connected, and equitable bicycle and micromobility network that provides access to community destinations such as employment centers, transit, schools, shopping, and recreation.

Revised language: “Build and maintain a safe, connected, and equitable bicycle and micromobility network that provides access to community destinations such as employment centers, transit, schools, shopping, and recreation. Ensure that every street ensures a minimum level of safety and falls below a maximum level of traffic stress for bicyclists and other micromobility users, depending on roadway characteristics.”

Policies

1. C-P4.1 - Bicycle Network: Create and maintain a bike-friendly environment in San Mateo and increase the number of people who choose to bike.
2. C-P4.2 - Bicycle Master Plan: Maintain an updated recommended bicycle network for implementation in the adopted Bicycle Master Plan and related City plans.
3. C-P4.3 - First- and Last-Mile Connections: Encourage and facilitate provision of bicycle safety and connectivity.
4. C-P4.4 - Bicycle Related Technology: Explore ways to use technology to improve bicycle safety and connectivity.
5. C-P4.5 Bicycle Improvements: Require new developments to construct or contribute to improvements that enhance the cyclist experience including bike lanes.
6. C-P4.6 - Coordination with other City Projects: Maximize opportunities to implement bicycle facilities through other City of San Mateo projects.

7. C-P4.7 - Interjurisdiction Coordination: Continue to coordinate with adjacent jurisdictions and regional partners in the development of connected bicycle and pedestrian facilities and regional trails as identified in adopted City plans.
8. **Proposed policy:** Ensure that every street maintains a basic level of safety and falls below a maximum level of traffic stress for bicyclists and other micromobility users, depending on roadway characteristics.
9. **Proposed policy:** Switch parking and bike lanes so that bike lanes are closest to the curb, and parking provides a buffer between the vehicle travel lane and the bike lane.

Actions

1. C-A4.1 - Bicycle Master Plan Implementation: Implement the Bicycle Master Plan's recommended programs and projects to create and maintain a fully connected, safe, and logical bikeway network and coordinate with the countywide system. Update the Bicycle Master Plan and related adopted City plans to reflect future bicycle and micromobility facility needs to support the City's circulation network. Provide an adequate supply of short- and long-term bicycle parking to support increased ridership.
 - a. **Revised language:** "Implement the Bicycle Master Plan's recommended programs and projects to create and maintain a fully connected, safe, and logical bikeway network and coordinate with the countywide system. Update the Bicycle Master Plan and related adopted City plans to reflect future bicycle and micromobility facility needs to support the City's circulation network. Provide an adequate supply of short- and long-term bicycle parking, including publicly accessible secure and covered bicycle parking, to support increased ridership."
2. C-A4.2 - Paving Coordination: Coordinate and fund the implementation of bicycle facilities identified in the Bicycle Master Plan with the City's paving program.
3. C-A4.3 - Connectivity Across Freeway Barriers: Conduct feasibility studies and design alternatives for overcrossings at US 101 and SR 92 to facilitate connectivity across major barriers.
4. C-A4.4 - Bay Trail: Identify State and County programs to continue pursuing safe pedestrian and bicycle access to and extension of the San Francisco Bay Trail through coordination with neighboring jurisdictions.
5. C-A4.5 - Crystal Springs: Pursue safe pedestrian and bicycle access to San Francisco Water District lands via Crystal Springs Road through coordination with the Town of Hillsborough and with State and County assistance.
6. C-A4.6 - Bicycle Detection Devices: Install innovative signal modifications on existing and planned bikeways to detect bicyclists and micromobility users' presence at intersections and facilitate their safe movement through the intersection.
7. C-A4.7 - Increased Bicycle Capacity on Caltrain and SamTrans: Coordinate with Caltrain and SamTrans to support increased bicycle capacity on transit vehicles and to provide an adequate supply of secure covered bicycle and micromobility parking at Caltrain stations, transit centers, and major bus stops.
8. **Proposed action:** Identify and implement dedicated funding sources for bicycle master plan implementation

9. **Proposed action:** Reconnecting communities: Unite the North Central and Shoreview communities by capping hwy 101 from Peninsula Avenue to Highway 92 interchange, creating a new neighborhood and safe east-west multimodal connections.
10. **Proposed action:** Adopt minimum traffic calming standards for all streets including but not limited to modal filters and speed cushions.
11. **Proposed action:** Create a modal filter program to restrict cut-through traffic on residential streets.
12. **Proposed action:** More aggressively pursue a shared micromobility operator, and work with the County and region to attract a multi-jurisdictional operator already operating in major cities in the region.
13. **Proposed action:** Prioritize quick-build projects to more quickly implement infrastructure plans.

Goal C-5: Transit and Mobility Services

Make transit a viable transportation option for the community by supporting frequent, reliable, cost-efficient, and connected service.

Revised language: “Make transit a viable and prioritized transportation option for the community by supporting frequent, reliable, cost-efficient, and connected service.”

Policies:

1. C-P5.1 - Increase Transit Ridership: Work with SamTrans and Caltrain to increase transit ridership.
2. C-P5.2 - Caltrain: Support Caltrain as a critical transit service in the City and Peninsula
3. C-P5.3 - California High Speed Rail: Support and facilitate local and regional efforts to implement High Speed Rail. Work to provide multimodal connections between San Mateo and planned High Speed Rail stations.
4. C-P5.4 - Safety at At-Grade Rail Crossings: Eliminate existing at-grade rail crossings to improve safety and local multimodal circulation.
5. C-P5.5 - Transit Safety: Prioritize improvements to increase safety, access, comfort, and educate the public about the benefits of transit use at transit centers and bus stops in disadvantaged communities, along commercial corridors, and in dense, mixed-use neighborhoods.
6. C-P5.6 - Transit Access in New Developments: Require new development projects to incorporate design elements that facilitate or improve access to public transit.
7. **Proposed Policy:** Prioritize transit and active transportation mode travel at intersections and on congested roadways.

Actions

1. C-A5.1 - Grade Separation Study: Conduct a grade separation feasibility study for all at-grade rail crossings in San Mateo. Identify funding to complete these grade crossing improvements.

2. C-A5.2 - Transit Experience Improvements: Prioritize installing new transit shelters and benches or other seating and an energy-efficient street lighting program at transit stops in disadvantaged communities and areas that improve transit access, safety and experience.
3. C-A5.3 - Transit Ridership: Coordinate with SamTrans, Caltrain, and Joint Powers Board (JPB) to support implementation of transit improvements, including the following:
 - a. Transit priority treatments, such as signal priority, on high frequency transit corridors
 - b. Extended hours to provide service for shift workers
 - c. Bus rapid transit (BRT) in San Mateo
 - d. Caltrain modernization, electrification, transit experience improvements, and increased service frequency
 - e. Support implementation of Caltrain's business plan, including increased service to San Mateo's three stations.
 - f. Improve Caltrain station access by ensuring sidewalks and bikeways near each station are designed to provide safe and convenient access to and from transit
 - g. Support regional transit integration and expansion efforts to improve seamless access to BART, High Speed Rail, and other regional transit systems
4. C-A5.4 - Shuttle Programs: Continue to support public shuttle programs connecting to Caltrain stations. Work to expand public awareness and access to shuttles and expand shuttle service. Support the implementation of publicly accessible private shuttles.
5. **Proposed action:** Microtransit: Evaluate cost-benefit ratio of cost to ridership demand for microtransit service in lower density portions or equity priority communities in the City.

Goal C-6: Roadway Improvements

Achieve a transportation system that accommodates future growth, reduces vehicle miles traveled (VMT) per capita, and maintains efficient operations for all modes.

Revised language: "Achieve a transportation system that improves user safety, reduces vehicle miles traveled (VMT) per capita, and maintains efficient operations for all modes, with safety and reduced vehicle speeds prioritized over efficient operations."

Policies

1. C-P6.1 - Roadway Operations: Maintain acceptable roadway operations for all intersections and all modes within the City.
 - a. **Revised language:** "Maintain acceptable roadway operations for all intersections and all modes within the City without adding additional automobile capacity, including turn pockets, to the roadway, in alignment with state climate goals." (One more lane won't fix it)

2. C-P6.2 - Circulation Improvement Plan: Maintain a transportation network that will accommodate future growth, reduce VMT per capita, and equitably implement complete streets.
3. C-P6.3 - Local Transportation Analysis: Require site-specific transportation impact analysis following the City's adopted Transportation Impact Analysis (TIA) Policy for development projects where there may be an adverse condition or effect on the roadway system.
4. C-P6.4 - Neighborhood Traffic: Implement traffic calming measures on residential streets to reduce the volume of passthrough traffic and vehicular speeds.
 - a. **Revised language:** Implement traffic calming measures on residential streets to reduce the volume of passthrough traffic and vehicular speeds. **Such traffic calming measures should include, but not be limited to, modal filters, turn restrictions, traffic diverters, and speed cushions.**
5. C-P6.5 - Truck Routes: Maintain and update the truck route network to utilize roadways that are adequately designed for truck usage and minimize potential conflicts with other transportation modes.
6. C-P6.6 - Capital Improvement Program: Prioritize improvements that increase person throughput in project prioritization in order to reduce VMT.
 - a. **Revised language:** "Prioritize improvements that increase person throughput **without adding automobile capacity to the system** in project prioritization in order to reduce VMT, **in alignment with state climate goals.**"
7. C-P6.7 - Traffic Signal Installation: A warrant analysis may be used to determine the need for signalization and shall include consideration of both existing and projected traffic and pedestrian volumes, traffic delays and interruptions, collision history, and proximity of sensitive land uses, such as schools. A development project may be required to fund signalization and maintenance of off-site unsignalized intersections if warranted as determined by the appropriate transportation analysis.
8. Policy C-P6.8 - Emergency Signal Preemption - Require new and upgraded signals to include pre-emption for emergency vehicles to maintain and enhance emergency response times.
9. **Proposed policy:** **Take actions to physically reduce the speeds of vehicles on most streets in the City to below 25 mph.**
10. **Proposed policy:** **Realign capital improvement program with the state climate action plan for transportation infrastructure**
11. **Proposed policy:** **Incentivize the adoption of speed governors.**

Actions

1. C-A6.1 - Multimodal Level of Service Standard - Evaluate and adopt an operational metric for all roadway users that accounts for the safe, equitable, and efficient roadway access.
2. C-A6.2 - Prioritization and Timing of Roadway Improvements: Revise the Capital Improvement Program (CIP) prioritization system to include additional criteria such as: potential to reduce vehicle miles traveled (VMT) per capita; proximity to high-injury

locations identified in the Local Roads Safety Plan; eligibility and availability of grant or other funding source; benefit or harm to disadvantaged communities; and correlation with the distribution and pace of development, reflecting the degree of need for mitigation.

3. C-A6.3 - Congestion Management: Work with neighboring agencies and regional partners, such as the City/County Association of Governments of San Mateo County (C/CAG) to implement traffic management strategies and technologies, such as signal coordination, to manage local traffic congestion.
4. **Proposed action:** Implement speed governors on the entire non-emergency city fleet so that all vehicles in the fleet operate at safer, slower speeds.
5. **Proposed action:** Provide a tax break/rebate to owners of vehicles registered to residents or employees in San Mateo that use speed governors to incentivize the adoption of speed governors.

Goal C-7: Parking Management

Use parking, enforcement and curb management strategies to effectively administer parking supply and maximize utilization of public assets.

Policies

1. C-P7.1 - Parking Management: Manage parking through appropriate pricing, enforcement, and other strategies to support economic growth and vitality, transportation equity, and environmental sustainability. Ensure that the available parking supply is utilized at levels that meet ongoing needs without inducing additional demand or hindering future development.
2. C-P7.2 - Shared parking: Encourage new and existing developments, especially those in mixed-use districts, to share parking between uses to maximize the existing parking supply, minimize the amount of new parking construction, and encourage “park once” behavior in commercial areas.
 - a. **Revised language:** “Require new and existing developments, especially those in mixed-use districts, to share parking between uses to maximize the existing parking supply, minimize the amount of new parking construction, and encourage “park once” behavior in commercial areas.”
3. C-P7.3 - Public Parking: Maximize opportunities to expand the availability of existing parking by supporting the use of public/shared parking at private developments, discouraging reserved parking at new developments, providing incentives for developments to include shared/public parking, and allowing developers to fund public parking in-lieu of meeting parking demand/requirements on site.
4. C-P7.4 - Bicycle Parking: Require the provision of bicycle parking as part of new private developments.
5. C-P7.5 Curbside Management: Manage the supply and utilization of the curb to maintain an optimal balance between mobility, storage, placemaking, and loading uses allowing

for flexibility for adaptive re-use, safety improvements, and activation of curb space whenever possible.

6. C-P7.6 - Loading Areas in New Developments: Require adequate off-street loading in new development. Consider shared loading where feasible.

Actions

1. C-A7.1 Parking Maximums: Amend the zoning ordinance to replace parking minimums with parking maximums to allow developers and the City the flexibility to provide parking at levels that encourage desired development and are appropriate to the conditions of the development and its context.
2. C-A7.2 - Parking Management Strategies: Deploy enhanced parking management strategies, parking enforcement, and evaluate dynamic parking pricing strategies that fluctuate based on peak parking and/or district level parking demands.
 - a. **Revised language:** "Deploy enhanced parking management strategies, parking enforcement, and **implement** dynamic parking pricing strategies that fluctuate based on peak parking and/or district level parking demands."
3. C-A7.3 - Curbside Management Strategies: Evaluate and implement curb management strategies such as incentivizing or discouraging certain types of trips, mode choices, and behaviors in favor of broader mobility goals.
4. C-A7.4 - Emerging Technology for Curbside Management: Evaluate and implement performance monitoring and evaluation systems, such as digitization of curbside assets, to dynamically manage evolving curbside demands.
5. C-A7.5 - Truck Loading: Evaluate and implement ways to reduce conflicts between truck loading and pedestrian, bicycle, and transit networks.
6. C-A7.6 - Public Bicycle Parking: Install safe, useful, and convenient short and long-term bicycle parking facilities in the public right-of-way or near key destinations, City facilities, and transit facilities.
 - a. **Revised language:** "Install safe, useful, and convenient short and long-term bicycle parking facilities in the public right-of-way or near key destinations, City facilities, and transit facilities. **Also install secure, covered, bicycle parking near key destinations, City facilities, and transit facilities.**"
7. C-A7.7 - Mechanical Parking Lift: Adopt and maintain an updated mechanical parking lift code or policy

Goal C-8: Future Mobility and Technology

Build a values-driven regulatory, management, and partnership framework that flexibly encourages emerging transportation technologies in service of City and community goals.

Policies:

1. C-P8.1 - Emerging Technologies: Monitor, evaluate, test, and implement new technologies that expand options for safe and efficient trip making.
2. C-P8.2 - Equitable Mobility Options: Prioritize the needs and perspectives of residents of disadvantaged communities, those who speak limited English, and low-income, senior, and disabled travelers in the design, deployment, and management of new mobility services and technologies.
3. C-P8.3 - Mobility Data: Leverage mobility data to support new policies, investments, and programmatic actions in service of City goals.

Actions:

1. C-A8.1 - Umbrella Regulations for Modern Mobility: Develop comprehensive regulations and infrastructure standards that are not exclusive to specific service providers and that support a spectrum of digital information, micromobility services, and connected and autonomous vehicles.
2. C-A8.2 - Strategic Partnerships and Pilots: Create strategic partnerships and pilots with the mobility industry and community organizations that increase mobility options for San Mateans.
3. C-A8.3 - Future-Ready Infrastructure: Establish public realm policies and tools that reflect San Mateo's goals and priorities in the design and management of streets, curbs, sidewalks, and parking facilities to account for emerging mobility trends and changes in demand over time.
4. C-A8.4 - Equitable Mobility Technology: Develop an equitable mobility policy and data sharing requirements for vendors to ensure equitable deployment of emerging mobility options with consideration of residents who may be digitally challenged.
5. C-A8.5 - Intelligent Transportation Systems: Evaluate and deploy Intelligent Transportation Systems (ITS) measures to efficiently manage traffic operations and incident response, enhance transit service efficiency, and better detect and prioritize the travel and safety of people walking and biking.

One point about land use:

Action LU-A8.5 - North Central Plan: Prepare a plan for North Central that addresses the community's health and safety needs and improves circulation patterns in the neighborhood based on community direction. Balance safety improvements with preserving the existing parking supply.

Proposed revision: "Prepare a plan for North Central that addresses the community's health and safety needs and improves circulation patterns in the neighborhood based on community direction. **Improve safety while optimizing existing parking supply.**"

From: Strive San Mateo <email@strivesanmateo.org>
Sent: Tuesday, August 30, 2022 8:32 PM
To: General Plan <generalplan@cityofsanmateo.org>
Subject: New message on Strive San Mateo

Name: Sean Lacson

Email: [REDACTED]

Message: Hello, I am a member of Move San Mateo, a sub branch of Silicon Valley Bicycle Coalition. I am also a member of Peninsula For All. My comments are my own.

I recently attended the General Plan Subcommittee Meeting #12 held on 8/30 at 6pm. One of the subcommittee member's comments was about policy Policy C-P5.1. They asked why it was necessary to have this goal in the General Plan, as the city cannot do much to increase ridership.

I argue that there are ways the city can create policies in the general plan to help increase ridership and reduce single occupancy vehicle trips. One way is to create a policy within goal LU-3 to actively find ways to rezone single family zones in underserved neighborhoods to mixed use zoning. Underserved communities are often food/service deserts because the nature of single family zoning excludes retail and services businesses from operating in those areas. By creating diverse zoning in food deserts, the city can encourage active transportation over vehicle use, and work with transit agencies to expand bus routes into these neighborhoods.

Additionally, the city can use Policy LU-P14.1 Inter-Agency Cooperation as an example for increasing transit ridership. The city should create a policy to find ways for Caltrans and Samtrans to cooperate with other transit agencies to coordinate schedules and create synergistic transit routes. One example would be for Caltrans and BART to cooperate more on seamless transfers between stops at the Millbrae station. Seamless transfers create a positive and realistic alternative to vehicle trips. Another would be for SamTrans and AC Transit to bring back the Hayward-Hillsdale bus line, but with more frequent trips to encourage service workers and shoppers alike to use the bus over vehicles for trips across the San Mateo bridge.

Thank you for your time and consideration.

Best,
Sean Lacson

Date: August 31, 2022

Time: 3:31 am

Page URL: <https://strivesanmateo.org/participate-online/>

User Agent: Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko)

Chrome/104.0.5112.102 Safari/537.36

Remote IP: 24.7.20.159

Powered by: Elementor

From: Levaggi, Scott [REDACTED]
Sent: Friday, September 2, 2022 9:59 AM
To: General Plan <generalplan@cityofsanmateo.org>
Subject: Downtown SM

Team

Closing down B street is step in right direction. Now we need to make it look desirable.

I suggest

1. Get rid of plastic road blocks and get professional. That can be raised or lowered below ground if needed to have emergency vehicles drive down



2.

The City needs to build “CONSISTENT” permanent structures that would still allow for emergency vehicles to drive down middle of b street if needed.

You need to make consistent and classy. Not fold down table and chairs. Make it enjoyable to walk the street. Even string Lights from one side of the Street to the other (attach to buildings) to create ambiance.



Pass cost on to landlords as you are giving them increased footage that they did not have before....
Finally level the street and make it presentable...



Thanks for listening

Scott Levaggi

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From: Ken A red [REDACTED]
Sent: Monday, September 5, 2022 2:26 PM
To: General Plan <generalplan@cityofsanmateo.org>
Cc: Gita Dev [REDACTED]; Gladwyn d'Souza [REDACTED]
Subject: Fwd: Council Meeting Sept 6, 2022: Sierra Club Comments on Draft General Plan Goals, Policies, and Actions, July 2022

Sent from my iPad

Begin forwarded message:

From: Gita Dev <[REDACTED]>
Date: September 5, 2022 at 1:29:22 PM PDT
To: citycouncil@cityofsanmateo.org
Cc: Sierra Club Chair Conservation Comm Gladwyn d'Souza [REDACTED], Ken A red [REDACTED]
Subject: Council Meeting Sept 6, 2022: Sierra Club Comments on Draft General Plan Goals, Policies, and Actions, July 2022

*Mayor Bonilla and Members of the City Council
City of San Mateo
Via email: citycouncil@cityofsanmateo.org*

Subject: Comments on Draft General Plan Goals, Policies, and Actions, July 2022

Dear Mayor Bonilla and Members of the San Mateo City Council and Planning Commission,

The Sustainable Land Use Committee of the Loma Prieta Chapter of the Sierra Club (SLU) advocates on land use issues in San Mateo and Santa Clara Counties. Thank you for providing the opportunity for SLU to provide input on the Draft General Plan Goals, Policies, and Actions, July 2022.

The overall draft is a good start, but there is still opportunity for improvement. SLU has previously commented on the evolving General Plan (GP) in three major letters (May 13, 2021, February 16, 2022 and April 26, 2022). We ask that you review those letters as they all make significant comments on the GP. In this letter we will highlight the most important themes from our earlier letters, with comments on five chapters (2, 3, 4, 6 and 8). The attachment to this letter will comment specifically on the certain goals, policies and actions in the draft.

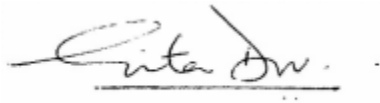
Major Themes:

1. The lack of housing, particularly affordable housing, is a major crisis and needs to be strongly addressed. Much higher housing density is needed, particularly within ½ mile of transit. See our Guideline for Downtown and Station Area plans (<https://www.sierraclub.org/sites/www.sierraclub.org/files/sce-authors/u4142/D-SAP%20Guidelines%20Rev%2010-14-19.pdf>)
2. The changes envisioned by the GP need to use this opportunity to green the city. The GP needs to pursue Green Streets, more parks/open space, and more pedestrian and bike paths. See our Guidelines on Green Streets (<https://www.sierraclub.org/sites/www.sierraclub.org/files/sce-authors/u4142/Green%20Streets%20Presentation%20-%20201-20-21%20DC.pdf>)
3. The GP needs to more clearly advance concepts to make more neighbors compact and walkable. This includes the 15-minute neighborhood and Barcelona “superblocks” concepts.
4. Resilience and Sea Level Rise need to be fully planned for and should emphasize nature -based approaches for adaptation to rising sea levels and flooding.

In the following, we provide specific comments to the Goals, Policies and Actions.

We ask that you consider these comments as you refine and finalize the GP.

Respectfully Yours,



Gita Dev, FAIA, Co-Chair

*Sustainable Land Use Committee
Sierra Club Loma Prieta Chapter*

Cc: James Eggers, Executive Director, Sierra Club Loma Prieta Chapter

Gladwyn d'Souza, Conservation Chair, Sierra Club Loma Prieta Chapter

SIERRA CLUB specific Comments on Draft General Plan Goals, Policies, and Actions - July 2022

Below are specific comments on Chapters 2, 3, 4, 6 and 8:

1. Suggested additions are in ***italics and bold***, suggested deletions are ~~strike through~~.
2. We also list those Policies that we feel are particularly important to include.

Chapter 2 Land Use

1. Make Goal LU-1 much stronger and focused on addressing the housing crisis, Suggested rewording;

Plan carefully for orderly growth that, ***with a high degree of certainty, fully*** provides ample for the housing and job opportunities for all citizens, maximizes efficient use of infrastructure, limits adverse impacts to the environment and improves social, economic, and health equity.

2. Modify Policy LU-P1.3 to emphasize housing in mixed use development. Suggested rewording:

Policy LU-P1.3 Mixed-Use. Encourage mixed-use developments to include a strong residential component provide greater proximity between jobs and housing, promote pedestrian activity, and reduce traffic congestion. ***Any office space in Mixed Use should be for local uses, by people in San Mateo County and not for corporate offices.***

3. Policy LU-P2.3. Building Height and Density;

This item was left open for suggestions. Increased density is a way to help assure the needed housing gets built and will allow for more walkable communities with amenities nearby. Allowing more height is a way to create more open space for green streets, parks, etc.

Suggested wording: ***Utilize higher density (e.g., up to 50-200 units per acre) in areas near the train stations and along El Camino Real (ECR). Also allow increased height (6-10 stories) in the areas near train stations and along ECR.***

4. Policy LU-P2.4. Building Intensity;

This item was also left open for suggestions. But it is not clear what Building Intensity means. Perhaps the suggestion above on density and height addresses intensity.

5. Policy LU-P4.1 Downtown Land Uses.

This is an important Policy to retain as proposed below:

Allow and encourage a wide range of residential, office, medical, dining, entertainment, and retail uses downtown, at high intensities and densities, with strong connectivity to the San Mateo Caltrain station and other transit.

6. Action LU-A4.1 Downtown Area Plan.

This is an important Policy to retain as proposed below:

Update the Downtown Area Plan to support and strengthen the Downtown as a vibrant and active commercial, cultural and social district. The updated Downtown Area Plan shall align with the General Plan, integrate recommendations from other concurrent City efforts, focus growth and intensity in proximity to the Caltrain station, update parking standards and parking management strategies, allow for increased housing units and density, and support high quality pedestrian-oriented design and architecture.

7. Goal LU-6 is very important, as are the Policies and Actions below it. All should be retained as listed below.

Goal LU-6: Promote transit -oriented development around Hillsdale Caltrain station

Policy LU-P6.1 Rail Corridor Transit-Oriented Development Plan (Corridor Plan). Implement the Corridor Plan to allow, encourage, and provide guidance for the creation of world class transit-oriented development (TOD) within a half-mile radius of the Hillsdale Caltrain station area, while maintaining and improving the quality of life for those who already live and work in the area.

Policy LU-P6.2 Hillsdale Shopping Center. Allow redevelopment of the Hillsdale Shopping Center for a mix of uses, including commercial, retail, office, hotel, and residential uses. Require preparation of a Master Development Plan to ensure the site is developed comprehensively and provides appropriate transitions to the adjacent neighborhoods.

Action LU-A6.1 Hillsdale Station Area Plan. Update the Hillsdale Station Area Plan to foster higher density residential and mixed-use, transit-oriented development that connects to neighborhoods to the east and west, improves bicycle and pedestrian circulation and adds park and open space areas.

8. Modify Goal LU-13 to include seeking to reduce the costs and time to develop affordable housing. Suggested changes below:

Goal LU-13: Maintain Development Review and Building Permit processes that are comprehensive and efficient **and seek ways to responsibly reduce the costs and time to develop affordable housing.**

Chapter 3: Circulation

1. Make Policy C-P1.2 to be broader and include Green Streets. Modified below:

Policy C-P1.2 Complete Streets. Apply complete streets design standards to future projects both in the public right-of-way and on private property. Complete streets are streets designed to facilitate safe, comfortable, and efficient travel for all users regardless of age or ability or whether they are walking, bicycling, taking transit, or driving. ***Complete streets should include a network of “slow and safe streets” with priority for the safety of pedestrians, bicycles and micromobility, where auto***

traffic is slowed, and which includes green landscaping and shade trees as well as green street stormwater infrastructure to reduce runoff and pollution.

2. Policy C-P1.4, Policy c-P1.6 and Action C-A2.7 are important to implement

Policy C-P1.4 Prioritize Pedestrian and Bicycle Mobility Needs. Prioritize pedestrian and bicycle mobility, connectivity, and safety when designing roadway and intersection improvements. ***Include “Vision-Zero” as a goal to reduce fatalities and accidents with pedestrians and bicyclists.***

Policy C-P1.6 Transit-Oriented Development. Increase access to transit and sustainable transportation options by encouraging high density mixed-use transit-oriented development near the City’s Caltrain stations and transit corridors.

Action C-A2.7 Unbundled Parking. Encourage residential developments to unbundle the costs of providing dedicated parking spaces. Encourage additional parking capacity created by unbundling to be reallocated as shared or public parking spaces.

3. Goals C-3, C-4, C-5 and C-8 as well as Action C-A3.1 are particularly important to implement.

Goal C-3: Build and maintain a safe, ***shaded (with street trees)***, connected, and equitable pedestrian network that provides access to community destinations such as employment centers, transit, schools, shopping and recreation.

Goal C-4: Build and maintain a safe, connected, and equitable bicycle and micromobility network that provides access to community destinations such as employment centers, transit, schools, shopping, and recreation.

Goal C-5: Make transit a viable transportation option for the community by supporting frequent, reliable, cost-efficient, and connected service.

Goal C-8: Build a values-driven regulatory, management, and partnership framework that flexibly encourages emerging transportation technologies in service of City and community goals.

Action C-A3.1: Implement Pedestrian Improvements. Implement goals, programs, and projects in the City’s adopted plans that improve the comfort, safety, and connectivity of the pedestrian network.

Chapter 4: Housing- see end of this letter.

Chapter 6: Conservation, Open Space, Parks and Recreation

1. Several Goals are particularly important implement: COS-1, COS-2, COS-3, COS-8, COS-9

COS-1: Protect and enhance the City's natural resource areas that provide plant and animal habitat and benefit human and ecological health and resilience.

COS-2: Ensure that current and future generations will enjoy the environmental, social, health, and economic benefits derived from access to our urban forest, parks and open spaces.

COS-3: Protect and improve San Mateo's creeks as valuable habitat, green infrastructure, and components of human and environmental health. ***Provide adequate creek setbacks given greater anticipated storm events as well as sea level rise.***

COS-8: Provide equitable and convenient access to parks, recreational programs, and facilities so that all residents experience the benefits of parks and open space on their physical and mental health.

COS-9: Provide the appropriate mix of parks and facilities that balances the needs of active and passive facilities, allows formal and informal uses, is accessible for all residents, and meets existing and future recreation needs.

2. Modify Policy COS-P3.5 and COS-P3.6 to strongly encourage the improvement of the creek habitats for San Mateo Creek and for Laurel Creek.

San Mateo Creek is in an area that is targeted for redevelopment in both the Downtown and Shoreview area. Laurel Creek is in the Hilldale redevelopment area. Both are now mostly concrete lined ditches. Any development will provide the opportunity to get the creeks back to a natural setting and provide the opportunity for plants, fish, insects and animals in the creek and restored riparian areas. This would provide new valuable open space and parks for people as well. And this will be an educational opportunity for children of San Mateo to see the creek environment in a natural setting. See suggested modifications below:

Policy COS-P3.5 Hydrologic Impacts. Ensure that improvements to creeks and other waterways do not cause adverse hydrologic impacts or significantly increase the volume or velocity of flow of the subject creek. ***The priority will be to use nature-based improvements to reduce hydrologic impacts.***

Policy COS-P3.6 New Creekside Development Requirements. Require that new creekside development protect and improve setbacks, banks, and waterways adjacent to the development project in order to increase flood protection and enhance riparian vegetation and water quality. ***This will be a particular focus for Laurel Creek near Hilldale Mall and San Mateo Creek in Shoreview and Downtown.***

3. Policy COS-P9.2 and COS-P9.3 are particularly important to implement. And allowing higher building height will make implementation more likely since more open space will be available.

Policy COS-P9.2 Acreage Standards. Acquire or accept for dedication two acres of neighborhood and community parks per 1,000 residents.

Policy COS-P9.3 Walkable Parks and Amenities. Provide accessible public park or other recreational opportunities that are within approximately 1/3 of a mile of residents without travel over significant barriers. Ideally, one or more of the following amenities should be available: multi-purpose turf

area, children's play area with pre-school and youth apparatus, seating areas, picnic areas, a multiuse court, and an opportunity for passive enjoyment of an aesthetic landscaped space.

Chapter 8: Safety

1. Goal S-4 is particularly important implement as are Actions S-A4.5 and S-A4.6. These actions fit with the earlier comments to use the redevelopment around Laurel Creek and San Mateo Creek to restore natural features that will help protect against sea level rise.

Goal S-4: Develop regionally coordinated sea level rise adaptation measures and programs.

Action S-A4.5 Natural Infrastructure. Use or restore natural features and ecosystem processes where feasible and appropriate as a preferred approach to the placement of hard shoreline protection when implementing sea level rise adaptation strategies.

Action S-A4.6 Removal of Hard Infrastructure. Remove existing shoreline or creek bank protective devices when the structure(s) requiring protection are redeveloped, removed, or no longer require a protective device.

Chapter 4: Housing: Our letter of April 26th 2022 commented on the draft Housing Element and so our comments are still as noted in that letter.

However, we would like to make some **additional suggestions here** on possible mechanisms that the city could utilize to better assure that more affordable housing will be built:

1. Do not upzone and give away any aspects of any revisions to the zoning code by right; but instead trade increased zoning density and benefits for significant community benefits - the topmost which should be affordable housing. This can be done by establishing a base density below what is generally desired while instituting a local density bonus scheme which encourages zoning increases, and benefits above State density bonus law in exchange for substantial community benefits. This was an effective approach in Millbrae during Millbrae's review of the BART Station Area Plan.

Upzoning by right without any off-setting limitations will only increase the cost of land for both for-profit and non-profit developers which will translate into even more expensive housing in residential-zoned areas.

2. Do not establish specific maximum density limits for any multi-family residential project, but instead let the density of each project be determined by objective design standards using a form-based code and vetting and approval of all community benefits proposed by the developer. This allows for a wider variety of unit types from micro-units and SROs to family and luxury units. It also allows for greater flexibility in determining the most valuable community benefits.

3. Require all new office building and R&D developers to present a plan to the city indicating how the developer will aid the city in supporting the amount of new housing construction needed to house any net increase in new employees. This could be in the form of **substantial** financial set asides for new

housing, or actually building enough new housing on or off-site, but the goal must be to strive for a reasonable jobs / housing balance within the city. It's important to link commercial development to the jobs/housing balance because, too often, cities accept in lieu fees or on or off-site new housing off-sets that are far too small to meet the anticipated need.

4. 4. Add Transfer of Development Rights to the toolkit: Climate change is accelerating the displacement of people due to sea level rise flooding, wildfires, water availability, and extreme heat. Consider using Transfer Of Development Rights similar to the Syufi Theater site, East of 101, in Redwood City to increase density in safer receiving locations like downtown and reclaim land from sending areas for creating restored ecosystem to buffer the force of flooding with landward migrating wetlands and to reduce the risk of wildfire with rehydrated landscapes. Though FEMA picks up all liability from continuing to flood and burn out residents, planning for impacts, can return positive economic benefits to the city from resilient development, safety, and reduced disaster mitigation.
5. 5Consider micro grids as a resilient Community Benefit: Climate change is increasing health impacts to vulnerable populations with smoke intensity, power safety shutdowns, and extreme heat and water cutbacks requiring alternative power and water. Consider encouraging housing that incorporates energy, waste, and water microgrids, that can provide resilient shared resources in the face of increasing health impacts and function within local distributed grids.

END

From: Catherine Marreiro [REDACTED] >
Sent: Thursday, September 8, 2022 10:25 AM
To: General Plan <generalplan@cityofsanmateo.org>; Zachary Dahl <zdahl@cityofsanmateo.org>
Cc: adam.william.nugent@gmail.com; Amourence Lee <alee@cityofsanmateo.org>
Subject: Letter to the Planning Commission for Sept. 13 General Plan goals discussion (amended)

Dear members of the planning commission and planning staff,

My apologies for a second letter, we realized we had mistakenly listed a couple of people on Claremont who actually are on Delaware.

The Land Use Alternatives maps were a tremendous undertaking and we appreciate staff's efforts in creating them. With hundreds of tiny squares on these maps, there may be some missing elements and this is where we would like to take the opportunity to address a potential concern with the designation for the block at 545 First Ave., the current site of Hassett Hardware.

This site, at the corner of Delaware Street, is where the commercial uses of downtown transition to the residential area of North Central San Mateo. The immediate residential uses are mainly single-story houses with a few two-story houses. There is also a three-story condominium building on the block. The Hassett site, along with the Andrews Building immediately to the north, is currently zoned commercial, with a 50-foot cap.

The Land Use Alternatives map designates the section of this block as both mixed-use medium 4-7 stories next to residential low 1-3 stories on the same block. On paper, the transition may make sense since the highest use for residential is 3 levels and lowest use for mixed-use is 4 levels. In reality, however, the current conditions are different. The potential jump up to 7 stories, and possibly up to 9 with state density bonuses from SB 35, means there is a very real possibility that there could be a 9-story commercial building immediately next to a single-story residence. While that is a worst-case scenario, we worry establishing such zoning could make the possibility real as the new property owner for the Hassett site has a history of commercial development. If the adjoining Andrews building is purchased by this developer, the potential for this rises.

As part of the goals section of the General Plan discussion, we ask that consideration be provided to current uses in residential areas and that zoning reflect the need to transition heights into these areas. We also ask that zoning on the same block be compatible.

We enjoy having Hassett here and appreciate its convenience and ability to provide jobs for neighborhood youth, and would love for it to stay. We could envision a new development with the current store returning on the ground floor and up to 3 levels of housing under the current 50-foot cap. We also could see a 3-4 level condominium building with limited parking to address this area's need for "missing middle" housing that transitions from commercial to residential areas. We also understand that a 5-level housing development could be built under the current cap. We are absolutely fine with these scenarios to varying degrees. As is typically the case with new development with a significant shift in land use, we would hope that there would be some accommodations when possible when it comes to setbacks, stepbacks and, when possible, retention of daylight planes.

We understand one of the main goals of the General Plan was to provide areas in which new housing could be built to address this area's growing need. We recognize this site's potential for new housing

and welcome it as high as 50 feet, if done well and with some accommodations, and would prefer it to be slightly lower to transition better to the existing North Central neighborhood, which includes the city's oldest house directly across the street and a number of unique and interesting single-family homes in a traditionally low-income area of the city.

However, we would also like to be treated the same as other areas of the city and other blocks, which had accommodations for transitions to neighborhoods. Nowhere else in the city is there the potential for a current single-story residential use immediately next to a potential 9-story commercial building in any of the Land Use Alternatives map.

To summarize, we would like a goal established that any new zoning remain compatible within the same block so that heights stay within 2-3 floors of the current average after any density bonuses, that future development transition into established neighborhoods, and that the height for any future development on the commercial portion of this block be limited to allow for these two requests.

We are submitting this request as part of the goals section of the General Plan discussion but can also submit it during the Land Use Alternatives section when the draft General Plan is discussed next year. If there is another time for us to submit this request, or any other action we must take, please let us know.

Thanks again for the effort in creating this plan, receiving our concerns, and making the necessary modifications.

Catherine and David Marreiro
31 S. Claremont St.

Woodrow Andrews
501 First Ave. (Owner of The Andrews Building)

Yan Li
26 S. Delaware St.

Jessica Huang
30 S. Delaware St.

Val Lucero
34 S. Delaware St.

Jon Mays and Dayna Alpine
38 S. Delaware St.

John Aikin
45 S. Delaware St.

George and Olga Derby
105 Delaware St.

Citania Tam
619 First Ave.

Gary and Olivia Edwards
615 First Ave.

Susan and Wayne Purdom
61 North Claremont St.

-----Original Message-----

From: Rick Ballard [REDACTED]
Sent: Tuesday, September 13, 2022 4:00 PM
To: General Plan <generalplan@cityofsanmateo.org>
Subject: General Plan feedback for September 13th meeting

Regarding the draft circulation goals and policies, I am strongly in favor of circulation measures which put us on a trajectory to reduce car use in San Mateo over time, improve public transit, and ensure safe and welcoming urban design for pedestrian and bicycles. Reducing car use is critical for climate, public safety, and public health; the electric transition is required but not sufficient for climate goals and does not address the public safety impact of cars.

Regarding policies around historic preservation, I encourage the commission to be mindful to employ balanced historic preservation requirements so as not to block much-needed housing and transit-oriented development. Some neighborhood character (specifically with regard to community density) may need to change in order to appropriately add housing throughout the city. Additionally, as the owner of a historic house myself which needs work including a foundation replacement, I find the current regulations around carefully protecting the facade and public character of the house appropriate and not burdensome; but adding new regulations should be done carefully so as not to prevent these kinds of important projects.

Regarding noise policies, while community noise levels are important to protect, I would encourage the commission to be mindful to structure policy requirements so as to avoid placing an undue burden of planning process on housing and transit development, and to avoid providing more avenues for a minority of community members to hold up development projects unfairly. But noise levels are an important part of community health and should be controlled appropriately.

Regarding the water supply policies PS-A2.1 and PS-A2.2, specific promotion of greywater initiatives might be warranted.

Thank you,
- Rick Ballard
North-Central San Mateo resident

From: Nancy Cussary [REDACTED]
Sent: Tuesday, September 13, 2022 5:15 PM
To: General Plan <generalplan@cityofsanmateo.org>
Subject: general plan comments

September 13, 2022

Hello,

I have concerns about this statement that appears several times in the general plan document: *"Use outreach and engagement methods that encourage broad representation and are culturally sensitive, particularly for historically underserved communities"*.

I think this language needs to be more robust, more resolute, more current, more inclusive. As the statement is currently, it almost seems like an afterthought. Outreach and engagement methods need to not only encourage broad representation, they need to include broad representation and hopefully be developed by a broad representation. Further, outreach and engagement methods should be more than just culturally sensitive, they should be culturally reflective, culturally representative.

Thank you for your Consideration.
Respectfully,

Nancy Cussary
Shoreview resident

From: Paul Dagnelie [REDACTED]
Sent: Tuesday, September 13, 2022 3:23 PM
To: General Plan <generalplan@cityofsanmateo.org>
Subject: General Plan

I would like to advocate the return of increased outdoor seating at restaurants in downtown San Mateo. A loss of parking spaces is a small price to pay for a more welcoming and friendly downtown space. Combined with investments in transit, and walk- and bikeability of areas around the downtown, the reduced parking spaces will not be missed, especially since there is almost always garage space open.

In addition, electric vehicle charging should be a priority. The lack of charging points in existing apartment buildings will be a blocker to adoption by renters, and homeowners using street parking are also challenged. These issues can be mitigated with ample facilities charging reasonable rates available in publicly accessible spaces. Even with improvements to mobility in San Mateo, cars will still be a fact of life for many residents for some time to come, and reducing the number of fossil fuel vehicles on the road is a priority.

Paul Dagnelie

September 6, 2022

Zachary Dahl
Deputy Director
City of San Mateo Community Development
330 W. 20th Avenue
San Mateo, CA 94403
zdahl@cityofsanmateo.org

RE: Housing Element Sites Inventory: 424 No. San Mateo Drive

Dear Mr. Dahl,

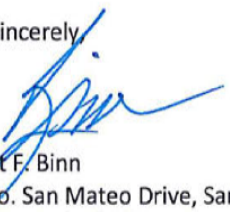

As the property owner of 424 No. San Mateo Drive (APN 032-181-370) and business owner in San Mateo, I am writing to formally request that the City of San Mateo adjust the currently proposed land use Designation of Mixed-Use Medium to that of Mixed-Use High as identified in Study Area 5 of the recent City Council Preferred Scenarios.

This property and the others that make up the intersection of north San Mateo Drive and Poplar Avenue are ideally situated for the future growth the City wishes to see. Proximity to San Mateo's growing Downtown to South, easy access to 101 to the East, and connection to Burlingame to the North, have and will continue to make this site an ideal location.

My property is currently developed with a medical/office building with underground parking. This site, and those around it, have the potential to create more commercial space and much needed additional housing through this adjustment to the proposed land use designation. To provide further context, only a half block away, the Residential High designation has been identified for several blocks of North San Mateo Drive. The adjustment of the 424 No. San Mateo Drive parcel to Mixed-Use High would be in keeping with that same intent.

I thank you in advance for your time reviewing this matter and consideration of this request. I very much appreciate all the effort that has gone into the General Plan Update process thus far and look forward to the final steps of environmental review, adoption, and implementation.

Very sincerely,


Robert F. Binn
424 No. San Mateo Drive, San Mateo CA, Suite 200
San Mateo, CA 94401


From: Keith Weber [REDACTED]
Sent: Thursday, September 15, 2022 3:13 PM
To: Zachary Dahl <zdahl@cityofsanmateo.org>
Cc: General Plan <generalplan@cityofsanmateo.org>; Margaret Williams <mwilliams@cityofsanmateo.org>
Subject: Planning Commission Meeting 9/27/22

Hi Zach,

Attached please find a pdf of San Mateo Heritage Alliance's ***Recommended Alternative Historic Resources Element***, General Plan 2040. It has been revised since it was submitted to the GP Subcommittee.

Please forward to the Planning Commission and include it in the 9/27/22 Planning Commission agenda packet.

San Mateo Heritage Alliance was formed in 2022 in response to community concerns about losing irreplaceable historic resources and the resulting erosion of neighborhood character and sense of place that makes San Mateo the special community we call home. **San Mateo Heritage Alliance** believes that economic growth and resource protection are not mutually exclusive, but partners in a more prosperous future. We believe it is important to protect our heritage as it adds character and distinctiveness to our community and provides a sense of identity. We also believe the only way to ensure that San Mateo lives up to its General Plan 2040 vision of being a healthy, resilient, vibrant and diverse community, is to grow stronger by identifying, protecting and preserving its irreplaceable historic resources.

Thank you,
Keith Weber for
San Mateo Heritage Alliance



SAN MATEO HERITAGE ALLIANCE

RECOMMENDED ALTERNATIVE HISTORIC RESOURCES ELEMENT GENERAL PLAN 2040

HISTORIC RESOURCES

The Historic Resources component of the General Plan confirms the City's commitment to the protection, enhancement, perpetuation, and use of historic resources as economic, cultural, and aesthetic benefits to the City of San Mateo.

PRESERVATION PRINCIPLES

The goal of historic preservation is to keep properties and places of historic and cultural value in active use, accommodating appropriate improvements to sustain their viability while maintaining the key character-defining features which contribute to their significance as cultural resources. Preservation also seeks to keep cultural resources intact for the benefit of future generations. It is an integral component of other community initiatives in neighborhood livability, sustainability, economic development, and cultural appreciation.

GOALS

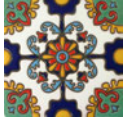
GOAL CD-3.2 Use historic preservation principles as an equal component in the planning and development process. Fully integrate the consideration of historic, architectural and cultural resources as a major aspect of the City's planning, permitting and development activities.

GOAL CD-3.1 Identify and preserve historic, architectural and cultural resources, including individual properties, districts and sites, to maintain San Mateo's sense of place and special identity, and to enrich our understanding of the city's history and continuity with the past.

GOAL CD-3.3 Ensure compatibility between new development and existing historic, architectural and cultural resources.

DEFINITIONS

Definitions and interpretations used herein shall be consistent with the California Environmental Quality Act (CEQA), the State Historical Building Code, the California Register of Historical Resources, the National Register of Historic Places, and the Secretary of the Interior's Standards.



SAN MATEO HERITAGE ALLIANCE

POLICIES

Policy CD-A3.1 Historic Preservation. Incorporate historic preservation as an integral part the general plan, specific plans, environmental processes, planning, permitting, and development activities.

Policy CD-P3.2 Historic Preservation Surveys and Context Statements. Identify and preserve historic buildings, districts and sites. Actively identify and protect concentrations of buildings which convey the flavor of local historical periods or provide an atmosphere of exceptional architectural interest or integrity when they meet national, state or local criteria.

Policy CD-P3.3 Downtown Historic District. Maintain the identified historic district along portions of 3rd Avenue and B Street, and continue to implement regulations to protect the overall historic and architectural character and integrity of the area.

Policy CD-P3.4 Scale, Character and Compatibility. Promote an architecturally sensitive approach to new construction in, and adjacent to identified and potentially eligible historic districts to ensure compatibility of new and old. Ensure design compatibility that maintains the historic character and integrity of the area.

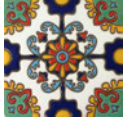
Policy CD-A3.5 Consider effects on historic resources. The California Environmental Quality Act (CEQA) requires public agencies to consider the effects of actions on historic resources. Under CEQA, a historic resource is any resource that is listed in or determined to be eligible for listing in the California Register of Historical Resources. Any resource that is eligible for listing in the California Register is considered significant for the purposes of CEQA. The California Register of Historical Resources also includes resources listed in or eligible for listing in the National Register of Historic Places. Properties that are designated significant in an adopted local survey are also presumed to be eligible for the California Register, and are considered significant.

Policy CD-P3.6 Demolition. The City shall consider demolition of historic resources as a last resort, to be permitted only if rehabilitation of the resource is not feasible, demolition is necessary to protect the health, safety, and welfare of its residents, or the public benefits outweigh the loss of the historic resource.

ACTIONS

Action CD-A3.1 Historic Context. Structures over 45 years old proposed for substantial alteration or demolition shall be evaluated for both individual significance and as contributors to an identified or potential historic district.

Action CD-A3.2 Coordinate and align the general plan, specific plans, zoning code, environmental processes, planning, permitting, and development activities to incorporate preservation as an integral component in accordance with the principles, goals and policies herein.



SAN MATEO HERITAGE ALLIANCE

Action CD-A3.3 Public Awareness. Foster public awareness and appreciation of the City's historic, architectural, cultural and archaeological resources and educate the community about how to preserve and improve these resources. Increase public appreciation through neighborhood workshops, public presentations, interpretive signage, and walking tours.

Action CD-A3.4 Historic Resources Survey. The City shall establish and maintain an inventory of architecturally, culturally, and historically significant structures, districts and sites. Proactively update and maintain an up-to-date historic resources inventory. For areas that have not been surveyed, the City shall seek funding to prepare new historic context surveys to identify structures, districts and sights potentially eligible for listing in the National Register of Historic Places, the California Register of Historical Resources, or local register.

Action CD-A3.5 Design Standards. The City shall use the Secretary of the Interior's Standards as the basis for objective design standards for alterations to historic resources and new development within and adjacent to commercial and residential historic districts. Design standards shall ensure that proposed new construction projects have a contextual relationship with land uses and patterns, spatial organization, visual relationships, cultural and historic values, and relationships in height, massing, modulation, and materials

Action CD-A3.6 Demolition Alternatives. Require an applicant to submit alternatives to full demolition on how to preserve a historic building as part of any planning application and implement methods of preservation unless health and safety requirements cannot be met.

From: Bill Williams [REDACTED]
Sent: Wednesday, September 14, 2022 12:29 PM
To: General Plan <generalplan@cityofsanmateo.org>
Subject: General Plan

The City of San Mateo has been paying fines for untreated storm runoff entering the Bay. The proposed storm storage system has not been completed. The new sewage plant has not been completed.

According to Baykeeper, recent red tides and fish kills were exacerbated by treated sewage discharges.

Are we setting the stage for an ecological disaster by planning for 55,000 new residents?

x Bill Williams, San Mateo

RE: STRIVE SAN MATEO

GENERAL PLAN 2040

The General Plan thus far does not address what I consider critical issues.

The City of San Mateo has been paying fines for untreated storm runoff. The proposed overflow system is under construction, but not completed. Will it be adequate if we experience "atmospheric rivers" due to climate change?

The sewage treatment plant is not complete. Who will pay the cost of transporting wastewater miles to the new plant when the General Plan approves high rise "towers of toilets" for 55,000 new residents?

Baykeeper stated recent "red tides" and fish kills were exacerbated by current treated sewage discharge volumes into San Francisco Bay. Are we going to experience an environmental disaster in our part of the Bay when the new plant may generate larger volumes from excessive growth?

It will not matter how many bike lanes we have if the city reeks of sewage.

X Bill Williams, San Mateo 9/15/22

From: Catherine Marreiro [REDACTED]
Sent: Monday, September 19, 2022 10:11 AM
To: General Plan <generalplan@cityofsanmateo.org>
Cc: Zachary Dahl <zdahl@cityofsanmateo.org>; adam.william.nugent@gmail.com
Subject: Updated Letter to the Planning Commission for Sept 27 planning commission meeting

Please find an updated letter to the one I sent on 9/8, which includes two new households among the signers. Please include this version in the agenda packet for the 9/27 planning commission meeting.

Dear members of the planning commission and planning staff,

The Land Use Alternatives maps were a tremendous undertaking and we appreciate staff's efforts in creating them. With hundreds of tiny squares on these maps, there may be some missing elements and this is where we would like to take the opportunity to address a potential concern with the designation for the block at 545 First Ave., the current site of Hassett Hardware.

This site, at the corner of Delaware Street, is where the commercial uses of downtown transition to the residential area of North Central San Mateo. The immediate residential uses are mainly single-story houses with a few two-story houses. There is also a three-story condominium building on the block. The Hassett site, along with the Andrews Building immediately to the north, is currently zoned commercial, with a 50-foot cap.

The Land Use Alternatives map designates the section of this block as both mixed-use medium 4-7 stories next to residential low 1-3 stories on the same block. On paper, the transition may make sense since the highest use for residential is 3 levels and lowest use for mixed-use is 4 levels. In reality, however, the current conditions are different. The potential jump up to 7 stories, and possibly up to 9 with state density bonuses from SB 35, means there is a very real possibility that there could be a 9-story commercial building immediately next to a single-story residence. While that is a worst-case scenario, we worry establishing such zoning could make the possibility real as the new property owner for the Hassett site has a history of commercial development. If the adjoining Andrews building is purchased by this developer, the potential for this rises.

As part of the goals section of the General Plan discussion, we ask that consideration be provided to current uses in residential areas and that zoning reflect the need to transition heights into these areas. We also ask that zoning on the same block be compatible.

We enjoy having Hassett here and appreciate its convenience and ability to provide jobs for neighborhood youth, and would love for it to stay. We could envision a new development with the current store returning on the ground floor and up to 3 levels of housing under the current 50-foot cap. We also could see a 3-4 level condominium building with limited parking to address this area's need for "missing middle" housing that transitions from commercial to residential areas. We also understand that a 5-level housing development could be built under the current cap. We are absolutely fine with these scenarios to varying degrees. As is typically the case with new development with a significant shift in land use, we would hope that there would be some accommodations when possible when it comes to setbacks, stepbacks and, when possible, retention of daylight planes.

We understand one of the main goals of the General Plan was to provide areas in which new housing could be built to address this area's growing need. We recognize this site's potential for new housing

and welcome it as high as 50 feet, if done well and with some accommodations, and would prefer it to be slightly lower to transition better to the existing North Central neighborhood, which includes the city's oldest house directly across the street and a number of unique and interesting single-family homes in a traditionally low-income area of the city.

However, we would also like to be treated the same as other areas of the city and other blocks, which had accommodations for transitions to neighborhoods. Nowhere else in the city is there the potential for a current single-story residential use immediately next to a potential 9-story commercial building in any of the Land Use Alternatives map.

To summarize, we would like a goal established that any new zoning remain compatible within the same block so that heights stay within 2-3 floors of the current average after any density bonuses, that future development transition into established neighborhoods, and that the height for any future development on the commercial portion of this block be limited to allow for these two requests.

We are submitting this request as part of the goals section of the General Plan discussion but can also submit it during the Land Use Alternatives section when the draft General Plan is discussed next year. If there is another time for us to submit this request, or any other action we must take, please let us know.

Thanks again for the effort in creating this plan, receiving our concerns, and making the necessary modifications.

Catherine and David Marreiro
31 S. Claremont St.

Woodrow Andrews
501 First Ave. (Owner of The Andrews Building)

Yan Li
26 S. Delaware St.

Jessica Huang
30 S. Delaware St.

Val Lucero
34 S. Delaware St.

Jon Mays and Dayna Alpine
38 S. Delaware St.

John Aikin
45 S. Delaware St.

George and Olga Derby
105 Delaware St.

Citania Tam
619 First Ave.

Gary and Olivia Edwards
615 First Ave.

Susan and Wayne Purdom
61 North Claremont St.

Daryl Khoo
21 S Claremont St Unit 12

Nicole and Mark Engler
55 North Claremont St

September 23, 2022

Via Electronic Mail

Zach Dahl, Community Development Director
City of San Mateo
330 West 20th Avenue
San Mateo, CA 94403

Dear Mr. Dahl,

We are writing on behalf of the Bohannon Development Company and our joint venture partner, Northwood Investments Corporation, the owners of the Hillsdale Shopping Center.

We appreciate the opportunity to comment on the Draft “GOPAS” for the San Mateo 2040 General Plan Update. This document will provide important direction for the way that we craft a site-specific plan for the future redevelopment of the Hillsdale Shopping Center. As you know, our Reimagine Hillsdale outreach is currently underway and we have already received a lot of valuable community input.

We are very supportive of the GOPAS and think they will create a wonderful guiding framework for San Mateo for the next 20 years, as well as for the redevelopment of Hillsdale. We would particularly like to emphasize our support for the sustainable development principles the GOPAS promote, including mixed-use development near transit, innovative and progressive multi-modal transportation policies, and a commitment to implementing San Mateo’s Climate Action Plan.

We would also like to propose revisions to some of the Policies and Actions. Our comments are based in our belief in, and support for the following planning ideas:

- Encourage high-quality and diverse types of housing that create great places for San Mateans of all ages to live.
- Encourage commercial office growth at transit hubs and along El Camino Real.
- Certain types of uses are highly desirable to support livable neighborhoods, but need incentives for feasibility. These include support services, neighborhood commercial, and childcare. Ideas for specific incentives are included in the attached redline.
- The mobility goals, policies, and actions do not go far enough in promoting a safe, comfortable, and convenient walking and biking network. In all mobility decisions, and for all streets – especially along El Camino Real, and within a half-mile of

transit stations – the creation of a safe, comfortable, and convenient walking and biking experience should be prioritized.

- The language about residential building design should be clear about enabling transitions between lower-density and higher-density areas.
- The City should provide greater predictability and streamlined review for approvals of both horizontal and vertical development. Some specific suggestions are included in the following redline.

Below please find our proposed redlines to specific Policies and Actions:

Policy LU-P1.3 Mixed-Use. Encourage mixed-use developments to include a residential and commercial component provide greater proximity between jobs and housing, promote pedestrian activity, and reduce traffic congestion.

Policy LU-P2.2 Community Benefits. Develop a framework to Aallow density/intensity bonuses based on provision of community benefits such as affordable housing, increased open space, public plazas or recreational facilities, and/or off-site infrastructure improvements above minimum requirements.

Policy LU-P3.2 Commercial Development. Encourage development that is compatible with the desired character of the area and with adjacent residential areas, and provides an appropriate transition in terms of intensity of use, height, bulk and design. Encourage the location of commercial development near transit hubs. Require commercial development adjacent to residential areas to appropriately address traffic, truck loading, trash/recycling, noise, visual impacts, public safety, hazardous material storage, fire safety, air pollutant emissions and odors in a way that minimizes impacts on neighboring uses.

Policy LU-P3.5 Support Service Uses. Encourage businesses that provide a variety of support service uses such as restaurants, daycare facilities, medical clinics, gyms, pharmacies, and markets in locations that are appropriate to serve residential neighborhoods and commercial uses, prioritizing underserved areas of the city. Incentivize the incorporation of support services by allowing them to be excluded from FAR calculations and/or parking reductions for these uses when they occur in medium- to high-density or TOD land use areas.

Action LU-A5.1 Multi-modal Improvements. Collaborate with Caltrans and other partners to plan and design improvements to El Camino Real that will prioritize safe, convenient transit and alternative transportation. *[Comment] We believe there should be stronger language here about the need for El Camino Real to support*

other modes -- like cyclists and walking -- through right of way redesign, the addition of street trees, and protected bike lanes.

Policy LU-P6.2 Hillsdale Shopping Center. Allow redevelopment of the Hillsdale Shopping Center for a mix of uses, including commercial, retail, office, hotel, and residential uses. Update the Hillsdale Station Area Plan or Require preparation of a Master Development site-specific Plan to ensure the site is developed comprehensively and provides appropriate transitions to the adjacent neighborhoods. *[Comment] We propose the use of the term “site-specific plan” because there does not appear to be any procedure or definition for Master Development Plan, despite it being referred to here as a proper noun.*

Action LU-A6.1 Hillsdale Station Area Plan. Update the Hillsdale Station Area Plan to foster higher density residential, office, and mixed-use, transit-oriented development that connects to neighborhoods to the east and west, improves bicycle and pedestrian circulation and adds park and open space areas.

[New proposed Action] Action LU-A10.9 Streamlining of Approvals for Sustainable Infrastructure. Develop a streamlined City approval process for district approaches to sustainable infrastructure, including private utilities that may cross public rights of way.

[New proposed Action] Action LU-A11.5 Transit-Oriented Jobs. Prioritize jobs growth within San Mateo in Downtown and around Caltrain Stations.

GOAL LU-13 ~~Maintain-Streamline~~ Development Review and Building Permit processes that are comprehensive and efficient.

Policy LU-P13.1 Development Review Process. Review development proposals and building permit applications in an efficient and timely manner while maintaining quality standards in accordance with City codes, policies, and regulations, and in compliance with State requirements. Implement a maximum number of days for each stage of City Review.
[Comment] Other policies / actions which would be helpful to streamline review:
1. Create Objective Development Standards for residential, office, and mixed-use
2. Develop checklists for project applications
3. Offer inter-departmental pre-application meetings to coordinate requirements for projects

Action C-A1.8 Transportation Fees. Adopt and maintain fees and fiscal policies to fund circulation improvements and programs equitably and achieve operational goals. Transportation fees generated by a project should be used to improve the transportation network (pedestrian, bike, transit, and vehicular) within the project site and/or greater neighborhood.

Action C-A2.7 Unbundled Parking. Allow all parking to be unbundled. Encourage residential developments to unbundle the costs of providing dedicated parking spaces. Encourage additional parking capacity created by unbundling to be reallocated as shared or public parking spaces.

Policy C-P4.3 First- and Last-Mile Connections. Encourage and facilitate provision of bicycle parking and shared mobility options at transit centers to provide first- and last mile connections and invest in creating safe, high-quality, separated bike paths and intersection safety improvements within a 1/2 mile of transit centers.

Action C-A6.1 Multimodal Level of Service Standard. Evaluate and adopt an operational metric for all roadway users that accounts for the safe, equitable, and efficient roadway access and prioritizes the safety and comfort of pedestrians and cyclists.

Action C-A7.1 Parking Maximums. Amend the zoning ordinance to replace parking minimums with parking maximums to allow developers and the City the flexibility to provide parking at levels that encourage desired development and are appropriate to the conditions of the development and its context. *[Comment] We support this idea, and would love to participate in public meetings regarding establishing these maximums.*

Policy CD-P5.1 Building Mass and Scale. Encourage new residential developments to be compatible with the scale of the surrounding neighboring and create appropriate transitions between low- medium-and high-density areas. *[Note it says “neighboring”; should this be changed to “neighborhood”?]*

Policy CD-P6.3 Respect Existing Scale. Encourage new mixed-use and commercial development to respect the scale of surrounding buildings by providing breaks or other methods of architectural modulation in the building face at spacings common to buildings in the area and by stepping back upper floors.

Policy CD-P6.4 Orient Buildings Toward the Street. Encourage commercial development to be located at the facing streets or plazas in retail areas to encourage pedestrian activity and an active streetscape.

Thank you,

A handwritten signature in blue ink, appearing to read 'D. Bohannon', with a stylized flourish at the end.

David D. Bohannon

Laurie and Randy Hietter

September 27, 2022

Planning Commission
City of San Mateo
330 West 20th Street
San Mateo, CA 94403

SUBJECT: Comments on General Plan Update – Draft Goals, Policies and Actions for the Land Use, Community Design and Historic Preservation, Safety, and Public Services Elements

Dear Commissioners:

Please accept the following specific comments on the General Plan Update – Draft Goals, Policies and Actions for the Land Use, Community Design and Historic Preservation, and Safety Elements

LAND USE

I object to the selection of Alternative C. The City took the maximum growth scenario, and made it even bigger to create Alternative C. Many citizens have stated they do not want maximum growth in the City, yet the Commission and Council have gone way beyond RHNA requirements without adequate planning for water, traffic, transit, safety, and public services and facilities.

Please respect the height limits voted in through Measure Y. The citizens have a long history of wanting to maintain the look and feel (and historic nature) of San Mateo. The 8+ glass boxes proposed and/or approved for downtown are radically changing our city.

The YIMBY organizations seem to have an outsized voice in the comments regarding our community. Reinstate the practice of stating one's address or at least neighborhood. Zoom meetings allow piling on when paid activists can round up additional commenters.

San Mateo used to have an elegant downtown with a wide variety of retail and small businesses. We now have a monoculture of shabby, dirty streets, trash, banks, and fast food. Stop demolishing the blocks at a time, eliminating small and heritage businesses such as Endo Automotive, Trag's, Draeger's, Wing Fat, etc.

HISTORIC RESOURCES

My first comment is that the policies as written are general and leave too much room for interpretation. The revised version of the Historic Goals, Plans, and Policies submitted by Keith Weber and the San Mateo Heritage Alliance should be used instead.

There are many historic homes and businesses located downtown. We know where the historic districts are located. Please either conduct the necessary historic surveys or at least establish Historic Preservation Overlay Zones (HPOZ) or Conservation Districts to protect our historic resources.

There are some particularly problematic statements in the City's draft policies as described below.

Policy CD-P3.1

Policy CD-P3.1 says to preserve historic buildings where feasible. Historic resources include buildings, districts, and landscapes. "Where feasible" is not defined and is inconsistent with Goal CD-3.

Replace "historic buildings" with "historic resources." "Where feasible" should be replaced with "unless preservation would cause health or safety impacts that cannot be mitigated."

Preserve historic ~~buildings~~ resources where ~~feasible~~ unless preservation would cause health or safety impacts that cannot be mitigated.

Policy CD-P3.7

The requirement to analyze alternatives should be applied to all buildings older than 45 years. Demolition is:

- Not sustainable
- Wasteful
- Creates additional burdens on landfills, and
- Causes excessive dust, traffic and noise.

Action CD-A3.1

Establish and maintain an inventory of architecturally, culturally, and historically significant structures, districts, and sites.

Action CD-A3.4

Create objective design standards for development within historic districts or adjacent to historic structures, districts, and/or culturally important sites to maintain the historic character of these resources.

SAFETY

Grade Separations

Prioritize grade separations at First, Second, Third, Fourth, Fifth, and Ninth Avenues. The grade crossings are dangerous, will cause substantial traffic delays (and related emissions), and cause

a substantial noise impact, which will be experienced by the new occupants of the 8+ new downtown high-rise buildings.

Emergency Preparedness

Establish or expand an emergency preparedness plan, including community education to ensure community safety in the event of an earthquake, fire, or extended power outages.

PUBLIC SERVICES AND FACILITIES ELEMENT

Cleaning

Prioritize cleaning and sanitation in our downtown and commercial areas. I visit many cities in California and other states and San Mateo has by far the dirtiest downtown I have ever seen. New York is cleaner. Recent cleaning helped but did not remove the gum and many other stains. This needs to be done weekly. City businesses should have some responsibility for the filth outside their restaurants (especially on Ellsworth Street).

Water

The City has not shown that there has been adequate planning to support the growth that is proposed in the General Plan. Water conservation through efficiency has been ongoing for the last 20+ years. We simply do not have enough water to support this growth. The City must be held accountable to demonstrate the availability of water before issuing more permits.

The quality of life of existing citizens continues to be massively degraded due to growth without the requisite planning for water, circulation, public services and facilities.

Sincerely,

A handwritten signature in blue ink, appearing to read "Laurie Hietter".

Laurie Hietter

cc: Zach Dahl

From: I watanuki [REDACTED]
Sent: Tuesday, September 27, 2022 11:39 AM
To: General Plan <generalplan@cityofsanmateo.org>
Cc: [REDACTED] Michael Weinbauer [REDACTED] Maurine Killough
[REDACTED]; Benjamin Portusach [REDACTED] Nash Michael
[REDACTED] Keith Weber [REDACTED] Laurie Hietter
[REDACTED]; Dianne Whitaker [REDACTED] Lisa Vande Voorde
[REDACTED] Ruth Cradler [REDACTED]
Subject: Re: Message to attendees of Virtual General Plan Workshop

Hi Zachary,

Thanks for the clarification on the proposed increases in densities and heights. Are these proposed density and height increases going to be part of the Land-use discussion on 9/27 - 7 pm at the Planning Commission meeting?

The proposed residential density and height ranges in the low, medium, and high categories are still very high on the south side of 4th and the north side of 5th Avenue in Study Area 4 - Alternative C. In the mid 1980's a developer did attempt to tear down 3 single family homes on 5th Avenue and 3 homes on 4th Avenue for a larger residential project and did not succeed. All the homes were restored back to their original Craftsmen single family home character. Our homes are great starter homes with backyards for young families with children and are part of the early history of East San Mateo next to our historic Downtown.

With these proposed increases in density and height, a residential developer could potentially tear down the entire block of 5th, Delaware, 4th, and Eldorado to build a medium density, 7 story mixed use building with 99 units/acre across from the small one story bungalows on 5th Avenue and Eldorado. These proposed increases in each category work against our best efforts towards the preservation of our existing housing stock.

Prometheus tore down 25 of our single family and duplex homes on 2-1/2 blocks on 3rd and 4th Avenues, to build more than 213 rental units with Density Bonus for The Metropolitan Apartment Complex.

COMMUNITY DESIGN AND HISTORIC PRESERVATION ELEMENT

The 1989 Building Survey included 9 historic homes (6 are grouped) in Central Neighborhood/East San Mateo from 4th to 10th Avenues, Amphlett to Railroad. These homes were built before 1910, and many of our homes are contributors. We would like to see our existing single family and duplex homes which are Craftsmen, Spanish Colonial Revival, Tutor Revival, Victorian, Queen Anne, cottages, and bungalows better protected. We would like to see concepts from the Historic Preservation Overlay Zones (HPOZ) or Conservation District used. The links to both are attached below. The Central Neighborhood/East San Mateo is part of the oldest neighborhood on the east side of San Mateo. Our homes were built around the same time as the Hayward Park Neighborhood.

The goals and policies of the San Mateo Historic Alliance need to be incorporated into the Community Design and Historic Preservation Element for the protection of our Historic Downtown and other residential neighborhoods on the east and west side of San Mateo.

There will be more comments for SERVICE COMMERCIAL land-use on S Amphlett and S Claremont.

PUBLIC SERVICES AND FACILITIES ELEMENT

More frequent Downtown and residential street sweeping and sidewalk cleanliness need to be addressed in the General Plan elements. We have a higher concentration of gas stations food marts and neighborhood convenience stores that sell liquor and beer, and fast food businesses on 3rd and 4th Avenues that generate more pedestrian litter. We could use more receptacles in high trash areas near the storm drains.

Residential 5th Avenue has over 80 Sycamore Heritage trees and the leaves do pile up around the storm drains on each block when the parked cars are not moved on street cleaning days. Smaller street sweeping signs can be added next to the RPPP signs on our residential streets that are more heavily impacted with leaves and litter.

Thanks.

Laurie Watanuki

PS. These links explain HPOZs and Conservation Districts.

Conservation Districts

<https://forum.savingplaces.org/viewdocument/protecting-older-neighborhoods-thro>
<https://www.sanjoseca.gov/home/showpublisheddocument/24139/636689792753570000>

Historic Preservation Overlay Zones (HPOZ)

<https://planning.lacity.org/odocument/b40efee2-a905-4d8c-9ae5-2936d25a9e2c/HPOZ%20Brochure.pdf>
<http://www.holmbywestwoodpoa.org/wp-content/uploads/2016/07/HPOZ-FAQs.pdf>

From: Jerry Davis [REDACTED]
Sent: Wednesday, September 28, 2022 7:26 AM
To: [REDACTED]
Cc: General Plan <generalplan@cityofsanmateo.org>; Michael Weinbauer [REDACTED]
Maurine Killough [REDACTED]; Benjamin Portusach [REDACTED]; Nash
Michael [REDACTED] Keith Weber [REDACTED] Laurie Hietter
[REDACTED] Dianne Whitaker [REDACTED] Lisa Vande Voorde
[REDACTED] Ruth Cradler [REDACTED]
Subject: Re: Message to attendees of Virtual General Plan Workshop

I want to thank Laurie for this informative email. My home is on fifth and S. Eldorado St. These decisions are extremely important to me. My home that was built in 1912 and is a sanctuary for me. The area between fourth and fifth Streets needs to remain preserved for the benefit of all San Matens. I remember when I originally purchased my home in 2004 receiving a surprise note in my mailbox. It was a note from a previous owner who thanked me for not changing the character of the home. I felt heartened by their expression of thanks. I would hope that the city consider those emotions. Personally I would be devastated if a developer was able to use "eminent domain" to take over my property. I have heard of cases where this statute was used inappropriately for commercial gain. The spirit of this law was not intended to be used for personal gain. Building a necessary road, highway, or sums type of public transportation is for the public good. Commercial enterprises evicting people from their homes in order to increase a tax base is an unfair and vicious use of this statute. I am a retired senior and I say don't do it! I say don't allow it! Don't prepare for it! I believe, it's evil on its face.

Be wise in word and in deed

On Sep 27, 2022, at 2:39 PM, I watanuki [REDACTED] wrote:

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Thanks.

Laurie Watanuki

PS. These links explain HPOZs and Conservation Districts.

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<http://www.holmbywestwoodpoa.org/wp-content/uploads/2016/07/HPOZ-FAQs.pdf>

From: [REDACTED]
Sent: Thursday, September 29, 2022 4:58 PM
To: General Plan <generalplan@cityofsanmateo.org>
Subject: General Plan

Please be aware that over-building impacts classroom populations, hospital capacity, and medical provider availability. New schools have not been established within neighborhoods that have experienced the recent amount of multiple new buildings. These oversights negatively affect both teachers and students. In regard to hospital and/or medical services, long waits already exist for doctors' appointments. Additionally, having blood drawn in our hospital labs requires a significant amount of wait time before seeing a lab tech. The present population in San Mateo currently impacts these important needs in our lives. What provisions have been made to expand the amount of schools, teachers, doctors, and medical services?

Realize that the massive structure at the end of B Street has eroded the historical environment of downtown San Mateo. Know that it is heartbreaking to lose what was considered a very pleasant and historical town. Density of multiple new buildings in the downtown area has eroded the image of San Mateo as well as impacted the flow of sunlight now blocked by these buildings and structures. The ambiance of historic San Mateo has been lost by careless disregard resulting in "tunnel vision" to meet building quotas.

From: Catherine Marreiro [REDACTED]
Sent: Monday, October 17, 2022 9:20 PM
To: General Plan <generalplan@cityofsanmateo.org>; Zachary Dahl <zdahl@cityofsanmateo.org>
Cc: Amourence Lee <alee@cityofsanmateo.org>; Joe Goethals <jgoethals@cityofsanmateo.org>; [REDACTED]
Subject: Letter to the City Council for the Nov. 7 General Plan goals discussion

Dear members of the City Council and planning staff,
We appreciate the Planning Commission discussion Sept. 27 on land use goals for the general plan. Commissioner Adam Nugent's perspective that new zoning should be consistent on the same block especially when transitioning to residential uses makes sense, and we would appreciate it if you would also consider that need when outlining goals for the general plan. You can see in our original letter signed by 19 residents to the Planning Commission and planning staff that his perspective tracks with ours that the new zoning should be consistent on the same block. We also wanted to clarify that the zoning for the residential uses on the block would already be limited to three levels, so any new zoning for the mixed-use commercial should closely match that and be limited to the current 50-foot zoning cap.
Thanks for your consideration of our request, and please read our original letter below.

Catherine and David Marreiro
31 S. Claremont St.

Dear members of the Planning Commission and planning staff,

The Land Use Alternatives maps were a tremendous undertaking and we appreciate staff's efforts in creating them. With hundreds of tiny squares on these maps, there may be some missing elements and this is where we would like to take the opportunity to address a potential concern with the designation for the block at 545 First Ave., the current site of Hassett Hardware.

This site, at the corner of Delaware Street, is where the commercial uses of downtown transition to the residential area of North Central San Mateo. The immediate residential uses are mainly single-story houses with a few two-story houses. There is also a three-story condominium building on the block. The Hassett site, along with the Andrews Building immediately to the north, is currently zoned commercial, with a 50-foot cap.

The Land Use Alternatives map designates the section of this block as both mixed-use medium 4-7 stories next to residential low 1-3 stories on the same block. On paper, the transition may make sense since the highest use for residential is 3 levels and lowest use for mixed-use is 4 levels. In reality, however, the current conditions are different. The potential jump up to 7 stories, and possibly up to 9 with state density bonuses from SB 35, means there is a very real possibility that there could be a 9-story commercial building immediately next to a single-story residence. While that is a worst-case scenario, we worry establishing such zoning could make the possibility real as the new property owner for the Hassett site has a history of commercial development. If the adjoining Andrews building is purchased by this developer, the potential for this rises.

As part of the goals section of the General Plan discussion, we ask that consideration be provided to current uses in residential areas and that zoning reflect the need to transition heights into these areas.

We also ask that zoning on the same block be compatible.

We enjoy having Hassett here and appreciate its convenience and ability to provide jobs for neighborhood youth, and would love for it to stay. We could envision a new development with the current store returning on the ground floor and up to 3 levels of housing under the current 50-foot cap. We also could see a 3-4 level condominium building with limited parking to address this area's need for "missing middle" housing that transitions from commercial to residential areas. We also understand that a 5-level housing development could be built under the current cap. We are absolutely fine with these scenarios to varying degrees. As is typically the case with new development with a significant shift in land use, we would hope that there would be some accommodations when possible when it comes to setbacks, stepbacks and, when possible, retention of daylight planes.

We understand one of the main goals of the General Plan was to provide areas in which new housing could be built to address this area's growing need. We recognize this site's potential for new housing and welcome it as high as 50 feet, if done well and with some accommodations, and would prefer it to be slightly lower to transition better to the existing North Central neighborhood, which includes the city's oldest house directly across the street and a number of unique and interesting single-family homes in a traditionally low-income area of the city.

However, we would also like to be treated the same as other areas of the city and other blocks, which had accommodations for transitions to neighborhoods. Nowhere else in the city is there the potential for a current single-story residential use immediately next to a potential 9-story commercial building in any of the Land Use Alternatives map.

To summarize, we would like a goal established that any new zoning remain compatible within the same block so that heights stay within 2-3 floors of the current average after any density bonuses, that future development transition into established neighborhoods, and that the height for any future development on the commercial portion of this block be limited to allow for these two requests.

We are submitting this request as part of the goals section of the General Plan discussion but can also submit it during the Land Use Alternatives section when the draft General Plan is discussed next year. If there is another time for us to submit this request, or any other action we must take, please let us know.

Thanks again for the effort in creating this plan, receiving our concerns, and making the necessary modifications.

Catherine and David Marreiro
31 S. Claremont St.

Woodrow Andrews
501 First Ave. (Owner of The Andrews Building)

Yan Li
26 S. Delaware St.

Jessica Huang
30 S. Delaware St.

Val Lucero
34 S. Delaware St.

Jon Mays and Dayna Alpine
38 S. Delaware St.

John Aikin
45 S. Delaware St.

George and Olga Derby
105 S. Delaware St.

Citania Tam
619 First Ave.

Gary and Olivia Edwards
615 First Ave.

Susan and Wayne Purdom
61 N. Claremont St.

Daryl Khoo
21 S. Claremont St., Unit 12

Nicole and Mark Engler
55 N. Claremont St.

From: Louie Carignan [REDACTED]
Sent: Tuesday, October 18, 2022 12:23 PM
To: General Plan <generalplan@cityofsanmateo.org>
Subject: General Plan From 1710 to 1804 Leslie St

Hi, my name is Louie Carignan. I represent 5 business owners that are located on Leslie St, in San Mateo, the 5th being myself. We were very involved in the general plan process before Covid, working with Julie Klien. Since covid we have not been able to be as involved as we like but would like to restart our efforts. To get right to the point, we are hoping to have our zoning evaluated and possible changed from commercial to mixed use. If you look up our street you will see we are surrounded by residential and or mixed use zoning. As the years have passed and more and more residential development has gone up around us, it has created a pocket that doesn't best serve the community. We are located right at the Hayward park train station, as well as being within walking distance to Parks, restaurants and shops. Please if you haven't already, take a quick look at our street. We believe it would be a shame if this was over looked during the general plan process. From 1710 to 1804 Leslie St are the 5 lots asking to be evaluated and possible be changed from commercial to mixed use. If you have any questions, please let me know.

Thank you for your time and consideration
Louie Carignan

MEMORANDUM

DATE August 31, 2022
TO San Mateo Planning Commission
FROM Joanna Jansen and Carey Stone, PlaceWorks
SUBJECT Summary of General Plan Subcommittee Input on the Draft Policies and Actions

This memorandum summarizes the General Plan Subcommittee (GPS) input on the draft policies and actions. The GPS met three times on August 11, 18, and 30, 2022 to review and provide feedback on the policies and actions.

GENERAL COMMENTS

- Overall, the GPS felt that the draft goals, policies, and actions are well written and reflect community input to date.
- Make sure there is deliberate thought given to which policies begin with “continue to” versus which ones do not.
- Climate change should be featured prominently in the General Plan, and the General Plan and the City’s Climate Action Plan should align.
- Highlight climate change and sustainability similar to how environmental justice policies and actions are highlighted, or consider if we should have an Energy and Climate Change element.

COMMUNITY DESIGN AND HISTORIC PRESERVATION ELEMENT

- Aspire to make El Camino Real a space to spend time, not only a space to rush through.
- Replace “pedestrian-oriented” with “people-oriented.”
- Throughout the design-related policies, shift language to be less subjective and more objective.
- Include objective standards to preserve historic resources
- Add language that emphasizes the importance of keeping architectural details at the human-scale.
- Acknowledge the important architectural features of traditional pre-war architecture that should be carried forward in new development downtown.
- Preserving cherished and beautiful historic buildings is important, but historic preservation should not be weaponized to prevent homeowners from upgrading their own property or to prevent needed new housing.
- Define “character” to clarify that it refers to visual or architectural rather than social characteristics.

- The General Plan should address historic preservation at a general level of detail and not get into the weeds; the Historic Preservation Ordinance and State and federal regulations should provide more detail.
- Goal CD-2 should reference preserving heritage trees “where feasible.” Sometimes old trees are dangerous and need to be removed. Goal CD-2 should also reference median trees.
- Policies and actions under Goal CD-3 should be broadened to refer to historic “assets,” not only buildings, consistent with the wording of the goal. Consider adding policies or actions under Goal CD-3 to adopt incentives for property owners to preserve and/or restore historic assets.
- In response to Goal CD-4 about City Image, some GPS members expressed that San Mateo has lost a sense of a identity that distinguishes it from other Peninsula cities, and that the General Plan could be an opportunity to clarify what makes San Mateo unique. Some ideas were Downtown, dining, Hillsdale Mall, and the San Mateo Bridge. A unique identity should be consistently expressed through signage and other City materials.
- Under Goal CD-5, delete Policy CD-P5.1 regarding building mass and scale. This policy is too vague and is not needed; the desired outcomes are addressed more clearly and explicitly in other policies under this goal.
- Consider adding area-specific design policies for the San Mateo Park and Baywood-Aragon neighborhoods.

CONSERVATION, OPEN SPACE, PARKS AND RECREATION ELEMENT

- Address public accessibility of private open spaces, including signage.
- Address the lack of access to recreational facilities for neighborhoods east of El Camino Real and especially east of 101.
- Add language about public spaces that are age-integrated and offer spaces for teens.
- Strengthen references to local school districts and mutual collaboration in support of recreational access.
- Confirm that the parks figure accurately reflects facilities at Bayside/Joinville (school district property), Dale Avenue, and Station Park Green.
- Add an Action under Goal COS-2 to develop a volunteer stewardship program, especially as the City opens up access to creeks.
- Goal COS-4 should acknowledge the importance of reducing vehicle miles traveled as a way to improve air quality.
- Goal COS-6 could include an action to modernize and make more accessible data that the City has on areas with high archaeological sensitivity.
- Policies under Goal COS-9 should mention wi-fi, water fountains, and restrooms public amenities offered in park and recreational facilities.
- Consider an action under Goal COS-10 to do more frequent surveys of residents to ask about park and recreation amenities.
- Add an Action under Goal COS-11 to identify new funding sources for parks and recreation facilities.

PUBLIC SERVICES AND FACILITIES ELEMENT

- Consider whether we need to add more policies about code enforcement in the General Plan.
- Sewer laterals upgrades should be covered in the General Plan to address leakage. The policy could help encourage sewer laterals maintenance and replacement. Reference the City's program that helps subsidize these type of upgrades.
- Add "as needed" after new fire stations in Policy PS-P1.3. Fire stations are a very expensive investment.
- Add a policy that encourages existing homes to convert to water efficient landscaping under Goal PS-2. Offer incentives, rebates, and education in partnership with Cal Water.
- Mention greywater and potable water in Action PS-A2.1. Also, reference the City's water treatment facility where there are ongoing measures to produce greywater and potable water. Maybe there is more that can be done to encourage greywater systems in residential and commercial buildings.
- Include stronger language about water conservation in Policy PS-P2.2.
- Add the word "coordinate" to action PS-A3.1.
- Add "and bay" after lagoons at the end of Policy PS-P3.3. Simplify and make this policy stronger.
- Mention bicycle and pedestrian projects in Action PS-A3.3.
- Add "consider" at the beginning of Policy PS-P4.3.
- Add language that encourages green space in Policy PS-P4.9.
- Under Goal PS-5, add a policy or action about encouraging the development of licensed preschool facilities. This should be a priority. Also work with school districts to encourage efforts to provide more before and after school programs.
- Agree with Policy PS-P5.2, but rewrite the policy to make it more clear. Explain what "compatible with surrounding land uses" means.
- Emphasize non-residential development in Action PS-A5.2.
- Revise Policy PS-P5.5 to address inadequacies in existing childcare facilities. There are a number of existing facilities under Parks and Recreation that cannot be utilized for child care because they do not meet the square footage requirement to be a licensed facility. We need to go beyond retaining facilities and consider if there are some existing facilities that need to be shutdown or expanded. Also, collect park fees and make it a priority to expand existing childcare facilities.
- Add a policy under Goal PS-6 about distributing health centers throughout the city to make sure they are accessible. Also add a policy about mobile health care, perhaps the City can help support the County's efforts.
- Ensure Policy PS-P6.3 balances the need for social services in each community while also ensuring that services are not concentrated in one area.
- Add nonprofits and community based organizations to Policy PS-P6.4. Revise this policy to say "support vulnerable populations by prioritizing reduction of vulnerabilities" and then list nonprofits and religious groups to help.

SAFETY ELEMENT

- Support efforts to underground utilities.
- Revise the examples in Policy S-P1.7 to include data-driven defensible design examples.
- Consider vulnerable road users, such as pedestrians and bicyclists, in Policy S-P1.8 and Action S-A1.10. Do not support expansion of Highway 101 and other roadways. Focus on designing roads that help prevent traffic fatalities. There should be a reference somewhere in the language that addresses roadway design for vulnerable users.
- Revise Policy S-P5.6 to ensure monitoring of peakload water supply is occurring by the appropriate entity.
- Add policies and actions to reduce per capita energy use, such as “encourage energy use reduction by incentivizing active transportation and reducing single occupant vehicle use”. Another policy could be “encourage the creation of energy efficient homes, businesses, and other buildings”. Possible actions could be “encourage energy use reduction through the creation of safe and comfortable opportunities for active transport modes by implementing the City’s pedestrian and bicycle master plan and focusing new development near major transit nodes”. Another action could be encouraging the installation of energy efficient home insulation, weather sealing and other physical means to reduce heating and cooling needs through greater Title 24 building efficiency.
- Cover energy saving appliances and electric appliances.

NOISE ELEMENT

- Revise Policy N-P1.2 to add a reference about outdoor equipment such as leaf blowers and two-stroke engines. Maybe the policy can be revised to list the known noise irritants. Consider adding a reference about outdoor equipment in Policy N-P2.1.
- Consider whether the roads mentioned in Policy N-P2.4 will actually be widened since Caltrans has been deprioritizing widening of roads.
- City could help reduce traffic speeds in Policy N-P2.4 since they are a noise generator.
- Emphasize or add more about railroad noise.

CIRCULATION ELEMENT

- Support for many of the revisions requested in the letter submitted by Move San Mateo.
- Add a threshold for the size of development when we say “require new developments to” in the policies and actions. Applying requirements for new development makes sense for larger projects.
- Replace walking, bicycling and transit everywhere it appears with “transit and active transportation modes”. A few subcommittee members disagree and believe the General Plan should include commonly known terms.
- Add an action under Goal C-1 that requires implementation of the pedestrian and bicycle infrastructure outlined in the Circulation Map anytime a roadway is resurfaced. This is partially covered by Action C-A4.2, but it only mentions bicycle infrastructure and could be expanded to include pedestrian infrastructure.

- Revise Policy C-P1.3 as follows:
 - Delete “works towards”.
 - Revise policy to say: Use a safe systems approach for transportation planning, street design, operations, emergency response, and maintenance that proactively identifies opportunities to “improve safety where conflicts between users exist in order to eliminate traffic fatalities and serious injuries in our roadways”.
- Revise Policy C-P1.5 to address high capacity travel, facilitate efficient travel, and limit left turns during high traffic hours. However, there may not be much the City can do because El Camino Real is a State road.
- For Action C-A1.5, study not only where people already go, but where they would like to go and build routes around their needs.
- Clarify the word “consider” in the second sentence of Action C-A2.1.
- Be more specific about “safe routes to school” in Action C-A2.5.
- A few subcommittee members would like to revise Action C-A2.7 to say “required” instead of “encourage”, but some believe the General Plan should stay high level.
- Modify Policy C-P3.2 to require the widest sidewalks that are feasible and comfortable.
- Unsure why Policy C-P3.4 is under the pedestrian goal.
- Action C-A3.1 should be revised to clarify that there is an urgent need for implementation of pedestrian improvements.
- Add increasing sight lines and removing conflicts at the cross walks to Action C-A3.5. There should be an action about the visibility at cross walks for pedestrians.
- Change “transit centers” to “community destinations” in Policy C-P4.3.
- Add “undercrossings” in Action C-A4.3.
- Add “at intersections” to Action C-14.6.
- There is a transit operator shortage not ridership shortage. Maybe we need to change the focus to “increasing the service” instead of “increasing ridership” in Policy C-P5.1.
- Break Policy C-P5.5 into two policies. Also, revise the policy to educate the public about all alternative travel modes, not just transit.
- Do not limit Action C-A5.2 to only include disadvantaged communities. There should be a focus on disadvantaged communities, but the action should be expanded to other areas.
- Explain what vehicles miles traveled per capita is in Goal C-6. Say “efficient and safe” operations and also say “residents” instead of “modes”.
- Revise Policy C-P6.4 to include a reference to improving the City’s process to request and receive traffic calming measures on residential streets.
- One subcommittee member would like Action C-A7.2 revised to say “implement” instead of “evaluate”, but another subcommittee member disagreed.
- Revise Action C-A8.4 to address data privacy. Do not limit the action to new technology options, we should require this from public transportation as well.

- Prioritize traffic calming measures in Goal C-6 and focus on areas with the highest vehicle collisions. Add an action under this goal that calls for annual vehicles, pedestrian and bicycle counts at different intersections to measure how the City is doing.
- Add an action that requires new development in Downtown to have shared parking agreements that allows the public to use the parking space in the evenings. One subcommittee member believes we should remove existing public parking spaces if we are adding more public parking opportunities in Downtown.
- Add a new policy or action about education under Transportation Demand Management. There are programs out there where people can trade in their car to get transit and e-bike credits.
- Add a policy or goal about connecting neighborhoods or reducing barriers to help traffic flow, for example there is a wall that separates the Shoreview neighborhood and the new parks on J Hart Clinton Drive.
- Place a stronger emphasis on traffic efficiency, infrastructure, traffic calming, and parking in the Circulation Element. One subcommittee member believes the focus should be on getting people out of their cars, which helps reduce traffic.
- In addition to greenhouse gas emissions, also reference vehicle miles traveled in the goals of this element.
- Consider how some of the emerging technology trends could change the city if they actually came into fruition.
- Add an action about school safety speed zones.
- Make sure we are prioritizing local projects, not only regional projects.
- Concern about scooter safety.

LAND USE ELEMENT

- Revise Goal LU-1 as follows:
 - Change “citizens” to “residents.”
 - Include a reference about affordability. Suggested revision could be “provides ample housing which is affordable at all levels”.
 - Consider using “balanced” instead of “orderly” growth.
- Revise Policy LU-P1.1 to add the word affordability. Would like to see one or two actions that could meaningfully achieve this policy.
- Revise Action LU-A1.1 to be more specific. Would also like to see an action about maintaining a real time list of pipeline projects such as the amount of office, jobs and housing that is planned. There should be a requirement that we report this information on an annual basis.
- Consider using “encourage” instead of “require” in Policy LU-P1.2.
- Unsure why Action LU-A1.2 is titled as surplus land inventory.
- Revise Policy LU-P1.3 to say, “component to provide”.
- Policy LU-P1.6 may be outdated.
- Define what the Sphere of Influence is in Policy LU-P1.7.
- Define the term “equity priority communities” used in Policy LU-P1.8.

- Flush out the community benefits in Policy LU-P2.2. Would recommend building heights above 65 feet only for projects that provide housing as a community benefit. An increase in height should be tied to housing being a major part of that building and also providing a greater amount of below market rate units than what the City's inclusionary ordinance requires. Include high quality materials and context appropriate design as a community benefit for taller buildings. One subcommittee member believes we should be careful about how much we ask for from developers because there are other ways to make a project pencil that may not benefit the community, such as hiring out-of-state labor.
- Add the concept of access to commercial services in Policy LU-P2.5.
- Add the word "recreation" to Goal LU-3.
- Add circulation somewhere in Policy LU-P3.2, but unsure were.
- Policy LU-P3.6 seems to be outdated.
- The following comments were received about Policy LU-P3.9:
 - This policy should not dictate the type of businesses. Delete "to research and development, bio-tech, and life sciences uses, and/or".
 - Clarify what "as far as possible from high-volume roadways" means.
 - California Air Resources Board recommends against siting sensitive uses, like housing, within 500 feet from high-volume roadways which is defined as 100,000 vehicles or more a day. El Camino Real does not meet that criteria, but Highway 101 and State Route 92 East of El Camino does meet the criteria. There seems to be contradiction in the General Plan, we say we have a policy to locate new residential away from high volume roadways, but Study Area 7 and another study area along State Route 92 are designated as high and medium density residential.
- Revise Policy LU-P3.12 to encourage the design of publicly accessible spaces that people can intuitively know the space is for their use.
- Comments received on Policy LU-P3.14:
 - This policy is the same policy as PS-P5.2.
 - Policy is outdated and confusing, it needs wordsmithing.
 - Delete the rest of the policy after the first sentence.
 - The school district and the City have a 55 year lease on Bayside Park. Maybe we can have a separate policy that references Bayside Park because that lease will come up at the end of this General Plan.
- Replace "support" with "prioritize" in Action LU-A4.1.
- Action LU-A5.1 is missing what the alternative transportation is alternative to. Change "alternative transportation" to "active transportation".
- Encourage buffers between people and cars in Policy LU-P5.2. Mention the City's tree planting plan here. There needs to be a discussion about downtown landscaping in this policy.
- Add an action about the pedestrian mall.
- Revise Policy LU-P6.1 to say world class transit-oriented "mixed use" development.
- Concerned about including the term "gentrification" in Policy LU-P8.2.

- Add green space where it says “includes retail, services and housing” in Policy LU-P7.1.
- Add biking and walking facilities to Action LU-A7.2, similar to Bridgepointe.
- Add a separate policy or action for the King Center instead of including it in Policy LU-P8.3. There is a need to enhance the King Center beyond maintaining it. Also, confirm if the park impact fees are only supposed to be for physical park improvements and address this in the action.
- Identify other funding sources in Action LU-A8.3.
- Unsure if we should keep convenience markets in Policy LU-P8.5 since they do not typically provide healthy foods.
- Suggested revisions to Action LU-A8.5:
 - Maybe we can say “balance safety improvements with optimizing the existing parking supply” or “balance the design of the safety improvements.”
 - There was a North Central community based transportation plan that was well received. Reference the plan or maybe we need to complete a new plan, it received a lot of public support at that time.
 - Possible new language “the plan shall seek to make the North Central neighborhood streets a measurably safer place while improving accessibility for residents and visitors. Parking availability and access shall be featured as a factor in assessing the planning and design of projects. Changes shall be developed and enacted with the expressed purposes of improving health, safety, welfare and comfort for members of the community”.
- Add “sanitation” to Action LU-A8.6.
- Comments received on Policy LU-P8.7:
 - Not sure this is within the City’s purview; the County health department has been closely working on healthy food in school efforts.
 - This policy seems outdated.
 - There was a question about whether the school district has a meal program for the summer or if the City can help fill the gap. Historically, the school district does not provide food for the community in the summer only for summer school.
 - One subcommittee member asked if we could add language about “explore or incentivize plant based foods in schools”, but a few subcommittee members disagreed.
 - Maybe this policy should go beyond schools. Having fresh produce in neighborhoods is the key thing people need access to.
- Modify Action LU-A8.7 to go beyond partnering with neighborhood organizations and instead also encourage neighborhood cleanliness and beautification programs that do not rely solely on volunteers and neighborhood organizations.
- Highlight how members of the public can influence development projects through community engagement under Goal LU-9.
- Add child care in Policy LU-P9.1 as a feature of public meetings that will increase attendance.
- Add a policy or action about recycled water under Goal LU-10. Remove the word “boldly” from this goal.

- Change “reduce” to “eliminate” in Policy LU-P10.2 since this is a long term plan.
- Change five years to three years in Action LU-A10.3 since the reach codes and building codes come out every three years.
- Improve the definition of “provide a living wage” in Action LU-A11.1. Maybe we should say “a wage that is indexed to the cost of living”.
- Mention “support remote work options” and “public wifi” in Policy LU-P11.3 about telecommunications.
- Clarify what projects Action LU-A12.1 would apply to. This action is also not clear.
- There is no action for the Shoreview shopping center, only for the Bridgepoint and Bel Mateo shopping centers. Add an action for the Shoreview shopping center.
- Add an action about jobs housing balance. Mountain View’s East Whisman Precise Plan has a requirement of 3 units of housing to be built for every 1,000 feet of commercial. Redwood City’s General plan also specifies a maximum additional residential capacity of 2,500 units, a maximum additional office capacity of 574,667 and a maximum additional retail capacity of 100,000 sq. ft. within their Downtown area. Would like to see a similar action in the General Plan.
- There is an area in the Land Use Map that is designated mixed use low right next to State Route 92, across from The Fish Market, City Council asked for this parcel to be designated as mixed use medium but it was recorded in the notes as mixed use low. Note to staff to go back and watch the recording to double check.
- Add an action to increase the urban tree canopy while maintaining existing trees as much as possible. Identify neighborhoods with less street tree canopy and adopt programs to add climate adapted trees to the right of ways and front yards of adjacent properties.
- Add an action under the Hillsdale Station Area about working with Caltrain to make the station accessible for biking.
- Ensure there are roughly equal heights along contiguous blocks. There are some blocks where it goes from residential to mixed use. Important where it changes to residential and mixed use to have a consistent height between these types of land uses.
- Add mention about having less paved surfaces that reflect heat in our city under climate change and sustainability.
- Add a policy or action about green infrastructure in multi-unit developments under climate change and sustainability.
- Consider how Assembly Bill (AB) 297 would eliminate parking requirements for projects within a certain distance of transit.
- Think about how the City is moving towards reallocating the public space for a wider variety of uses that could be used by small businesses.
- Mixed use should not only include office and residential, but it can also include commercial service type of uses.
- High speed rail is a huge land use issue that should be addressed further. Add a reference to preserving access to Downtown and neighborhoods.

MEMORANDUM

DATE September 29, 2022
TO San Mateo City Council
FROM Joanna Jansen and Angelica Garcia, PlaceWorks
SUBJECT Summary of Planning Commission Input on the Draft Policies and Actions

This memorandum summarizes the Planning Commission (PC) input on the draft policies and actions from their meeting on September 27, 2022. The PC reviewed and provided feedback on the policies and actions for the Land Use, Community Design and Historic Preservation, and Safety Elements.

LAND USE ELEMENT

- General agreement with the General Plan Subcommittee's input on the Land Use Element.
- The following comments were made about Goal LU-1:
 - Replace "orderly" with "balanced" and "citizens" with "residents" in Goal LU-1.
 - Replace "plan carefully for orderly growth" with "implement sustainable and equitable growth" in Goal LU-1. Add "environmental" after "economic."
 - One Commissioner was okay with keeping "orderly" but recommends adding "balanced."
 - Include an action or policy in the General Plan that give the PC a tool to ensure that the City has balanced jobs and housing growth over the next 20 years. Examples of specific plan policies were provided:
 - East Whisman Precise Plan encourages a healthy jobs and balance ratio by requiring 3 units of housing for every 1,000 square feet of commercial.
 - Redwood City's Downtown Specific Plan specified maximum limits for new residential units, office space and new retail space.
 - One Commissioner was unsure if the General Plan should set requirements or caps for the number of new residential units and commercial or retail office space. Instead, they recommended adding an action that says "study the possible implementation of jobs-housing balance guidelines."
- The following comments were received about Policy LU-P1.1:
 - Consider how we can lift up places like North Central and gain parity with more affluent neighborhoods without displacement. Look at actions that will meaningfully achieve this issue. Provide examples from other jurisdictions.
 - Add "place an emphasis on desegregating high-value neighborhoods through innovative approaches and by integrating affordable housing into those areas."
- The following comments were received about Action LU-A1.1:

- Make the language more specific.
- Change “periodically” to “yearly” or set a time period. The City could track office and retail development on a yearly basis, consistent with how housing is tracked.
- Flesh out what community benefits we are looking for as early as possible. Do not aggregate the jobs-housing balance. Community benefits in exchange for taller heights could include fair labor provisions, or metrics for maintaining a jobs housing balance, and below market rate housing above the required amounts. One Commissioner suggested a new action to “study community benefits prioritization or standards.” These comments are in reponse to Policy LU-P2.2.
- Revise Policy LU-P3.1 to say “individuals, families and households.”
- Add a new action in connection with Policy LU-P3.5 that says “study, and as feasible, implement economic incentives to encourage and sustain the development of support services, particularly in underserved areas.”
- Add “incentivize through fee reduction and visitor perks, sustainable modes of travel, to and from the city, to reduce both the use of air travel and gas powered vehicles” at the end of Policy LU-P3.7.
- Change the word “accessible” in Policy LU-P3.8 since the word can be used to refer to access for people with disabilities, which does not appear to be what this policy is referencing.
- Revise Policy LU-P3.9 to make the uses more general, instead of specifying uses. Recommended changes to air quality policies would add clarity to the statement that residential uses should be located as far as possible from roadways.
- Disagree with “establish residential densities consistent with surrounding densities” in Policy LU-P3.14 about school site reuse. Clarify and simplify this policy. Maintaining open space in the neighborhood is important as well.
- Agree with Policy LU-P5.2.
- Add language ensuring new plans for Bridgepoint include “robust and safe access for pedestrians, bikes, and transit riders to connect with the City’s transit corridors such as Caltrain and El Camino Real” in Action LU-A7.1.
- Incorporate the language Commissioner Nugent previously provided at the General Plan Subcommittee meeting for Action LU-A8.5. It is also important to improve housing conditions in North Central without displacement.
- Consider if Action LU-A8.1(d) could be a burden for small businesses.
- Add “focus the effects of climate calamities on the less advantaged communities and how to protect them from eminent danger and displacement, and just as importantly, how to rebuild their community after major incidences” at the end of Policy LU-P10.1.
- Change “five years” to “three years” for greenhouse gas inventories in Action LU-A10.3.
- Revise Action LU-A10.4 to include “map out potential microgrid locations and partner with Peninsula Clean Energy to implement a sustainable and resilient system that can be used as a pilot program for locally generated power not reliant on outside power sources. The

districtwide system would also serve as a safe zone during times of interruption to the typical power sources.”

- Concerned about unintended outcomes that may result from Action LU-A12.1. Do not agree with studying fiscal neutrality on a project by project basis. Study a “balanced” fiscal neutrality policy. Link the study to a jobs-housing ratio and complete the fiscal analysis on a district level instead of parcel by parcel. Revise the action to strike out “that would require developers of projects that[...]Community Facilities Districts.” Add “Any fiscal neutrality policy shall be linked to a jobs-housing balance goal.”
- One Commissioner requested more information on why fiscal neutrality is being included in the General Plan.
- Add an action below Goal LU-13 that says “streamline new residential construction when they meet objective design standards.”
- Add a statement in the General Plan that says “make climate change the overriding factor in amending the General Plan as it pertains to all other elements of the plan. Implement actions to improve and prevent the known and projected affects of climate change”.
- Add a new action to “partner with the County of San Mateo and other jurisdictions to explore the feasibility of a public bank focused on local infrastructure funding and efforts to alleviate impacts of climate change.”
- Use “displacement” instead of “gentrification” in the policies and actions.
- Add an action focused on increasing the urban tree canopy.
- Agree with the environmental justice policies and actions.

COMMUNITY DESIGN AND HISTORIC PRESERVATION ELEMENT

- There was a question about whether Policy CD-1.2 is still needed in the General Plan or if the policy should be deleted. Views of the hills are already being impeded by new development, e.g. in Fiesta Gardens or near Trader Joe’s.
- Define what the criteria is for a scenic roadway in Policy CD-1.3. It is important to see the foothills and the bay, but maintaining scenic views should not stifle housing.
- Policy CD-P2.1 is important.
- Ensure the requirement of replanting trees in Policy CD-P2.2 is not a burden on low-income residents.
- Delete “encourage planting of” and say “plant” instead in Policy CD-P2.7.
- The following comments were made about historic preservation and Goal CD-3:
- Concern historic districts may be a type of downzoning because it limits the use of the property to less than it would otherwise be.
- Add a policy to “fiscally offset a historic district designation that negatively affects affirmatively furthering fair housing due to the reduction of available land resources per the new designation.”
- Add a policy to “explore a moratorium on new historic districts until City has met current and past regional housing needs allocation for affordable housing.”

- Add a policy to “establish an ordinance that would prohibit a new historical district until it has met its fair share of affordable regional housing needs allocation quota within its boundaries.”
- Good objective design standards should recreate what people like about historic buildings. Fear of loss of beautiful buildings should be treated as legitimate and real. Create policies that can produce buildings the community would like to see at a scale that meets our needs and does not prevent development.
- Incorporate public awareness into all the actions under this goal.
- Historic preservation embodies shared community history and how we make meaning in our own lives. Architecture, history, memory, and meaning all come into play. State and federal standards are about events and people, not just buildings.
- Need updated and complete surveys and draft standards about historic resources. Facilitate dialog about what is worthy of preservation to make things less adversarial and more about a shared value of where we live.
- There needs to be clear language in the policies.
- Define the “local historic preservation objectives” mentioned in Action CD-A3.2. Defining the objectives should involve community engagement.
- Make the definition of how resources are designated as historic stronger. This comment was in response to Policy CD-P3.3.
- Add “ensure that the public is aware of all the factors the City must consider in approving or denying a project and how past segregation policies adversely affect disadvantaged communities today and what the City is doing today to address these legacy issues” to Policy CD-P3.4. One commissioner agrees with the revisions requested by the San Mateo Heritage Alliance.
- There were several comments about the word “character” in Goal CD-4 and Goal CD-5:
 - One Commissioner said to be thoughtful and specific about what the City means when we say “character.”
 - One Commissioner asked what is San Mateo’s “unique character”?
 - One Commissioner believes the public thinks “character” means being able to look at example buildings they like and example buildings they do not like and ask for rules to encourage or require new development to produce results that look like buildings most people like.
 - One Commissioner recommended saying “physical characteristics” or a similar term to avoid confusion that “character” refers to people. They also recommended that there should be an action to establish a “brand identity package” for the City.
- Delete “encourage” and replace with “include” in Policy CD-P4.9.
- There was a question about whether we want to keep “maintain the existing quality of all neighborhoods” as mentioned in Goal CD-5. Revise this goal to say “balance the growth and evolution of residential neighborhoods with the need to maintain and enhance their existing characteristics and physical qualities, if and when such are defined in the General Plan, through the appropriate design of new development.”

- The following comments were made about Policy CD-P5.1.
 - Unclear what “compatible” means.
 - Avoid stark differences in building mass within a single block. As we update zoning throughout the city we should make blocks internally consistent. .
 - Another Commissioner noted that very tall multi-family homes could cause privacy issues for adjacent single family residences.
- Change the language in Policy CD-P5.3 and/or Policy CD-P5.4 to make these policies similar to one another since they are both discussing design standards, except one policy is for single family and the other is focused on multi-family. Could say “encourage” instead of “ensure” in Policy CD-P5.4.
- Revise Policy CD-P6.2 to say “locate windows and active uses along ground floor.”
- The PC provided the following comments about Policy CD-P6.3:
 - Façade breaks and setbacks in upper floors do not necessarily result in architectural designs that the community likes. Public preference tends to favor pre-war buildings that are designed beautifully and include intricate human-scale details, even when they are tall and upper stories do not step back
 - This policy is important but has to be based on more refined architectural and sociological understanding. The way to respect existing scale is by focusing on the architectural detail and the building width and rhythm. Develop objective design standards that avoid massiveness and monotony at ground level for new development anywhere we expect people to walk.
 - Do not overdo step-back requirements in San Mateo.
 - Delete text after “by providing breaks...”. One Commissioner did not agree with striking out this text.
 - This policy should be specific but maybe stepping back upper floors is not the right solution.
- Revise Policy CD-P6.5 to instead say “encourage commercial projects to avoid providing required parking that is visible from the ground floor or results in blank walls along any visible façade.”
- Policies CD-P3.1 and CD-P3.2 are too vague. Incorporate stronger language similar to what is included in the letter from San Mateo’s Heritage Alliance.
- The following comments were made about the letter from San Mateo Heritage Alliance related to historic resources:
 - Agree with including Goal CD-3.1. Maybe this goal can replace Policy CD-P3.1.
 - Goal CD-3.2 goes too far and should not be included.
 - There was a discussion about Action CD-A3.1, which should have been labeled as a policy in the letter. One Commissioner believes the 45-year threshold is too restrictive and the other Commissioners agreed.
 - Agree with Action CD-A3.3 (public appreciation) and Action CD-A3.5.
- Add a policy or action in the General Plan that encourages minor commercial uses, such as corner stores, in residential neighborhoods.

- One Commissioner asked if the City has defined the local historic preservation objectives mentioned in Action CD-A3.2 or if the objectives will be defined at a later date. City staff confirmed the City defined objectives in 1989, but this action brings up the need to update the objectives and fill in gaps with the City's historic preservation program.

SAFETY ELEMENT

- Add "focus primarily on areas identified by the City as underserved and most vulnerable to loss of life and property due to proximity to hazardous incidences. Work to ensure funding is available to these communities as a key component of emergency readiness." to Policy S-P1.1.
- Add "water treatment plants and pump stations" to Policy S-P1.3.
- Add "with special emphasis on the areas of concentration with less advantaged communities who are primarily located in areas of high degree of displacement due to climate catastrophes" to Action S-A1.4.
- Ensure that the safety of vulnerable road users like pedestrians is also factored into Policy S-P1.8.
- There was a question of whether the City has an inventory of unreinforced masonry buildings. If the City does not have an inventory, add an Action to "create an inventory."
- Delete "as needed" in Action S-A3.4.
- Add "study feasibility of the formation of a sea level rise overlay zone which would allow for the creation of adaptation policies, rule, or construction codes unique to this area" to Policy S-P4.1, or create a new policy. Add a statement to coordinate this work with the Climate Action Plan.
- Change "continue" to "commit" in Action S-A4.2. Make sure the City is using the best information available.
- Revise Action S-A4.3 to include "create an independent staff position." However, the Commissioner noted that the needed coordination would likely require multiple staff.
- Unsure if Action S-A4.5 applies to San Mateo.
- Add "continue" to the beginning of Policy S-P5.2.
- Add a policy under Goal S-7 focused on reducing per capita energy use.
- Consider how the need for cell coverage is increasing. May want to rephrase Policy S-P7.4 since it may no longer be a good idea to balance cell coverage with the desire to minimize visual impacts.
- In response to Policy S-P7.5, consider adding a policy or action about public wifi. Other cities have available and free public wifi. The PC agreed with adding a new policy to encourage free public wifi.
- The slope stability and shaking amplification maps are concerning, especially when considering where the City has placed public safety infrastructure. The substation in Zone A is providing the City with 65% of it's power. This substation is below sea level and subject to extremely high shaking amplification. A brand new wastewater treatment facility is also

being built in Zone A. Every police and fire station is in a high hazard area. The sea level rise map uses 45.5" inundation by 2100, but that figure will probably be tripled. San Mateo County is the most vulnerable county in the State to sea level rise.

- Continue working with OneShoreline. Sea level rise and inland flooding will determine San Mateo's survival over the next 20 years. Need regional help on shoreline, but the City has a responsibility to look at all public safety facilities and figure out best way to mitigate problems or move the facilities. The City should reach out to partners and put together plans to upgrade facilities. The General Plan is an extremely important document and needs to make substantial changes in how we program and site our critical public infrastructure safety components. Narrative about sea level rise will be very important for the public to understand. Explain what the role of the City is. Will take comprehensive and holistic planning that extends beyond City limits.
- Add a new action to "study options for, and set aside stable, dedicated general fund dollars, to support the efforts within the General Plan including sufficiently supporting OneShoreline."
- Some hazards are also covered in the California Building Code.



2. LAND USE ELEMENT

These suggested revisions to the draft goals, policies and actions are based on input provided by staff, community members, the General Plan Subcommittee and the Planning Commission, and are shown in italics and track changes. For policies and actions with suggested revisions, they are listed below the original draft language that was published in July for comparison purposes.

GOALS AND POLICIES

BALANCED, ORDERLY, AND EQUITABLE GROWTH AND PRESERVATION

GOAL LU-1

Plan carefully for orderly growth that provides ample housing and job opportunities for all citizens, maximizes efficient use of infrastructure, limits adverse impacts to the environment and improves social, economic, and health equity.

Plan carefully for ~~orderly~~-balanced growth that provides ample housing which is affordable at all levels and job opportunities for all ~~citizens~~community members, maximizes efficient use of infrastructure, limits adverse impacts to the environment and improves social, economic, ~~environmental~~, and health equity.

POLICIES

Policy LU-P1.1

Equitable Development. Prioritize development projects that significantly address social and economic needs of the economically vulnerable populations to address and reverse the underlying socioeconomic factors in the community that contribute to residential and social segregation in the city. (*Environmental Justice*)

***Equitable Development.** Prioritize development projects that significantly address social and economic needs of the economically vulnerable populations to address and reverse the underlying socioeconomic factors in the community that contribute to residential and social segregation in the city. Provide a range of housing types, sizes, and affordability levels in all San Mateo neighborhoods. (Environmental Justice)*

Policy LU-P1.2

Optimize Development Opportunities. Require new development in major commercial areas such as in the Downtown area, Caltrain station areas, and along El Camino Real to maximize the density and intensity specified in the Land Use Plan.

Optimize Development Opportunities. ~~Encourage~~**Require** new development in major commercial and TOD areas, ~~including such as in~~ the Downtown area, Caltrain station areas, and ~~along~~ El Camino Real corridor, to maximize the density and intensity specified in the Land Use Plan.

Policy LU-P1.3

Mixed-Use. Encourage mixed-use developments to include a residential component, provide greater proximity between jobs and housing, promote pedestrian activity, and reduce traffic congestion.

Mixed-Use. Encourage mixed-use developments to include ~~a~~ increased residential components to provide greater proximity between jobs and housing, promote pedestrian activity, and reduce traffic congestion and VMT.

Policy LU-P1.4

Surplus Land. Consider redesignating surplus land not required for parking lots or rail transportation to allow transit-supportive development that is compatible with adjacent uses.

Surplus Land. Consider redesignating ~~surplus City owned~~ land not required for ~~parking lots or rail transportation~~ public uses, facilities or infrastructure to allow for affordable housing. ~~transit-supportive development that is compatible with adjacent uses.~~

Policy LU-P1.5

Legal Non-conforming Developments. Allow legally established non-conforming uses and buildings to be maintained, have minor expansions where appropriate, and be reconstructed if destroyed by fire or natural disaster. Encourage reconstruction and/or minor expansions to have a design that is visually compatible with surrounding development and complies with the City's development standards.

Policy LU-P1.6

Annexation. Annex urbanized areas of the unincorporated land adjacent to the City limits where landowners petition the City to be annexed, subject to the following conditions:

- a. The annexation is comprehensive, rather than piecemeal; and
- b. Landowners will pay the full cost of City services, will assume a proportionate share of existing City debts, and will contribute to the existing capital improvements of the City which will benefit the area to be annexed.

Policy LU-P1.7

New Development within the Sphere of Influence. Work with San Mateo County to require new developments and related infrastructure within the Sphere of Influence to be consistent with the City's General Plan, Zoning Code requirements, and development standards.

Recommended New Policies

Jobs to Employed Resident. Strive to maintain a reasonable balance between potential job generation and the local job market with a goal of one job for each employed resident.

Jobs to Housing Fit. Strive to maintain a reasonable balance between employment income levels and housing costs within the city, recognizing the importance of housing choice and affordability to economic development in the City.

ACTIONS

Action LU-A1.1 **Review of New Development.** Periodically review actual growth of both housing units and jobs (commercial/office floor area) and make adjusts to infrastructure and circulation requirements, as necessary, if actual growth is exceeding projections.

Review of New Development. ~~Periodically~~ Review actual growth of both housing units and jobs (commercial/office floor area) on an annual basis. Use this information to monitor jobs and housing units in San Mateo and to make adjust~~ments~~ to infrastructure and circulation requirements, as necessary, if actual growth is exceeding projections.

Action LU-A1.2 **Surplus Land Inventory.** Maintain a publicly accessible inventory of publicly owned sites.

~~Surplus~~-City Land Inventory. Maintain a publicly accessible inventory of publicly City owned sites.

GOAL LU-2 Balance well-designed development and thoughtful preservation.

POLICIES

Policy LU-P2.1 **Development Intensity/Density.** Regulate development density/intensity to recognize natural environmental constraints, such as flood plains, earthquake faults, debris flow areas and other hazards, availability of urban services, and transportation and circulation constraints.

Policy LU-P2.2 **Community Benefits.** Allow density/intensity bonuses based on provision of community benefits such as affordable housing, increased open space, public plazas or recreational facilities, and/or off-site infrastructure improvements above minimum requirements.

Community Benefits. Develop a framework to ~~allow~~ density/intensity bonuses and concessions in exchange for the ~~based on~~ provision of community benefits such as additional affordable housing, increased open space, public plazas or recreational facilities, and/or off-site infrastructure improvements above minimum requirements.

Policy LU-P2.3 **Building Height and Density.** ~~[Note: This policy will be developed after receiving input from the community and the City Council.]~~ <This policy will be developed based on direction provided at a future Council study session on Measure Y.>

Policy LU-P2.4 **Building Intensity.** ~~[Note: This policy will be developed after receiving input from the community and the City Council.]~~ <This policy will be developed based on direction provided at a future Council study session on Measure Y.>

Policy LU-P2.5 **Clustering.** Allow clustered development to maximize benefits to natural ecology, habitat conservation, and/or preservation of historic resources.

Clustering. ~~Allow~~ Encourage clustered development ~~to maximize~~ where benefits to natural ecology, habitat conservation, and/or preservation of historic resources can be achieved.

A DIVERSE RANGE OF LAND USES

GOAL LU-3 Provide a wide range of land uses, including housing, parks, open space, retail, commercial services, office, and industrial to adequately meet the full spectrum of needs in the community.

Provide a wide range of land uses, including housing, parks, open space, recreation, retail, commercial services, office, and industrial to adequately meet the full spectrum of needs in the community.

POLICIES

Policy LU-P3.1 **Housing Diversity.** Promote safe, attractive, walkable residential neighborhoods with diverse types and sizes of homes for individuals and families of all income levels.

Housing Diversity. Promote safe, attractive, and walkable residential neighborhoods with diverse types and sizes of homes for individuals, and families, and households of all income levels.

Policy LU-P3.2 **Commercial Development.** Encourage development that is compatible with the desired character of the area and with adjacent residential areas in terms of intensity of use, height, bulk, and design. Require commercial development adjacent to residential areas to appropriately address traffic, truck loading, trash/recycling, noise, visual impacts, public safety, hazardous material storage,

fire safety, air pollutant emissions, and odors in a way that minimizes impacts on neighboring uses.

Commercial Development. *Encourage development that is compatible with the desired character of the area and with adjacent residential areas, and provides appropriate transition in terms of intensity of use, height, bulk, and design. Require commercial development adjacent to residential areas to appropriately address circulation, traffic, truck loading, trash/recycling, noise, visual impacts, public safety, hazardous material storage, fire safety, air pollutant emissions, and odors in a way that minimizes impacts on neighboring uses.*

Policy LU-P3.3

Neighborhood Commercial Preservation. Encourage the preservation of small-scale, local-serving commercial uses in neighborhood shopping districts such as the 25th Avenue Shopping Center, Shoreview, Laurelwood, and Crystal Springs Village.

Neighborhood Commercial Preservation. *Encourage the preservation of ~~small-scale~~, local-serving commercial retail and service uses in neighborhood shopping districts. ~~such as the 25th Avenue Shopping Center, Shoreview, Laurelwood, and Crystal Springs Village.~~*

Policy LU-P3.4

Convenience Retail. Encourage and preserve convenience retail uses located adjacent to residential neighborhoods, including as part of new mixed-use development.

Policy LU-P3.5

Support Service Uses. Encourage businesses that provide a variety of support service uses such as restaurants, daycare facilities, medical clinics, gyms, pharmacies, and markets in locations that are appropriate to serve residential neighborhoods and commercial uses, prioritizing underserved areas of the city.

Policy LU-P3.6

Hotels. Encourage development of hotels in commercial areas and allow small "bed and breakfast" hotels in mixed-use districts where they are consistent with the density of adjacent uses.

Hotels. *Encourage development of hotels in commercial areas and allow small ~~"bed and breakfast"~~ hotels in mixed-use districts where they are consistent with the density of adjacent uses.*

Policy LU-P3.7

Visitor Economy. Collaborate with other Peninsula cities and San Mateo County to support the continued development of the visitor economy of both the City and the region, including lodging, entertainment, recreation, retail, and a lively local character; encourage uses that attract visitors to locate and stay in the City.

Visitor Economy. *Collaborate with other Peninsula cities and the San Mateo County Silicon Valley Convention and Visitors Bureau to support the continued development of the visitor economy of both the City and the region, including lodging, entertainment, recreation, retail, and a lively local events character;*

encourage uses that attract visitors to locate and stay in the City. Incentivize through fee reduction and visitor perks, sustainable modes of travel, to and from the city, to reduce both the use of air travel and gas-powered vehicles.

Policy LU-P3.8

Accessible Workplaces. Develop office buildings and business parks to facilitate transit, pedestrian, and bicycle commutes. Provide mixed-uses and connectivity to transit to reduce vehicle miles traveled (VMT).

***Accessible Workplaces.** Develop office buildings and business parks to facilitate transit, pedestrian, and bicycle commutes. Provide mixed-uses and connectivity to transit to reduce vehicle miles traveled (VMT).*

Policy LU-P3.9

Office Park Evolution. Support the transition of single-use office areas to research and development, bio-tech, and life sciences uses, and/or to mixed-use districts that include residential, retail, and services. Retain or locate offices closest to high-volume roadways and locate new residential uses as far as possible from high-volume roadways.

***Office Park Evolution.** Support the transition of single-use office parks areas to research and development, bio-tech, and life sciences uses, and/or to mixed-use districts that include residential, retail, office and/or services. Within an office site that is adding residential uses, rRetain or locate offices closest to high-volume roadways and locate new residential uses as far as possible from high-volume roadways.*

Policy LU-P3.10

Service Commercial. Retain service commercial and light industrial uses in San Mateo to support local businesses and to meet the needs of residents locally. Preserve properties that are zoned for service commercial uses and discourage uses that are allowed elsewhere in the City from locating in service commercial areas.

Policy LU-P3.11

Community Gathering Places. Provide and maintain inviting public spaces and streets that provide space for all members of the San Mateo community to meet, gather, and enjoy.

Policy LU-P3.12

Publicly Accessible Spaces. Integrate a variety of privately owned and maintained publicly accessible spaces into new development.

***Publicly Accessible Spaces.** Integrate a variety of privately owned and maintained publicly accessible spaces into new development, and require signage that clearly identifies these spaces as publicly accessible.*

Policy LU-P3.13

Cultural Facilities and Public Art. Recognize cultural facilities and public art as part of a healthy and thriving community. Use funds from the City's art in-lieu fee to enhance existing art and cultural facilities and encourage new facilities that reflect the character and identity of the surrounding neighborhoods.

Policy LU-P3.14

School Site Reuse or Redevelopment. Ensure that reuse or redevelopment of public school sites is compatible with surrounding land uses. At the time any school sites are being considered for non-educational uses, establish residential densities consistent with surrounding densities. Give first priority and consideration to community recreation needs for reuse of school sites in accordance with the priorities in the Open Space\Conservation Element. Where it is in the community's interests to retain public recreation facilities, consider allowing density transfers from the portion of the site retained in public recreation use, as a means of reducing the cost of retaining the recreation facilities and achieving the maximum amount of housing.

~~**School Site Reuse or Redevelopment.** *Encourage the School District to prioritize affordable housing and community recreation needs when a school site is planned for reuse or redevelopment, in accordance with the priorities in the Housing Element and Conservation, Open Space and Recreation Element. Ensure that reuse or redevelopment of public school sites is compatible with surrounding land uses. At the time any school sites are being considered for non-educational uses, establish residential densities consistent with surrounding densities. Give first priority and consideration to community recreation needs for reuse of school sites in accordance with the priorities in the Open Space\Conservation Element. Where it is in the community's interests to retain public recreation facilities, consider allowing density transfers from the portion of the site retained in public recreation use, as a means of reducing the cost of retaining the recreation facilities and achieving the maximum amount of housing.*~~

Policy LU-P3.15

Housing in Support of Institutions. Support the development of housing at institutions such as schools, churches, and other facilities of an educational, religious, charitable, or philanthropic nature as consistent with the mission of these organizations.

Policy LU-P3.16

Public Facilities. Encourage reuse or redevelopment of public facilities to residential and/or recreational uses that provide a public benefit to the community.

ACTIONS

Action LU-A3.1

Permitted Uses. Reevaluate the types of commercial uses that are permitted and that require a special use permit in all commercial districts to ensure requirements are forward looking and aligned with current economic needs and trends.

Action LU-A3.2

Major Institutions/Special Facilities. Work with relevant agencies and organizations to support the long-term viability of major institutions and special facilities that provide important recreational, educational, or medical services, such as the San Mateo County Events Center, College of San Mateo, San Mateo

County Hospital, Mills Health Center, and Peninsula Golf and Country Club. Encourage development that is consistent with the primary goal of the institution. Require a Specific Plan and/or Master Plan to guide reuse or redevelopment of institutions and special facilities in a way that is sensitive to adjacent neighborhoods.

Recommended New Action

Incentives for Support Services. Study and, as feasible, implement economic incentives to encourage and sustain the development of support service uses, particularly in underserved areas.

FOCUSED PLANNING AREAS

DOWNTOWN

GOAL LU-4	Maintain downtown San Mateo as the economic, cultural, and social center of the community.
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POLICIES

Policy LU-P4.1 **Downtown Land Uses.** Allow and encourage a wide range of residential, office, medical, dining, entertainment, and retail uses downtown, at high intensities and densities, with strong connectivity to the San Mateo Caltrain station and other transit.

Downtown Land Uses. Allow and ~~encourage~~ **prioritize** a wide range of residential, ~~office, medical,~~ dining, entertainment, ~~and retail~~ **lodging and other commercial** uses downtown, at high intensities and densities, with strong connectivity to the San Mateo Caltrain station and other transit.

Policy LU-P4.2 **Quality of Downtown Development.** Promote quality design of all new development that recognizes the regional and historical importance of Downtown San Mateo and strengthens its pedestrian-friendly, historic, and transit-oriented character.

Policy LU-P4.3 **Significant Historic Structures.** Protect key landmarks, historic structures, and the historic character of downtown as defined in the Community Design Element.

ACTIONS

Action LU-A4.1 **Downtown Area Plan.** Update the Downtown Area Plan to support and strengthen the Downtown as a vibrant and active commercial, cultural, and social district. The updated Downtown Area Plan shall align with the General Plan, integrate recommendations from other concurrent City efforts, focus growth and intensity in proximity to the Caltrain station, update parking

standards and parking management strategies, allow for increased housing units and density, and support high quality pedestrian-oriented design and architecture.

Downtown Area Plan. Update the Downtown Area Plan to support and strengthen the Downtown as a vibrant and active commercial, cultural, and community gathering ~~social~~ district. The updated Downtown Area Plan shall align with the General Plan, integrate recommendations from other concurrent City efforts, focus growth and intensity in proximity to the Caltrain station, update parking standards and parking management strategies, allow for increased housing units and density, and support high quality pedestrian-oriented design and architecture.

Action LU-A4.2

Downtown Special Events. Continue to provide City assistance and support for Downtown activities and special events.

EL CAMINO REAL

GOAL LU-5

Promote residential land uses along and improvements to El Camino Real to strengthen its role as both a local and regional corridor.

POLICIES

Policy LU-P5.1

Housing on El Camino Real. Encourage new residential uses along El Camino Real, as part of both pure residential and mixed-use development, to diversify the existing commercial character.

Policy LU-P5.2

El Camino Real Landscaping. Retain the general residential and landscaped character of El Camino Real north of Tilton Avenue. Promote the visual upgrading of El Camino Real south of 9th Avenue through increased landscaping, coordination of public improvements, property maintenance, and sign control, and through conformance with the El Camino Real Master Plan.

ACTION

Action LU-A5.1

Multi-modal Improvements. Collaborate with Caltrans and other partners to plan and design improvements to El Camino Real that will prioritize safe, convenient transit and alternative transportation.

Multi-modal Improvements. Collaborate with Caltrans and other partners to plan and design improvements to El Camino Real that will prioritize safe and, convenient transit, bicycling, and walking. ~~and alternative transportation.~~

HILLSDALE STATION AREA

GOAL LU-6	Promote transit-oriented development around the Hillsdale Caltrain station.
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POLICIES

Policy LU-P6.1 **Rail Corridor Transit-Oriented Development Plan (Corridor Plan).** Implement the Corridor Plan to allow, encourage, and provide guidance for the creation of world class transit-oriented development (TOD) within a half-mile radius of the Hillsdale Caltrain station area, while maintaining and improving the quality of life for those who already live and work in the area.

Rail Corridor Transit-Oriented Development Plan (Corridor Plan). Continue to ~~implement~~ the Corridor Plan to allow, encourage, and provide guidance for the creation of world class transit-oriented ~~development~~ **mixed-use** development (TOD) within a half-mile radius of the Hillsdale Caltrain station area, while maintaining and improving the quality of life for those who already live and work in the area.

Policy LU-P6.2 **Hillsdale Shopping Center.** Allow redevelopment of the Hillsdale Shopping Center for a mix of uses, including commercial, retail, office, hotel, and residential uses. Require preparation of a Master Development Plan to ensure the site is developed comprehensively and provides appropriate transitions to the adjacent neighborhoods.

Hillsdale Shopping Center. Allow redevelopment of the Hillsdale Shopping Center for a mix of uses, including commercial, retail, office, hotel, and residential uses. Require Update the Hillsdale Station Area Plan or require ~~preparation of a Master Development Plan~~ to ensure the site is developed comprehensively and provides appropriate transitions to the adjacent neighborhoods.

ACTION

Action LU-A6.1 **Hillsdale Station Area Plan.** Update the Hillsdale Station Area Plan to foster higher density residential and mixed-use, transit-oriented development that connects to neighborhoods to the east and west, improves bicycle and pedestrian circulation, and adds park and open space areas.

Hillsdale Station Area Plan. Update the Hillsdale Station Area Plan to foster higher density residential, office and mixed-use, transit-oriented development that connects to neighborhoods to the east and west, improves bicycle and pedestrian circulation to the Station, and ~~adds-increases~~ park and open space areas.

SHOPPING ~~CENTERS~~ AREAS IN TRANSITION

GOAL LU-7

Support the transition of shopping centers designated for new uses into vibrant districts with a range of housing, shopping, services, and jobs.

Support the transition of shopping ~~centers~~ areas designated for new uses into vibrant districts with a range of housing, shopping, services, and jobs.

POLICIES

Policy LU-P7.1

Bridgepointe, Shoreview, and Bel Mateo Shopping Centers. Support redevelopment of the Bridgepointe, Shoreview, and Bel Mateo shopping centers with mixed-use development that includes retail, services, and housing. Promote ongoing retail and services on these sites through design treatment, access, and signage.

Shopping CentersAreas in Transition. Support ~~redevelopment of the Bridgepointe, Shoreview, and Bel Mateo the long-term viability of shopping centers and districts that provide neighborhood-serving uses by allowing these sites to redevelop~~ with higher density mixed-use development that includes retail, services, open space, and housing. ~~Promote ongoing retail and services on these sites through design treatment, access, and signage.~~

ACTIONS

Action LU-A7.1

Bridgepointe Area Plan. Update and consolidate the Bridgepointe Master Plan and Mariner's Island Specific Plan into one planning document to guide redevelopment of the Bridgepointe Shopping Center into a mixed-use neighborhood with a diverse range of housing types, including affordable housing; new parks and recreational facilities; community gathering places; ample facilities to support transit, biking, and walking; and a range of businesses and services.

Bridgepointe Area Plan. Update and consolidate the Bridgepointe Master Plan and Mariner's Island Specific Plan into one planning document to guide redevelopment of the Bridgepointe Shopping Center into a mixed-use neighborhood with a diverse range of housing types, including affordable housing; new parks and recreational facilities; community gathering places; ample facilities to support transit, biking, and walking; and a range of businesses and services. The plan shall include safe access for pedestrians, bikes, and transit riders from Bridgepointe to the City's transit corridors, such as Caltrain and El Camino Real.

Action LU-A7.2

Bel Mateo Area Plan. Prepare a Specific Plan or Master Plan to guide redevelopment of the Bel Mateo area into a mixed-use neighborhood with a diverse range of residential and neighborhood serving commercial uses and amenities, and publicly-accessible park and open space areas.

Bel Mateo Area Plan. Prepare a Specific Plan or Master Plan to guide redevelopment of the Bel Mateo area into a mixed-use neighborhood with a diverse range of residential and neighborhood serving commercial uses and amenities; ample facilities to support biking and walking; and publicly-accessible park and open space areas.

ENVIRONMENTAL JUSTICE

GOAL LU-8

Support the equitable health and well-being of all neighborhoods in San Mateo and all members of the San Mateo community by improving conditions in equity priority communities.

COMMUNITY HEALTH

POLICY

Policy LU-P8.1

Prioritizing Community Health. Continue to support health and well-being in equity priority communities by prioritizing public safety, resolving land use conflicts and incompatible uses that pose risks to health or safety, remediating contamination, and enforcing building code standards. (*Environmental Justice*)

ACTIONS

Action LU-A8.1

Collaborations for Community Health. Develop intentional, strategic, and mutually beneficial relationships with organizations engaged in improving public health and wellness, expanding access to affordable quality health care, and providing medical services for all segments of the community. Encourage greater emphasis on expanding or improving health services in equity priority communities. (*Environmental Justice*)

Action LU-A8.2

Health Disparities. Coordinate with the San Mateo County Public Health Department to promote healthier communities through education, prevention, intervention programs, and other activities that address the root causes of health disparities and inequities in San Mateo. (*Environmental Justice*)

Action LU-A8.3

City Investment. Use funds collected by the park impact fee to invest in programs and public improvements that connect residents with opportunities to increase their physical activity and improve their health, especially in equity priority communities with higher risk of negative public health outcomes. (*Environmental Justice*)

City Investment. Use funds collected by the park impact fee to invest in programs and public improvements that connect residents with opportunities to increase their physical activity and improve their health, especially in equity priority communities with higher risk of negative public health outcomes. Identify new funding sources for programs and public improvements, if needed. (Environmental Justice)

EQUITY PRIORITY COMMUNITIES

POLICIES

Policy LU-P8.1 **Community Preservation.** Prevent gentrification and displacement in the equity priority communities by protecting tenants, helping homeowners remain in place, and funding affordable housing. (Environmental Justice)

Community Preservation. Prevent ~~gentrification and~~ displacement in ~~the~~ equity priority communities by protecting tenants, helping homeowners remain in place, and funding affordable housing. (Environmental Justice)

Policy LU-P8.2 **Access to Parks and Recreation.** Provide attractive, comfortable, and safe pedestrian and bike access to public parks and recreational facilities in and near North Central. Continue to maintain King Center since it is a critical facility in the neighborhood. (Environmental Justice)

Access to Parks and Recreation. Provide attractive, comfortable, and safe pedestrian and bike access to public parks and recreational facilities in and near North Central. ~~Continue to maintain King Center since it is a critical facility in the neighborhood.~~ (Environmental Justice)

Recommended New Policy

Martin Luther King Community Center. Improve and maintain the King Center as an important neighborhood-serving community and recreational facility. (Environmental Justice)

ACTIONS

Action LU-A8.4 **Streetscape and Safety Improvements.** Work with residents in equity priority communities to identify sidewalk, lighting, landscaping, and roadway improvements needed to improve routes to parks, schools, recreation facilities, and other destinations within the community. Prioritize investments to address health disparities in equity priority communities in the annual Capital Improvement Program. (Environmental Justice)

Action LU-A8.5 **North Central Plan.** Prepare a plan for North Central that addresses the community's health and safety needs and improves circulation patterns in the

neighborhood based on community direction. Balance safety improvements with preserving the existing parking supply. *(Environmental Justice)*

North Central Plan. Prepare a plan for North Central Neighborhood that addresses the needs of the community's including health and safety needs and improves circulation patterns in the neighborhood based on community direction. The plan shall seek to make the Neighborhood's streets measurably safer while improving ADA accessibility and ensuring an adequate on-street parking supply. Changes shall be developed and enacted with the express purposes of improving health, safety, welfare, and comfort for the members of the community. Balance safety improvements with preserving the existing parking supply. *(Environmental Justice)*

Action LU-A8.6

City Services. Work with residents in equity priority communities to identify services that the City or other partners could provide to improve safety and security in these neighborhoods. *(Environmental Justice)*

City Services. Work with residents in equity priority communities to identify services that the City or other partners could provide to improve safety, sanitation, and security in these neighborhoods. *(Environmental Justice)*

Action LU-A8.7

Neighborhood Beautification. Partner with neighborhood organizations in equity priority communities to support and promote neighborhood clean-up and beautification initiatives. *(Environmental Justice)*

Neighborhood Beautification. ~~Partner with neighborhood organizations in equity priority communities to~~ support and promote neighborhood clean-up and beautification initiatives in equity priority communities, including in partnership with neighborhood organizations. *(Environmental Justice)*

ACCESS TO HEALTHY FOOD

POLICIES

Policy LU-P8.1

Locally-Grown Food. Use funds from the City's Park Impact fee to increase access to fresh food by allowing and encouraging local food production, micro agriculture, edible landscapes, rooftop gardens, community gardens, and urban farms, and by distributing information about community-supported agriculture programs that provide affordable access to fresh food. *(Environmental Justice)*

Locally-Grown Food. ~~Use funds from the City's Park Impact fee to~~ Increase access to fresh food by allowing and encouraging local food production, micro agriculture, edible landscapes, rooftop gardens, community gardens, and urban farms, and by distributing information about community-supported agriculture programs that provide affordable access to fresh food. *(Environmental Justice)*

Policy LU-P8.2 **Retail Food Sources.** Strive to ensure that all households in San Mateo, including those in equity priority communities, have access to retail sources of affordable healthy food, including organic options, such as full-service grocery stores, ethnic good markets, local food markets, produce markets, and convenience stores, by working to retain existing retail sources and attract new ones. *(Environmental Justice)*

Policy LU-P8.3 **Workplace Wellness.** Encourage worksite wellness through access to healthier food choices in vending machines and promotion of physical activity. *(Environmental Justice)*

Workplace Wellness. Encourage worksite wellness through access to healthier food choices in vending machines and promotion of physical activity. (Environmental Justice); <Outside of City's ability to implement.>

Policy LU-P8.4 **Healthy Food in Schools.** Support school district efforts to provide healthy foods in schools and other public institutions and encourage the school districts to distribute information on State and federal programs such as SNAP (Supplemental Nutrition Assistance Program), WIC (Women, Infants, and Children), and school lunch programs. *(Environmental Justice)*

Healthy Food in Schools. Support school district efforts to provide healthy foods in schools and other public institutions and encourage the school districts to distribute information on State and federal programs such as SNAP (Supplemental Nutrition Assistance Program), WIC (Women, Infants, and Children), and school lunch programs. (Environmental Justice); <Outside of City's ability to implement.>

ACTIONS

Action LU-A8.1 **Healthy Food Access.** Support the work of San Mateo County Health and other local partners to:

- a. Continue and expand the ability to use the Electronic Benefit Transfer (EBT) program at farmers' markets and other sources of healthy food.
- b. Implement programs to encourage markets to stock fresh produce and other healthy foods.
- c. Develop a public education program to promote healthier eating, such as nutrition workshops, health events, and school or after-school programs healthy eating and active living programs.
- d. Enlist restaurants in the CalFresh Restaurant Meals Program, which allows people at a high risk of chronic hunger to use CalFresh benefits to buy prepared meals at participating restaurants. *(Environmental Justice)*

Healthy Food Access. Support the work of San Mateo County Health and other local partners to:

- a. *Continue and expand the ability to use the Electronic Benefit Transfer (EBT) program at farmers' markets and other sources of healthy food.*
- b. *Implement programs to encourage markets to stock fresh produce and other healthy foods.*
- Develop a public education program to promote healthier eating, such as nutrition workshops, health events, and school or after-school programs healthy eating and active living programs.*
- c. Encourage restaurants to eEnlist restaurants in the CalFresh Restaurant Meals Program, which allows people at a high risk of chronic hunger to use CalFresh benefits to buy prepared meals at participating restaurants.
- e.d. Continue to provide and expand the subsidized Senior Lunch program at the San Mateo Senior Center and the Congregate Nutrition Program at the King Center Community Center. (Environmental Justice)

Action LU-A8.2 **Urban Agriculture.** Develop City regulations that encourage urban agriculture and farm stands, as appropriate. (Environmental Justice)

COMMUNITY ENGAGEMENT

GOAL LU-9 Include everyone in community development decisions for a shared, sustainable future.

POLICIES

Policy LU-P9.1 **Inclusive Outreach.** Notify the community when planning and development decisions are being considered and inform community members about how they can engage in the process. Use outreach and engagement methods that encourage broad representation and are culturally sensitive, particularly for historically underserved communities. (Environmental Justice)

- a. Prepare public notices and other materials in the predominant language(s) spoken in the community and provide interpretation services at meetings as needed.
- b. Make public notices and other important documents available in print at local libraries, community centers, or other gathering places.
- c. Use culturally appropriate approaches.
- d. When possible, schedule and locate meetings to be convenient for community members to attend.
- e. Use the City's website, social media, and other communication channels to share information about how community members can participate in public meetings.

- f. Gather data to understand the economic, gender, age, and racial diversity of the affected population before designing communications approaches aimed at reaching the affected population.
- g. Provide notification and outreach for development projects using clear and easy to understand language to ensure all stakeholders and interested community members understand and have the ability to engage in the development review process.

Policy LU-P9.2 **Equitable Engagement.** Provide support for increased community participation in the planning and development processes, particularly in areas with language barriers or a concentration of low income households that have been historically underrepresented and/or disproportionately impacted by traffic and municipal or industrial uses. *(Environmental Justice)*

Policy LU-P9.3 **Applicant Communications.** Require that sponsors of new development projects, especially those that require Planning Commission and/or City Council approval, have early, frequent, and meaningful communication with affected citizens and stakeholders, including members of equity priority communities. *(Environmental Justice)*

Applicant Communications. Require that sponsors of new development projects, especially those that require Planning Commission and/or City Council approval, have early, frequent, and meaningful communication with affected ~~citizens~~ community members and stakeholders, including members of equity priority communities. *(Environmental Justice)*

ACTIONS

Action LU-A9.1 **Trusted Partners.** Work with community-based organizations and trusted messengers to engage members of equity priority communities in planning decisions. *(Environmental Justice)*

Action LU-A9.2 **Community Surveys.** Periodically conduct statistically-reliable community surveys to gauge community service needs, policy preferences, and effective communication methods. *(Environmental Justice)*

Action LU-A9.3 **Communications Strategy.** Develop a communications strategy that outlines goals and tactics to engage a broad cross section of the community.

CLIMATE CHANGE AND SUSTAINABILITY

GOAL LU-10 Make San Mateo strong and resilient by acting boldly to significantly reduce greenhouse gas emissions and adapt to a changing climate.

Make San Mateo strong and resilient by acting ~~boldly~~ to significantly reduce greenhouse gas emissions and adapt to a changing climate.

POLICIES

Policy LU-P10.1

Effects of Climate Change. Consider the effects of climate change in updating or amending the General Plan, disaster planning, City projects, infrastructure planning, future policies, and long-term strategies. Recognize potential climate change consequences such as increased sea level rise, changing weather events, less drinking water availability, hotter temperatures, increased wildfire risk, changing air quality, and more heat-related health issues.

Effects of Climate Change. Consider the effects of climate change in updating or amending the General Plan, disaster planning, City projects, infrastructure planning, future policies, and long-term strategies. Recognize potential climate change consequences such as increased sea level rise, changing weather events, less drinking water availability, hotter temperatures, increased wildfire risk, changing air quality, and more heat-related health issues. Prioritize protecting equity priority communities from the disproportionate burden of climate hazards, including against risks of displacement and challenges in rebuilding after major incidents.

Policy LU-P10.2

Decarbonized Building Stock. Eliminate the use of fossil fuels as an energy source in all new building construction and reduce the use of fossil fuels as an energy source in the existing building stock.

Decarbonized Building Stock. Eliminate the use of fossil fuels as an energy source in all new building construction and reduce the use of fossil fuels as an energy source in the existing building stock at the time of building alteration.

Policy LU-P10.3

Sustainable Improvements. Ensure that all improvements to existing structures are developed or remodeled in a sustainable manner.

ACTIONS

Action LU-A10.1

Climate Action Plan Implementation. Reduce greenhouse gas emissions each year consistent with the Climate Action Plan.

Action LU-A10.2

Greenhouse Gas Emission Reductions. Monitor and report progress on the implementation of the City's adopted Climate Action Plan on an annual basis. Regularly review greenhouse gas emission reduction measures and new opportunities consistent with the Climate Action Plan.

Action LU-A10.3

Greenhouse Gas Inventory. Every five years, prepare an updated greenhouse gas emissions inventory consistent with the Climate Action Plan.

Action LU-A10.4

Renewable Energy. Increase new annual installations of solar or renewable energy systems consistent with the Climate Action Plan.

Renewable Energy. Increase new annual installations of solar or renewable energy systems consistent with the Climate Action Plan. Map out potential grid

locations and partner with Peninsula Clean Energy to implement a sustainable and resilient system that can be used as a pilot program for locally generated power not reliant on outside power sources.

- Action LU-A10.5** **Solar Energy.** Promote or join local partnerships and opportunities that offer renewable energy options to residents and/or help inform them of rebates and options while ensuring that the permit process is quick and inexpensive.
- Action LU-A10.6** **Building Decarbonization.** Evaluate and adopt reach codes and other policies to decarbonize the building stock.
- Action LU-A10.7** **Engaging the Public in the Climate Action Plan.** Provide public information to educate residents and businesses on the Climate Action Plan and to spark behavioral changes in individual energy and water consumption, transportation mode choices, and waste reduction.
- Action LU-A10.8** **Resilience of Critical Facilities and Public Infrastructure.** Identify critical facilities and public infrastructure in areas vulnerable to climate change hazards and work to site, design, and upgrade these facilities with consideration for future increases in severity that may occur over the anticipated life of the development. In cases where facilities cannot be sustainably maintained, evaluate the costs and benefits of relocation. Where facilities can be safely sited for the near term, but future impacts are likely, prepare an adaptive management plan detailing steps for maintenance, retrofitting, and/or relocation.

A SUSTAINABLE ECONOMY

GOAL LU-11 Cultivate a diverse, thriving, inclusive, and green economy.

ECONOMIC DEVELOPMENT

POLICIES

- Policy LU-P11.1** **Economic Development.** Prioritize the retention and expansion of existing businesses and attract new businesses that strengthen and diversify the City's economic base.
- Policy LU-P11.2** **Local Employment.** Encourage a diverse mix of uses that provide opportunities for employment of residents of all skill and education levels.
- Policy LU-P11.3** **State-of-the-Art Telecommunications.** Support the development of telecommunications policies and infrastructure to meet the needs of local businesses and attract new businesses.
- State-of-the-Art Telecommunications.** Support the development of telecommunications policies and infrastructure, including public wifi, to meet the*

needs of local businesses, support remote work options, and attract new businesses.

ACTIONS

Action LU-A11.1 **Jobs-to-Resident Match.** Develop programs to retain and attract businesses that provide a living wage, offer health insurance benefits, and match the diverse range of education and skills of San Mateo residents.

Action LU-A11.2 **Small Business Support.** Help small businesses stay and grow by offering tools and support such as multi-lingual outreach, assistance accessing financing opportunities, connecting with the Chamber of Commerce and Downtown Business Improvement District, and assistance understanding City requirements and preparing for code compliance.

***Small Business Support.** Help small businesses stay and grow by offering tools and support such as multi-lingual outreach, assistance accessing free educational services and financing opportunities, connecting with the Chamber of Commerce and Downtown San Mateo Association, Downtown Business Improvement District, and assistance understanding City requirements and preparing for code compliance.*

Action LU-A11.3 **Commercial Displacement.** Provide proactive support to local businesses affected by construction and redevelopment by communicating with business owners well in advance of construction, assisting in identifying potential locations for temporary relocation, and encouraging applicants for redevelopment projects to retain existing businesses.

Action LU-A11.4 **First Source Hiring.** Explore the feasibility of establishing a First Source Hiring Program requiring project applicants to make best efforts to hire new employees, workers, and subcontractors that are based in San Mateo County.

FISCAL HEALTH

GOAL LU-12 Create financial stability for the City to maintain the City's ability to finance public improvements, core infrastructure and essential services.

Create financial stability for the City ~~to by maintaining its the City's~~ ability to ~~finance~~ pay for public improvements, core infrastructure and essential services.

POLICIES

Policy LU-P12.1 **High City Revenue Generators.** Retain existing businesses and attract new businesses which are high City revenue generators to ensure adequate

resources to pay for infrastructure improvements and finance needed essential City services such as police, fire, parks, recreation and libraries.

High City Revenue Generators. Retain existing businesses and attract new businesses which are high-City-can generate high revenue for the City generators to ensure adequate resources to pay for infrastructure improvements and finance needed essential City services such as police, fire, parks, recreation and libraries.

Recommended New Policy

Commercial Linkage Fee. Maintain the City's commercial linkage fee assessed to new non-residential construction that recognizes the connection between increased workers in San Mateo and increased demand for housing. Use the fees collected to support the creation or preservation of affordable housing to assist the workers who will make lower or moderate wages and cannot afford the current housing market prices.

ACTIONS

Action LU-A12.1

Fiscal Neutrality. Study the feasibility and potential consequences of adopting a Fiscal Neutrality Policy that would require developers of projects that do not generate net revenue to the City to approve land-secured financing, such as Community Facilities Districts, to offset any difference between tax revenues and the cost of service.

FISCAL NEUTRALITY. STUDY THE FEASIBILITY AND POTENTIAL IMPACTS ~~CONSEQUENCES~~ OF ADOPTING A FISCAL NEUTRALITY POLICY THAT WOULD REQUIRE NEW DEVELOPMENT TO OFFSET ANY DIFFERENCE BETWEEN TAX REVENUES AND THE COST OF CITY SERVICES. THE POLICY SHOULD ALSO CONSIDER THE CITY'S GOALS TO PROVIDE A DIVERSE RANGE OF HOUSING AFFORDABLE TO ALL MEMBERS OF THE COMMUNITY.

DEVELOPMENT REVIEW

GOAL LU-13

Maintain Development Review and Building Permit processes that are comprehensive and efficient.

POLICIES

Policy LU-P13.1

Development Review Process. Review development proposals and building permit applications in an efficient and timely manner while maintaining quality

standards in accordance with City codes, policies, and regulations, and in compliance with State requirements.

Policy LU-P13.2 **Public Education.** Promote public awareness of the development review and permitting process.

Policy LU-P13.3 **Fee Information.** Maintain an updated schedule of fees and housing development affordability requirements, all zoning ordinances and development standards, and annual fee or finance reports on the City's website. In addition, maintain archives of impact fee nexus studies, cost of service studies, or equivalent reports for ease of information sharing with the public.

REGIONAL COOPERATION

GOAL LU-14 Collaborate and communicate with other public agencies regarding regional issues.

POLICIES

Policy LU-P14.1 **Inter-Agency Cooperation.** Promote and participate in cooperative planning with other public agencies, such as the 21 Elements collaboration, and the jurisdictions within San Mateo County regarding regional issues such as water supply, traffic congestion, rail transportation, wildfire hazards, air pollution, waste management, fire services, emergency medical services, and climate change.

Policy LU-P14.2 **Public Agency Developments.** Require developments constructed by other governmental agencies to conform to the City's General Plan, Zoning Ordinance, and other development regulations to the extent legally possible.

Policy LU-P14.3 **Plan Bay Area.** Remain engaged in current and future long-range plans prepared by MTC, ABAG, and other regional organizations to influence and be aware of projected growth assumptions for San Mateo and regional priorities for transportation, infrastructure, and the economy that could affect the City.

GENERAL PLAN MAINTENANCE

GOAL LU-15 Ensure that the City's General Plan is consistent with State Law, legally adequate, and up-to-date.

POLICIES

Policy LU-P15.1 **General Plan Amendments.** Amendments to the General Plan shall be considered a maximum of four times per year to ensure that Elements remain consistent and that the overall effect of Plan amendments is considered.

General Plan Amendments. Amendments to the General Plan shall be considered ~~a maximum of four times per year~~ as needed to ensure that Elements remain consistent and that the overall effect of Plan amendments is considered.

Policy LU-P15.2

Specific and Master Plans. All adopted development plans, such as Specific Plans and Master Plans, should be consistent with this General Plan.

Specific and Master Plans. All adopted ~~development~~ plans, ~~such as including transportation plans~~, Specific Plans and Master Plans, ~~should~~ shall be consistent with this General Plan.

ACTIONS

Action LU-A15.1

Annual General Plan Progress Report. Submit an Annual Progress Report on the status of the General Plan implementation to the City Council and to the Office of Planning and Research by April 1 each year, per Government Code Section 65400.

Action LU-A15.2

Specific Plans and Master Plans. Review all adopted Specific Plans and Master Plans and determine if updates are needed for consistency with this General Plan or if any out-of-date plans should be retired.



5. COMMUNITY DESIGN AND HISTORIC PRESERVATION ELEMENT

These suggested revisions to the draft goals, policies and actions are based on input provided by staff, community members, the General Plan Subcommittee and the Planning Commission, and are shown in italics and track changes. For policies and actions with suggested revisions, they are listed below the original draft language that was published in July for comparison purposes.

GOALS AND POLICIES

NATURAL LANDSCAPES AND THE URBAN FOREST

GOAL CD-1	Preserve and enhance San Mateo's natural setting as an irreplaceable asset and the physical foundation of the community.
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POLICIES

Policy CD-P1.1	Respect for the Landscape. Encourage new development to respect and respond to the natural topography of San Mateo.
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Policy CD-P1.2	Preservation of Natural Focal Points. Preserve and enhance views of and access to the foothills and the Bay through the design of new development to the extent feasible.
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Preservation of Natural Focal Points. Preserve and enhance publicly accessible views ~~of and access~~ to the undeveloped foothills and the Bay through the design of new development, to the extent feasible.

Policy CD-P1.3	New Development Requirements. Require new developments to protect and enhance the character of scenic roadways and trails designated on Figure C/OS-4, including land uses, signs, screening, and preservation of view corridors.
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New Development Requirements. Require new developments adjacent to ~~protect and enhance the character of~~ scenic roadways and trails designated on Figure C/OS-4, to protect and enhance the visual and architectural character of these corridors, including ~~land uses, signs, screening, and~~ preservation of identified vista points, view corridors. **<Note: an updated Figure C/OS-4 will be published with the Draft General Plan.>**

GOAL CD-2	Protect heritage trees, street trees, and tree stands and maintain the health and condition of San Mateo's urban forest.
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POLICIES

- Policy CD-P2.1** **Tree Preservation.** Continue to preserve protected heritage and street trees throughout San Mateo.
- Tree Preservation.** Continue to preserve protected heritage and street trees throughout San Mateo, where feasible.*
- Policy CD-P2.2** **Replacement Planting.** Require replacement planting or payment of an in-lieu fee when the removal of protected heritage and street trees is permitted.
- Policy CD-P2.3** **New Development Requirements.** Require the protection of trees during construction activity; require that landscaping, buildings, and other improvements located adjacent to trees be designed and maintained to be consistent with the continued health of the tree.
- Policy CD-P2.4** **Public Awareness.** Pursue public awareness and education programs concerning the identification, care, and regulation of trees.
- Policy CD-P2.5** **Tree Maintenance.** Preserve and regularly maintain existing protected heritage and street trees to keep them in a safe, healthy, and aesthetic condition.
- Tree Maintenance.** Preserve and regularly maintain existing City-owned ~~protected~~ heritage and street trees to keep them in a safe and, healthy, ~~and~~ aesthetic condition.*
- Policy CD-P2.6** **New Development Street Trees.** Require street tree planting where feasible as a condition of all new developments.
- Policy CD-P2.7** **Street Tree Planting.** Encourage the planting of new street trees to increase the tree canopy throughout the city and especially in gateway areas and in tree deficient neighborhoods; encourage neighborhood participation in tree planting programs.
- Street Tree Planting.** ~~Encourage the planting of~~ Plant new street trees to increase the tree canopy throughout the city and especially in gateway areas and in tree deficient neighborhoods; encourage neighborhood participation in tree planting programs.*
- Policy CD-P2.8** **Tree Stand Retention.** Preserve the character of stands or groves of trees in the design of new or modified projects, where feasible.
- Tree Stand Retention.** Preserve the visual character of stands or groves of trees in the design of new or modified projects, where feasible.*

Recommended New Policy

***Tree Canopy.** Increase the tree canopy on public property, especially in equity priority communities and areas with a high heat index, by prioritizing funding for new street tree planting and maintenance.*

ACTION

Action CD-A2.1 **Tree Planting Funding.** Identify non-City funded tree planting programs and other funding sources for tree planting efforts on an annual basis.

Recommended New Actions

Urban Tree Canopy. *Identify neighborhoods with less street tree canopy and adopt programs to add climate adapted trees within the public right-of-way or in the front yards of adjacent properties where insufficient space exists within the public right-of-way.*

Tree Support for Low-Income Homeowners. *Explore funding sources and other forms of City support for low-income homeowners to plant and/or replace trees.*

HISTORIC RESOURCES

GOAL CD-3	Preserve historic and culturally important structures, assets, and districts to maintain San Mateo's special identity and continuity with the past.
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POLICIES

Policy CD-P3.1 **Historic Preservation.** Preserve historic buildings where feasible.

Historic Preservation. *Preserve-Identify and preserve historic, architectural and cultural resources, including individual properties, districts and sites, where feasible, to maintain San Mateo's sense of place and special identity, and to enrich our understanding of the city's history and continuity with the past.historic buildings where feasible.*

Policy CD-P3.2 **Historic Districts.** Consider the protection of concentrations of buildings which convey the flavor of local historical periods or provide an atmosphere of exceptional architectural interest or integrity, when they meet identified state and local standards.

Historic Districts, Buildings, and Sites. *Identify and preserve historic buildings, districts and sites. Actively identify and protect Consider the protection of concentrations of historic districts, buildings, and sitesbuildings-assets which convey the flavor of local historical periods or provide an atmosphere of exceptional architectural interest or integrity, when they meet national, state or local criteria.identified state and local standards.*

Policy CD-P3.3 **Historic Building Definition.** Define historic buildings as those that are on or individually eligible for the National Register of Historic Places, California Register of Historical Resources, or Downtown Historic District contributor buildings as designated in the 1989 Historic Building Survey Report, or as determined to be eligible through documentation contained in a historic resources report.

Historic Building Assets Definition. Define historic buildings-assets as those that are on or individually eligible for the National Register of Historic Places, California Register of Historical Resources, or Downtown Historic District contributor buildings as designated in the 1989 Historic Building Survey Report, or as determined to be eligible through documentation contained in a historic resources report.

Policy CD-P3.4

Public Awareness. Foster public awareness and appreciation of the City's historic, architectural, and archaeological resources and educate the community about how to preserve and improve these resources.

Public Awareness. Foster public awareness and appreciation of the City's historic, architectural, cultural, and archaeological resources and educate the community about how to preserve and improve these resources. Increase public appreciation through neighborhood workshops, public presentations, interpretive signage, and walking tours. Ensure the public is aware of all the factors the City must consider in approving or denying a project, how past policies adversely affected disadvantaged communities today, and what the City is doing to address these legacy issues.

Policy CD-P3.5

Historic Structure Renovation and Rehabilitation. Promote the renovation and rehabilitation of historic structures that conforms to the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Structures and the California Historical Building Code and prioritize historic structures for available rehabilitation funds.

Policy CD-P3.6

Historic Preservation Funding. Pursue and promote historic preservation funding sources to incentivize the protection of historic resources such as the California Mills Act Property Tax Abatement Program and Federal Historic Preservation Tax Incentives Program.

Policy CD-P3.7

Demolition Alternatives. Require an applicant to submit alternatives to full demolition on how to preserve a historic building as part of any planning application and implement methods of preservation unless health and safety requirements cannot be met.

Demolition Alternatives. Require an applicant to submit alternatives to full demolition on how to preserve a historic building-asset as part of any planning application and implement methods of preservation unless health and safety requirements cannot be met or the City Council makes a finding explaining the specific reasons why the social, economic, legal, technical, or other beneficial aspects of the proposed demolition outweigh the unavoidable adverse impacts to the historic resource.

ACTIONS

Action CD-A3.1

Historic Building Survey. Establish and maintain an inventory of architecturally, culturally, and historically significant structures and sites. Proactively maintain

an up-to-date historic resources inventory by seeking funding opportunities to update the historic survey.

Historic Building Assets Survey. Establish and maintain an inventory of architecturally, culturally, and historically significant structures, assets, and sites. Proactively maintain an up-to-date historic resources inventory by seeking funding opportunities to update the historic survey.

Action CD-A3.2

Historic Preservation Ordinance. Update and maintain the City's Historic Preservation Ordinance to be consistent with State and Federal standards and guidelines, and to support local historic preservation objectives.

Action CD-A3.3

Preservation Incentives. Create incentives to preserve historic and cultural resources, such as reducing parking requirements, allowing a flexible use, or establishing a transfer of development rights program.

Action CD-A3.4

Historic Design Standards. Create objective design standards for development within historic districts or adjacent to historic structures and/or culturally important sites to maintain the historic character of these resources.

Historic Design Standards. Create objective design standards for alternations to historic resources and new development within historic districts or adjacent to historic structures and/or culturally important sites ~~to maintain the historic character of these resources~~ that ensures projects have a contextual relationship with land uses and patterns, spatial organization, visual relationships, cultural and historic values, and relationships in height, massing, modulation, and materials. Use of the Secretary of the Interior's Standards as the basis for these objective design standards.

CITY IMAGE

GOAL CD-4

Develop and maintain an attractive urban fabric that reflects San Mateo's unique character.

Develop and maintain an attractive urban fabric that reflects San Mateo's unique visual and architectural character.

POLICIES

Policy CD-P4.1

Community Cohesion. Design new private development, streets, and public spaces to enhance social connection by providing street-fronting uses and community spaces, as appropriate.

Community Cohesion. Design new private development, streets, and public spaces to enhance social connection by providing human-scale street-fronting uses and community spaces, as appropriate.

Policy CD-P4.2

Gateways. Develop gateways that visually announce key entrances to San Mateo by creating distinctive architectural or landscape features at the following locations:

- a. Entrances to the Downtown;
- b. North and south ends of El Camino Real (SR 82);
- c. US 101 and Third Avenue;
- d. US 101 and Hillsdale Boulevard;
- e. Mariner's Island Boulevard and J. Hart Clinton Drive at the border of Foster City; and
- f. State Route 92 off-ramps at El Camino Real.

Gateways. *Develop gateways that visually announce key entrances to San Mateo by ~~creating-maintaining or establishing~~ distinctive architectural, art or landscape features. ~~at the following locations:~~*

- a. ~~Entrances to the Downtown;~~
- b. ~~North and south ends of El Camino Real (SR 82);~~
- c. ~~US 101 and Third Avenue;~~
- d. ~~US 101 and Hillsdale Boulevard;~~
- e. ~~Mariner's Island Boulevard and J. Hart Clinton Drive at the border of Foster City; and~~
- f. ~~State Route 92 off-ramps at El Camino Real.~~

Policy CD-P4.3

Sustainable Design. Encourage integration of sustainable design features and elements into the design of new buildings.

Sustainable Design. *Encourage integration of sustainable design features and elements into the design of new buildings, including green building materials.*

Policy CD-P4.4

El Camino Real (SR 82). Encourage improvements to the public right-of-way and private properties along El Camino Real that will make the corridor safer and more attractive for all users, such as redesigned transit stops, improved sidewalks, street trees and other pedestrian amenities, and updated/improved building facades. Incorporate the Guiding Principles of the Grand Boulevard Initiative into future plans for the El Camino Real corridor in San Mateo.

El Camino Real (SR 82). *Aspire to make El Camino Real a space to spend time, not just a corridor for people to pass through by. ~~Encouraging~~ improvements to the public right-of-way and private properties along El Camino Real that will make the corridor safer and more attractive for all users, such as redesigned transit stops, an improved ~~sidewalks, street trees and other~~ pedestrian ~~real~~amenities, and updated/improved building facades. Incorporate the Guiding Principles of the Grand Boulevard Initiative into future plans for the El Camino Real corridor in San Mateo.*

- Policy CD-P4.5** **Railroad Corridor.** Improve the railroad corridor to create a positive City image and an urban environment that supports a multimodal transportation network.
- Policy CD-P4.6** **Signage.** Maintain signage controls that appropriately regulate the design, size, type, illumination, and quantity of signs visible from corridors.
- Signage.** Maintain signage controls that appropriately regulate the design, size, type, illumination, and quantity of signs visible from corridors and create consistent signage that reinforces San Mateo's unique identity.*
- Policy CD-P4.7** **Public Open Space Design.** Seek opportunities to establish public open spaces in new developments and new public buildings, and promote innovative and creative designs to create exceptional and unique spaces.
- Public Open Space Design.** Seek opportunities to establish public open spaces in new developments and new public buildings, and promote innovative and creative designs to create exceptional, ~~and~~ unique and functional spaces. Require signage that clearly delineates these spaces as publicly accessible.*
- Policy CD-P4.8** **Public Art.** Continue to require public art as part of new development. Support public art as a resource that enhances the quality of life for individuals living in, working in, and visiting the City; improves the quality of the urban environment, and increases property values.
- Policy CD-P4.9** **Inclusive Outreach.** Involve the community in the City's efforts to develop and maintain an attractive urban fabric that reflects San Mateo's unique character. Use outreach and engagement methods that encourage broad representation and are culturally sensitive, particularly for historically underserved communities.
- Inclusive Outreach.** Involve the community in the City's efforts to develop and maintain an attractive urban fabric that reflects San Mateo's unique visual and architectural character. Use outreach and engagement methods that include broad representation and are culturally sensitive, particularly for historically underserved communities.*

Recommended New Action

Brand Identity Package. Develop a brand identity package for the City.

RESIDENTIAL

GOAL CD-5 Maintain and enhance the existing character and physical quality of residential neighborhoods through the appropriate design of new development.

Balance the growth and evolution of residential neighborhoods with the need to maintain and enhance their existing characteristics and physical qualities, if and when such are defined in the General Plan, through the appropriate design of new development. Maintain and enhance the existing character and physical quality of residential neighborhoods through the appropriate design of new development.

POLICIES

Policy CD-P5.1

Building Mass and Scale. Encourage new residential developments to be compatible with the scale of the surrounding neighboring.

~~*Building Mass and Scale. Encourage new residential developments to be compatible with the scale of the surrounding neighboring.*~~ <This policy is ambiguous and redundant with other polices in this section.>

Policy CD-P5.2

Low-Density Residential Development. Require new homes in the Low and Very Low residential designations, including single-family dwellings, duplexes, triplexes, four-plexes, and ADUs to be consistent with objective design standards as described in the City's Residential Design Standards.

~~*Low-Density Residential Development. Require new homes in the Low and Very Low residential designations, including single-family dwellings, duplexes, triplexes, four-plexes, and accessory dwelling units (ADUs) to be consistent with objective design standards as described-outlined in the City's Residential Design Standards.*~~

Policy CD-P5.3

Single-Family Design. Encourage new single-family dwellings and expansions of existing single-family dwellings that address the preservation and enhancement of neighborhood character through building scale, materials, architectural style and details, and privacy.

~~*Single-Family Design. Encourage single-family additions and new single-family dwellings and expansions of existing single-family dwellings that addresses the preservation and enhancement of neighborhood visual and architectural character through context sensitive building scale, materials, architectural style and details, and privacy.*~~

Policy CD-P5.4

Multi-Family Design. Ensure that the architectural design of new multi-family developments enhances the neighborhood character by providing appropriate building and pedestrian scale elements, high quality materials and construction, open space and resident amenities.

~~*Multi-Family Design. Ensure Encourage that the architectural design of new multi-family developments that enhances the a neighborhood's visual and architectural character by providing appropriate-context sensitive building and*~~

pedestrian scale elements, high quality materials and construction, open space, and resident amenities.

Policy CD-P5.5 **Multi-Family Parking.** Require new multi-family developments to design and site parking to avoid blank, ground floor walls and to screen views of parking from the street.

Policy CD-P5.6 **Multi-Family Open Space.** Require that a portion of required open space for new multi-family projects be useable for passive or active recreation.

ACTIONS

Action CD-A5.1 **Objective Design Standards.** Develop and adopt objective design standards that clearly outline the City's design expectations for new single-family and multi-family projects.

Action CD-A5.2 **Accessory Dwelling Units and Junior Dwelling Units Design.** Continue to monitor State law and update the City's Accessory Dwelling Unit ordinance to ensure that new ADUs and JADUs are regulated in accordance with State law requirements while also meeting community needs and expectations.

~~*Accessory Dwelling Units and Junior Dwelling Units Design. Continue to monitor State law and update the City's Accessory Dwelling Unit ordinance to ensure that new ADUs and JADUs are regulated in accordance with State law requirements while also meeting community needs and expectations.*~~
<Redundant with policies and programs in the Housing Element.>

MIXED-USE AND COMMERCIAL AREAS

GOAL CD-6 Improve the visual character, livability, and vitality of mixed -use and commercial areas.

Improve the visual and architectural character, livability, and vitality of mixed -use and commercial areas.

POLICIES

Policy CD-P6.1 **Objective Design Standards.** Provide clear, objective, and quantifiable design standards to guide new mixed-use and commercial development.

Policy CD-P6.2 **Pedestrian Oriented Design.** Cultivate pedestrian activity in commercial and mixed-use areas by providing adequate sidewalk widths, locating windows along ground floor street facades, trees and awnings, and human scale construction materials and features.

~~*Pedestrian-Oriented Human Scale Design. Cultivate pedestrian activity in commercial and mixed-use areas by providing adequate sidewalk widths.*~~

activating ground floor street facades with ~~locating~~ windows, ~~along ground floor street facades, trees plantings,~~ and awnings, ~~and using human-scale high-quality~~ construction materials ~~and including human-scale details and architectural~~ ~~and~~ features.

Policy CD-P6.3

Respect Existing Scale. Encourage new mixed-use and commercial development to respect the scale of surrounding buildings by providing breaks in the building face at spacings common to buildings in the area and by stepping back upper floors.

***Respect Existing Scale and Rhythm.** Encourage new mixed-use and commercial development to respect the scale and rhythm of surrounding buildings, including by providing breaks in the building face at spacings common to buildings in the area and by stepping back upper floors.*

Policy CD-P6.4

Orient Buildings Toward the Street. Encourage commercial development to be located at the street in retail areas to encourage pedestrian activity and an active streetscape.

~~**Orient Buildings Toward the Street.** Encourage commercial development to be located at the street in retail areas to encourage pedestrian activity and an active streetscape.~~ **<Redundant with other policies.>**

Policy CD-P6.5

Commercial Parking. Encourage commercial projects to provide required parking underground to minimize the amount of ground floor area dedicated to parking. When parking is located at grade, it should be located towards the side and rear of parcels.

***Commercial Parking.** Encourage commercial projects to provide required parking underground to minimize the amount of ground floor area dedicated to parking. When parking is located at grade, it should be located towards the side and rear of a parcels, away from active street frontages and public spaces.*

Policy CD-P6.6

Commercial Transitions. Encourage new commercial development or redevelopment to provide an appropriate transition to adjacent neighborhoods.

~~**Commercial Transitions.** Encourage new commercial development or redevelopment to provide an appropriate transition to adjacent neighborhoods.~~ **<Redundant with other policies.>**

Policy CD-P6.7

Outdoor Display and Eating. Support parklets, the outdoor display of goods at retail uses, and restaurant seating areas to add visual interest and activity to commercial and mixed-use areas.

***Outdoor Display and Eating.** Support sidewalk and pedestrian mall outdoor dining and parklets, the outdoor display of goods at-for retail uses, and restaurant-public seating areas to add visual interest and activity to commercial and mixed-use areas.*

ACTION

Action CD-A6.1 **Objective Design Standards.** Develop and adopt objective design standards for new mixed-use and commercial development to provide a clear understanding of the City's expectation for new project design, including pedestrian-friendly design.

AREA SPECIFIC DESIGN POLICIES

~~[Note: Additional design policies and actions for specific areas around the City will be developed during outreach efforts based on community and decisionmaker input.]~~

NORTH CENTRAL

Policy CD-P6.8 **Amphlett Boulevard.** Require new buildings and additions to be compatible with adjoining residential areas, including adequate screening and landscaping.

~~**Amphlett Boulevard.** Require new buildings and additions to *have high quality architectural design and be context sensitive* ~~be compatible~~ with adjoining residential areas, including adequate screening and landscaping.~~

SHOREVIEW

Policy CD-P6.9 **US 101 Frontage.** Encourage upgrading of the appearance of US 101 and properties adjacent to the freeway through design treatment, screening, and right-of-way landscaping.

Policy CD-P6.10 **Marina Lagoon Properties.** Development of private parcels having frontage on Marina Lagoon should retain public access, providing a connection between Shoreline Park and Bayside/Joinville Park.

MARINA LAGOON / BRIDGEPOINTE

Policy CD-P6.11 **Marina Plaza Center.** Retain the Marina Plaza neighborhood retail center and allow limited expansion of low scale commercial uses.

~~**Marina Plaza Center.** Retain the Marina Plaza neighborhood retail center and allow limited expansion of low scale commercial uses.~~ **<Already covered by policies in the "Diverse Range of Land Uses" and "Shopping Areas in Transition" sections of the Land Use Element.>**

NORTHWEST HEIGHTS

~~HAYWARD PARK / SUNNYBRAE~~

BERESFORD PARK

Policy CD-P6.12

25th Avenue Shopping Center. Continue to support ground floor retail uses and improvements to the physical and aesthetic nature of the 25th Avenue commercial district. New buildings or remodels should be compatible with existing buildings while incorporating improved signage and high quality design and construction.

~~**25th Avenue Shopping Center.** Continue to support ground floor retail uses and improvements to the physical and aesthetic nature of the 25th Avenue commercial district. New buildings or remodels should be compatible with existing buildings while incorporating improved signage and high quality design and construction.~~ <Already covered by policies in the “Diverse Range of Land Uses” and “Shopping Areas in Transition” sections of the Land Use Element.>

Policy CD-P6.13

Peninsula Golf and Country Club. Support the retention of the existing club and recreation use. If the site is redeveloped, residential development that is compatible with adjacent uses in terms of density and intensity should be encouraged.

HILLSDALE / SUGARLOAF

Policy CD-P6.14

San Mateo County Hospital. Should all or a portion of the San Mateo County Hospital redevelop, a mixed residential development is appropriate with stepped density compatible with adjacent residential areas, ranging from single-family adjacent to single family residences to medium density where adequately buffered.

~~**San Mateo County Hospital.** Should all or a portion of the San Mateo County Hospital redevelop, a mixed residential development is appropriate with stepped density compatible with adjacent residential areas, ranging from single-family adjacent to single family residences to medium density where adequately buffered.~~ <Recommend removing as properties owned by the County are outside of the City’s permitting authority.>

WESTERN HILLS

Policy CD-P6.15

San Mateo County Facilities Site. Require a Master Plan prior to any future development of the site. Encourage clustered development to maximize open space and protect hillsides, major vegetation, natural topography, and views from surrounding areas.

~~**San Mateo County Facilities Site.** Require a Master Plan prior to any future development of the site. Encourage clustered development to maximize open~~

~~space and protect hillsides, major vegetation, natural topography, and views from surrounding areas.~~ <Recommend removing as properties owned by the County are outside of the City's permitting authority.>



8. SAFETY ELEMENT

These suggested revisions to the draft goals, policies and actions are based on input provided by staff, community members, the General Plan Subcommittee and the Planning Commission, and are shown in italics and track changes. For policies and actions with suggested revisions, they are listed below the original draft language that was published in July for comparison purposes.

GOALS AND POLICIES

EMERGENCY READINESS AND EMERGENCY OPERATIONS

GOAL S-1	Minimize potential damage to life, environment, and property through timely, well-prepared, and well-coordinated emergency preparedness, response plans, and programs.
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POLICIES

Policy S-P1.1

Emergency Readiness. Maintain the City's emergency readiness and response capabilities, especially regarding hazardous materials spills, natural gas pipeline ruptures, fire hazards, wildland fire risk, earthquakes, pandemics, and flooding due to dam failure, tsunami, peak storms, levee failure, and critical incidents.

***Emergency Readiness.** Maintain the City's emergency readiness and response capabilities, especially regarding hazardous materials spills, natural gas pipeline ruptures, fire hazards, wildland fire risk, earthquakes, pandemics, and flooding due to dam failure, tsunami, peak storms, levee failure, and critical incidents.*

Focus primarily on areas identified by the City as underserved and most vulnerable to loss of life and property due to proximity to hazardous incidences, and work to ensure funding is available to these communities as a key component of emergency readiness.

Policy S-P1.2

Local Hazard Mitigation Plan. The San Mateo County Multijurisdictional Local Hazard Mitigation Plan, approved by the Federal Emergency Management Agency (FEMA) in 2021, is incorporated by reference into this Safety Element in accordance with Assembly Bill 2140.

***Local Hazard Mitigation Plan.** The San Mateo County Multijurisdictional Local Hazard Mitigation Plan, approved by the Federal Emergency Management Agency (FEMA) in 2021, along with any future updates or amendments, is incorporated by reference into this Safety Element in accordance with Assembly Bill 2140.*

Policy S-P1.3

Location of Critical Facilities. When locating critical facilities, such as hospitals, schools, fire, police, emergency service facilities, and utilities, avoid areas subject to slope failure, wildland fire, flooding, sea level rise, and other hazards and prioritize access to and from disadvantaged communities that are underserved by existing facilities.

Location of Critical Facilities. When locating critical facilities, such as hospitals, schools, fire, police, emergency service facilities, and other utility infrastructure, avoid areas subject to slope failure, wildland fire, flooding, sea level rise, and other hazards, to the extent feasible, and prioritize access to and from disadvantaged communities that are underserved by existing facilities.

Policy S-P1.4

Multiple Egress Points. Require new development in any hazard area to provide multiple points of emergency access (ingress and egress).

Policy S-P1.5

Emergency Planning Document Coordination. Pursue integration of the City's existing safety and emergency management documents with one another, including this Safety Element, the Local Hazard Mitigation Plan, and other related documents.

Policy S-P1.6

Emergency Infrastructure and Equipment. Maintain and fund the City's emergency operations center in a full functional state of readiness. Designate a back-up Emergency Operations Center with communications redundancies.

Policy S-P1.7

Defensible Design. Require all developments, including parks and public places, to incorporate measures to provide a safe environment through the application of crime prevention through design principles, such as orienting buildings to the street and providing adequate lighting and sight lines.

Defensible Design. Require that new development support effective law enforcement and fire protection by promoting a safe and accessible public realm for all, including investing in social gathering spaces, enhancing lighting and safety in public spaces through community-led planning, and ensuring adequate property maintenance. Require all developments, including parks and public places, to incorporate measures to provide a safe environment through the application of crime prevention through design principles, such as orienting buildings to the street and providing adequate lighting and sight lines.

Policy S-P1.8

Response Times. When reviewing and analyzing roadway improvements, consider how emergency response times can be maintained and improved, including the availability of alternative routes.

Response Times. When reviewing and analyzing roadway improvements, consider how emergency response times can be maintained and improved, including the availability of alternative routes without reducing roadway user safety.

Policy S-P1.9

Local Utility Cooperation. Work with local utility operators to identify if and when a public safety power shutoff (PSPS) may be necessary to reduce hazard risks in San Mateo and/or the surrounding area, and support publication of advanced notification and resources to residents in the City to help them prepare.

***Local Utility Cooperation.** Work with local utility operators to coordinate any disruption in services, such as ~~to identify if and when~~ a public safety power shutoff (PSPS) or other disruption that may be necessary to reduce hazard risks in San Mateo and/or the surrounding area, and support publication of advanced notification and resources to residents in the City, particularly disadvantaged communities, to help them prepare.*

Policy S-P1.10

Disaster Recovery. Ensure that the City government continues to operate during and after hazard events and is able to provide resources and guidance to people and institutions in San Mateo to aid them in recovery and reconstruction following the end of the hazard event.

Policy S-P1.11

Evacuation Education. Include information about safe and effective evacuation as part of all natural hazard awareness, prevention, and community education and training efforts. Share information about how to prepare for evacuations, potential evacuation routes and shelter locations, how to receive notifications, and other relevant topics.

Policy S-P1.12

Inclusive Outreach. Notify the community of potential hazards affecting their neighborhood. Use outreach and engagement methods that encourage broad representation and are culturally sensitive, particularly for historically underserved communities.

ACTIONS

Action S-A1.1

Evacuation Routes. Maintain adequate evacuation routes as identified by arterial streets shown in the Circulation Element, [Figure C-2](#). Evaluate each evacuation route's feasibility using a range of hazard criteria. Update this map on a regular basis to reflect changing conditions and State requirements for evacuation routes.

Action S-A1.2

Regular Updates. Update the Safety Element with each Housing Element update, or every eight years, as necessary to meet state and local requirements.

Action S-A1.3

Automatic and Mutual Aid Agreements. Participate in mutual aid agreements with other local jurisdictions to provide coordinated regional responses, as necessary, to fire, flood, earthquake, critical incidents, and other hazard events in San Mateo and the surrounding area. Work with local jurisdictions to share resources and develop regional plans to implement disaster mitigation and resilience strategies such as government continuity, emergency operations centers and communications redundancies.

Action S-A1.4 **Rebuilding Priorities.** Establish rebuilding priorities and procedures in the event of a major disaster to expedite reconstruction and enhance access to funding opportunities.

***Rebuilding Priorities.** Establish rebuilding priorities and procedures in the event of a major disaster to expedite reconstruction and enhance access to funding opportunities with special emphasis on equity priority communities that are more vulnerable to climate hazards.*

Action S-A1.5 **Resilient Power Systems.** Explore the feasibility of on-site power generation and storage on City facilities to reduce reliance on regional power infrastructure in case of a hazard-caused power outage.

Action S-A1.6 **Public Safety Outreach.** Develop a public safety education program to increase public awareness of potential hazards, City's emergency readiness and response program, and evacuation routes. Target public education programs to segments of the community that are most vulnerable to hazards and safety risks.

Action S-A1.7 **Community Training.** Collaborate with SMCFD to provide emergency preparedness trainings to maintain and expand existing Community Emergency Response Teams (CERT)s.

Action S-A1.8 **Emergency Infrastructure and Equipment.** Put systems in place to ensure that traffic lights at major intersections, communications and radio infrastructure, and other critical infrastructure continues to function in the event of localized power outage. Repair any damaged sets of infrastructure or equipment as needed to continue City operations.

Action S-A1.9 **Continuity of Operations.** Regularly review, update, and implement as needed the San Mateo Continuing of Operations/Continuity of Government Plan.

***Continuity of Operations.** Regularly review, update, and implement ~~as-needed~~ the San Mateo Continui~~ng~~ty of Operations/Continuity of Government Plan.*

Action S-A1.10 **Response Time Study.** Conduct a Response Time Study to provide a data-driven understanding of how future roadway safety improvements could impact emergency response times and use this information to adjust proposed roadway improvements as needed.

Action S-A1.11 **Emergency Notification System.** Develop an emergency notification system (e.g. SMC Alert) for flood-prone neighborhoods and businesses before, during, and after a climate hazard event and assist in their evacuation, if needed. This includes coordination with the San Mateo County Flood and Sea Level Rise Resiliency District (OneShoreline) on its early flood warning notification system.

***Emergency Notification System.** Develop an emergency notification system (e.g. SMC Alert) for flood-prone neighborhoods and businesses before, during, and*

after a climate hazard event, ~~and to~~ assist ~~in their~~with evacuation ~~and other support activities, if needed.~~ This includes coordination with the San Mateo County Flood and Sea Level Rise Resiliency District (OneShoreline) on its early flood warning notification system.

GEOTECHNICAL HAZARDS

GOAL S-2 Take steps to protect the community from unreasonable risk to life and property caused by seismic and geologic hazards.

POLICIES

- Policy S-P2.1** **Geologic Hazards.** Require site specific geotechnical and engineering studies, subject to the review and approval of the delegated City Engineer and Building Official, for development proposed on sites identified in [Figure S-1](#) as having moderate or high potential for ground failure. Permit development in areas of potential geologic hazards only where it can be demonstrated that the project will not be endangered by, nor contribute to, the hazardous condition on the site or on adjacent properties.
- Policy S-P2.2** **Landslides and Erosion Control.** Reduce landslides and erosion in existing and new development through continuing education of design professionals on mitigation strategies. Control measures shall retain natural topographic and physical features of the site if feasible.
- Policy S-P2.3** **Unreinforced Masonry Buildings.** Encourage modifications of existing unreinforced masonry buildings, and similar unsafe building conditions to reduce the associated life safety hazards from ground shaking during earthquakes, as shown on [Figure S-2](#). Require structural modifications to be designed to be in character with the existing architectural style.
- Policy S-P2.4** **Liquefaction.** Use the best-available liquefaction mapping data to avoid siting and locating new public facilities and infrastructure in areas susceptible to liquefaction, as shown in [Figure S-1](#).

ACTIONS

- Action S-A2.1** **Seismic Shaking Mapping.** Consult with a geology specialist to update the City's geologic hazard mapping, documenting the areas within ~~the~~ City with moderate or high potential for liquefaction or ground failure, as shown in [Figure S-1](#).
- Action S-A2.2** **Incentives for Seismic Upgrades.** Develop and implement a program to provide financial incentives and education to building owners to support seismic upgrades.
- Action S-A2.3** **Seismic Stability.** Review the seismic stability of the City's assets and infrastructure, such as City Hall, recreational facilities, roadways, ~~and~~ bridges

and identify improvements necessary to enhance each facility's ability to withstand geologic hazards, up to and including a full replacement of the facility.

Recommended New Action

Unreinforced Masonry Buildings. Establish an inventory of unreinforced masonry building in the City and work with the property owners to upgrade the buildings to meet minimum safety and building code requirements.

FLOOD HAZARDS

GOAL S-3 Protect the community from unreasonable risk to life and property caused by flood hazards.

POLICIES

Policy S-P3.1 **Development within Floodplains.** Protect new development within a floodplain by requiring new habitable floor area to be above the applicable floodwater elevation or by incorporating other flood-proofing measures consistent with Federal Emergency Management Agency (FEMA) regulations and the City of San Mateo's Floodplain Management Ordinance.

ACTIONS

Action S-A3.1 **Floodplain Ordinance Update.** Update the Floodplain Management Ordinance, including to align with FEMA and OneShoreline recommendations and to update construction cost value information.

Action S-A3.2 **Flood Risk Mapping Data.** Regularly update mapping data pertaining to the 100-year and 500-year floodplains as mapped by FEMA as well as dams and levee failure as information becomes available.

Action S-A3.3 **Community Rating System.** Undertake efforts that increase the City's rating under FEMA's Community Rating System, such as expanding and improving Geographic Information System (GIS) mapping capacity, developing a flood early warning system, and creating a Flood Emergency Action Plan.

Action S-A3.4 **Early Flood Warning.** Collaborate with OneShoreline to provide early flood warning for flood-prone areas of the city through OneShoreline's stream monitoring station and notification system, as needed.

***Early Flood Warning.** Collaborate with OneShoreline to provide early flood warning for flood-prone areas of the city through OneShoreline's stream monitoring station and notification system, ~~as needed~~.*

SEA LEVEL RISE

GOAL S-4 Develop regionally-coordinated sea level rise adaptation measures and programs.

POLICIES

Policy S-P4.1 **Sea Level Rise Planning.** Integrate sea level rise planning into all relevant City processes, including General Plan amendments, Specific Plans, zoning ordinance updates, capital projects, and review and approval of new development and substantial retrofits.

Policy S-P4.2 **Sea Level Rise Protection.** Ensure that new development, substantial retrofits, critical facilities, and City-owned buildings and infrastructure are planned and designed to accommodate climate change hazards, including increases in flooding, sea level rise, and rising groundwater.

***Sea Level Rise Protection.** Ensure that new development, substantial retrofits, critical facilities, and City-owned buildings and existing and future flood control infrastructure are planned and designed to accommodate climate change hazards, including increases in flooding, sea level rise, and rising groundwater.*

Policy S-P4.3 **Rising Groundwater Protection.** Ensure new development and substantial retrofits are protected from rising groundwater levels based on best available science.

Policy S-P4.4 **Natural Infrastructure.** Prioritize the use of nature-based solutions and natural infrastructure in sea level rise adaptation strategies.

***Natural Infrastructure.** PrioritizeConsider the use of nature-based solutions and natural infrastructure in sea level rise adaptation strategies.*

Policy S-P4.5 **OneShoreline Coordination.** Coordinate with OneShoreline to develop and implement coordinated approaches to sea level rise with other San Mateo County jurisdictions.

ACTIONS

Action S-A4.1 **Sea Level Rise Data.** Identify sea level rise projections, consistent with OneShoreline recommendations, to define the extent of areas vulnerable to sea level rise in the city. Use this data in planning efforts and to evaluate all private and public development applications to ensure projects are protected from sea level rise hazards over the life of the project.

***Climate Change Adaptation Plan Sea-Level-Rise-Data.** IdentifyAssess sea level rise projections, consistent with OneShoreline recommendations, to identify define the extent of areas vulnerable to sea level rise in the city, and develop a Climate Change Adaptation Plan that sets a comprehensive strategy and*

includes planning and design standards for climate risk protection. Use [this plan](#) ~~this data in planning efforts and~~ to evaluate ~~all private and public~~ development applications to ensure projects are protected from sea level rise hazards over the life of the project ~~and to assess public infrastructure needs for adequate protection.~~

Action S-A4.2

Sea Level Rise Monitoring. Continue to review and use the best available sea level rise science and projections and regularly identify natural resources, development, infrastructure, and communities that are vulnerable to sea level rise impacts, including impacts from rising groundwater. Use this information to continue to develop or adjust planning and adaptation strategies.

***Sea Level Rise Monitoring.** ~~Continue-Commit~~ to review and use the best available sea level rise science and projections and regularly identify natural resources, development, infrastructure, and communities that are vulnerable to sea level rise impacts, including impacts from rising groundwater. Use this information to continue to develop or adjust planning and adaptation strategies.*

Action S-A4.3

City Sea Level Rise Staff. Identify City staff who will be responsible for leading the City's sea level rise planning efforts, coordinating with outside agencies, and coordinating with City departments on preparing and planning for sea level rise.

~~City Sea Level Rise Staff. Identify City staff who will be responsible for leading the City's sea level rise planning efforts, coordinating with outside agencies, and coordinating with City departments on preparing and planning for sea level rise.~~
<Adoption of a Climate Change Adaptation Plan (Action A-A4.1) will include an implementation plan that covers this topic; thus this action is not necessary.>

Action S-A4.4

Rising Groundwater Coordination. Coordinate with OneShoreline, local jurisdictions, and regional and state agencies to study and enforce requirements related to rising groundwater levels caused by sea level rise.

Action S-A4.5

Natural Infrastructure. Use or restore natural features and ecosystem processes where feasible and appropriate as a preferred approach to the placement of hard shoreline protection when implementing sea level rise adaptation strategies.

Action S-A4.6

Removal of Hard Infrastructure. Remove existing shoreline or creek bank protective devices when the structure(s) requiring protection are redeveloped, removed, or no longer require a protective device.

~~Removal of Hard Infrastructure. Remove existing shoreline or creek bank protective devices when the structure(s) requiring protection are redeveloped, removed, or no longer require a protective device. <Redundant with Action S-A4.5>~~

Recommended New Actions

Sea Level Overlay Zone. Study the feasibility of establishing a sea level rise overlay zone which would allow for the creation of adaptation policies, rules, or construction codes unique to this area.

Sea Level Rise Funding. Study options for establishing dedicated General Fund dollars to support efforts to address sea level rise, including sufficiently supporting OneShoreline.

WILDFIRE HAZARDS

GOAL S-5 Maintain adequate fire and life safety protection from wildland fires.

POLICIES

- Policy S-P5.1** **Wildland Fire Protection.** Require all development in and adjacent to designated wildland fire areas to provide access and defensible space in accordance with California Codes and local ordinances.
- Policy S-P5.2** **Wildland-Urban Interface.** Coordinate with the San Mateo Consolidated Fire Department to ensure that new construction in the Wildland-Urban Interface (WUI) is in full compliance with all applicable sections of the California Building Standards Code, Title 24.
- Wildland-Urban Interface.** *Continue to coordinate with the San Mateo Consolidated Fire Department to ensure that new construction in the Wildland-Urban Interface (WUI) is in full compliance with all applicable sections of the California Building Standards Code, Title 24.*
- Policy S-P5.3** **Hillside Vegetation Stability.** Stabilize, and as feasible re-vegetate, burned slopes following a wildfire event to reduce landslide and debris flows risk.
- Policy S-P5.4** **Fire Risk Mapping.** Coordinate with the San Mateo Consolidated Fire Department to consistently update any mapping data showing fire extent in San Mateo using CAL FIRE data and local wildland fire risk maps indicating the locations and extents of Fire Hazard Severity Zones, Local Responsibility Areas, and the Wildland-Urban Interface. Use this mapping data to inform decisions about existing risk and future land uses throughout the City and share these maps widely on the City website, published handouts and flyers, and in-person and virtual education events.
- Policy S-P5.5** **Firefighting Infrastructure.** Coordinate with the San Mateo Consolidated Fire Department to ensure adequate firefighting infrastructure, including road and building clearance for firefighting vehicles and clear and legible street signage throughout the community.
- Policy S-P5.6** **Peakload Water Supply.** Seek to ensure that the California Water Service Company and the Estero Municipal Improvement District provide and maintain a water supply and distribution system which provides an adequate static

pressure to deliver the minimum fire hydrant flow to all areas of the City, except where a lesser flow is acceptable as determined by the San Mateo Consolidated Fire Department.

Policy S-P5.7

Facilities Planning. Place all new public facilities or relocate existing public facilities outside of identified fire hazard risk areas as feasible. Appropriately retrofit public facilities to mitigate fire risk.

Policy S-P5.8

Land Use Management for Fire Risks. Maintain all City-owned public lands to reduce fuel loads, establish appropriately-placed fire breaks/defensible space, and educate all property owners in the City on proper landscape maintenance and firescaping standards to reduce the risk of fire hazards.

Policy S-P5.9

Wildland Fire Vulnerability. Consider all improvements at Sugarloaf Mountain and Laurelwood Park in the context of the area's high fire risk, and include wildfire mitigation components in projects when feasible.

ACTIONS

Action S-A5.1

Tree Trimming. Trim and maintain the trees in the City's urban forest on a regular basis to clear them of any loose branches or debris that could serve as fuel in a fire event.

Tree MaintenanceTrimming. Collaborate with the SMCFD to maintain City-owned trees in a manner that does not contribute to fire danger, in accordance with current Best Management Practices. Trim and maintain the trees in the City's urban forest on a regular basis to clear them of any loose branches or debris that could serve as fuel in a fire event.

Action S-A5.2

Fire-Safe Education. Work with the San Mateo Fire Department and seek funding to develop a fire-safe education program that provides information and awareness to community members about defensive space, fire-resistant landscaping and construction, evacuation preparation, and other wildfire education topics.

Action S-A5.3

Fire Hazard History. Include an historical record of any significant fire events that have occurred in San Mateo or the surrounding area in all updates to the City's Safety Element.

HAZARDOUS MATERIALS

GOAL S-6

Protect the community's health, safety, and welfare relating to the use, storage, transport, and disposal of hazardous materials.

POLICIES

- Policy S-P6.1** **County Cooperation.** Cooperate with the County of San Mateo and San Mateo Consolidated Fire Department in the regulation of hazardous materials and transportation of such material in San Mateo. Share hazardous materials management enforcement with San Mateo County and San Mateo Consolidated Fire Department.
- Policy S-P6.2** **County Hazardous Waste Management Plan.** Adopt by reference all goals, policies, implementation measures, and supporting data contained in the San Mateo County Hazardous Waste Management Plan. Make amendments, as necessary, to suit local needs and issues.
- Policy S-P6.3** **Transportation Routes.** Restrict the transportation of hazardous materials and waste to truck routes designated in Circulation Policy C-P6.5, and limit such transportation to non-commute hours.
- Policy S-P6.4** **Hazardous Waste Management Facilities Location.** Regulate the location and operation of new hazardous waste management facilities.
- Policy S-P6.5** **Design of Hazardous Waste Management Facilities.** Require the following features and mitigation measures in the design of proposed hazardous waste management facilities to minimize potential health, safety, and aesthetic impacts on surrounding properties and occupants:
- For sites located in areas subject to flooding or inundation as shown on Figures S-3 and 4, require facilities to have a surface elevation at least 1.5 feet above the maximum flood water level for areas containing hazardous substances or to be flood-proofed in some other manner suitable to the City.
 - Require facilities to provide for full on-site containment of maximum permitted quantities of hazardous substances, including protection of storm drain or sanitary sewer inlets from accidental entry of hazardous materials.
 - Require facilities to provide separate storage and/or treatment of potentially reactive substances, including separate spill containment vessels. Require that storage of hazardous gasses provides for adequate filtration and neutralization devices to prohibit accidental release of toxic substances.
 - Require that all storage and treatment occur within an enclosed structure.
 - Require new facilities be sited as far away as possible within the project site from sensitive receptors such as homes, schools, playgrounds, sports fields, childcare centers, senior centers, and long-term health care facilities.
- Policy S-P6.6** **Risk Assessment.** Require the preparation of a risk assessment to determine site suitability for applications for hazardous waste management facilities,

establishing the distance requirements from public assembly, residential, or immobile population and recreational areas or structures; impacts from seismic, geologic, and flood hazards; fire hazards; impacts on wetlands, endangered species, air quality, and emergency response capabilities; and proximity to major transport routes.

Policy S-P6.7

Contaminated Sites. Require the cleanup of contaminated sites, including those indicated on the Hazardous Waste and Substances Sites List published by the Department of Toxic Substance Control and/or other agencies such as the San Mateo County Health Department and the Regional Water Quality Control Board, in conjunction with substantial site development or redevelopment, where feasible.

Policy S-P6.8

Cost Recovery. Require San Mateo County businesses which generate hazardous waste or applicants for hazardous waste management facilities to pay necessary costs for implementation of Hazardous Waste Management Plans and for application costs, and to pay for costs associated with emergency response services in the event of a hazardous material release, to the extent permitted by law.

ACTIONS

Action S-A6.1

Shared Data. Regularly coordinate with San Mateo County to collect data on businesses that store hazardous substances to share with local emergency service providers, including the Police Department and San Mateo Consolidated Fire Department, as well as the Public Works Department for the wastewater source control program.

TELECOMMUNICATIONS AND ENERGY SUPPLY

GOAL S-7

Promote the development of a clean energy supply, state-of-the-art technology, and telecommunications facilities that benefit the public.

Promote the development of a clean energy supply, ~~state-of-the-art~~ energy efficient technology, and telecommunications facilities that benefit all members of the community. ~~the public.~~

POLICIES

Policy S-P7.1

Clean Energy. Support the advancement of a carbon neutral energy supply.

Policy S-P7.2

Building Electrification. Promote electrification for new and existing building stock.

Policy S-P7.3

Energy Resilience. Continue to require new development projects to incorporate solar energy systems and battery storage into their projects (Building Integrated Photo-Voltaic / BIPV) and encourage existing development to incorporate solar energy systems.

***Energy Resilience.** Continue to require new development projects to incorporate energy efficiency measures, electric appliances, solar energy systems and battery storage into their projects (Building Integrated Photo-Voltaic/BIPV) and encourage existing development to incorporate solar energy systems.*

Policy S-P7.4

Service Improvement and Expansion. Seek to ensure adequate energy and communication systems to serve existing and future needs while minimizing impacts on existing and future residents through the following policies:

- a. Require all new developments to underground lines and provide underground connections when feasible.
- b. Balance the need for cellular coverage with the desire to minimize visual impacts of cellular facilities, antennas, and equipment shelters.
- ~~b. Balance the need for Cellular coverage for all areas of the City should be prioritized while with the desire to appropriately minimizing visual impacts of cellular facilities, antennas, and equipment shelters.~~

Policy S-P7.5

Access and Availability. Work with service providers to support ensuring access to and availability of a wide range of state-of-the-art telecommunication systems and services for households, businesses, institutions, and public agencies in San Mateo.

Policy S-P7.6

Clean Fuel Infrastructure. Support efforts to build electric vehicle charging stations and clean fuel stations in San Mateo, including hydrogen and sustainably-sourced biofuels, as supported by market conditions.

~~**Clean-Fuel Infrastructure.** Support efforts to build electric vehicle charging stations and clean fuel stations in San Mateo, including hydrogen and sustainably-sourced biofuels, as supported by market conditions.~~ **<Reclassified as an action.>**

Recommended New Policies

Energy Efficient Lighting. Encourage energy efficient lighting that protects dark skies and promotes energy conservation by minimizing light and glare from development while ensuring public health and safety.

Grid Resilience. Support PG&E's efforts to improve grid resilience and capacity to meet increased electrical demand.

Public Wifi. Provide high speed internet access to the public at all City facilities.

Energy Use. Continue to support efforts to reduce per capita energy use.

ACTION

Action S-A7.1

Utility Undergrounding. Underground electrical and communication transmission and distribution lines in residential areas and commercial frontages as funds permit.

Recommended New Action

Clean Fuel Infrastructure. Support efforts to build electric vehicle charging stations and clean fuel stations in San Mateo, including hydrogen and sustainably-sourced biofuels, as supported by market conditions.