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**Sent:** Tuesday, March 28, 2023 3:04 PM

**To:** City Council (San Mateo) <[CityCouncil@cityofsanmateo.org](mailto:CityCouncil@cityofsanmateo.org)>

**Cc:** James Eggers <[james.eggerts@sierraclub.org](mailto:james.eggerts@sierraclub.org)>; Mike Ferreira <[REDACTED]>; Gladwyn D'Souza <[REDACTED]>; Barbara Kelsey <[barbara.kelsey@sierraclub.org](mailto:barbara.kelsey@sierraclub.org)>; Charles Schafer <[REDACTED]>

**Subject:** SCLP letter to San Mateo RE: Land Use Heights and Densities, and Measure Y

Dear Mayor Lee and Members of the San Mateo City Council,

The Sierra Club Loma Prieta Chapter's Sustainable Land Use Committee (SLU) advocates on land use issues in San Mateo and Santa Clara Counties. Thank you for providing the opportunity for SLU to provide comments on the Land Use Heights and Densities and Measure Y. Please see the attached letter for full details.

Sincerely,

Gita Dev

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 Committee Chair  
Sierra Club Loma Prieta Chapter

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SAN MATEO, SANTA CLARA & SAN BENITO COUNTIES

March 28, 2023

To: San Mateo City Council

330 West 20<sup>th</sup> Avenue

San Mateo, CA 94403

Via email to: [citycouncil@cityofsanmateo.org](mailto:citycouncil@cityofsanmateo.org)

**Subject: Land Use Heights and Densities, and Measure Y**

From: Sierra Club Loma Prieta Chapter Sustainable Land Use Committee

Dear Mayor Lee and Members of the San Mateo City Council,

The Sierra Club Loma Prieta Chapter's Sustainable Land Use Committee (SLU) advocates on land use issues in San Mateo and Santa Clara Counties. Thank you for providing the opportunity for SLU to provide comments on the Land Use Heights and Densities and Measure Y. This topic was presented by City staff to the City Council on March 6, 2023<sup>[1]</sup>. It was followed by comments by the City Council members.

Although the Sierra Club took no position on Measure Y, our SLU has long advocated for higher density along transit corridors and for inclusive zoning to increase the share of affordable housing and open space.

### **Residential High II and Mixed Use High II**

SLU is concerned that some members of the City Council requested removal of the land use designations of "Residential and Mixed Use High II" <sup>[2]</sup>. Removing this designation from the General Plan (GP) would greatly weaken the ability of the General Plan to meet the goals citizens have said they want and need in recent polling. Therefore, it is very important that this designation remain as part of the GP, as a provisional item, in case the voters do change their mind as said recent polling indicates they might. Below is a brief explanation of why it is important, in our view, to keep the High II designation.

#### **A. Reasons to provisionally keep the High II Land Use**

The staff made clear that the input from the community as well as from statistically significant polls was that affordable housing and more open space/parks were the top priorities for new development.

##### **1. Affordable Housing**

Going to higher densities and heights (up to 12 stories) was supported by over 60% of the people polled<sup>[3]</sup>. Removing High II will significantly reduce the probability of meeting these top priority goals because removing High II will reduce maximum density from 200 to 130 units per acre and maximum height from 6-10 stories to 5- 8 stories.

The large reduction in density (from 200 to 130 units per acre) will make it much more difficult to get needed affordable housing built. Prior economic studies by the city have shown that the current limit of 50 units per acre does not support a 20% or higher affordable requirement. The city is already well behind in building affordable housing and so a strong effort needs to be made to get the required amount of affordable housing built. As staff noted at the March 6 meeting, having higher density allows for more affordable units to be built at a given site.

In addition, at both the Residential and Mixed Use High II Land Uses, the current minimum 15% requirement for affordable housing should be increased with the allowed higher density because it opens the door to a higher percentage of the housing being affordable (maybe in the range of 20 to 30%).

## **2. Open Space**

**Require a minimum percentage of lot area be Open Space** because being allowed to go to higher building heights is a way to create more open space, parks, bike paths, pedestrian walkways and green streets. A clear example of this was demonstrated in the recent scenarios put forward as part of the “Re-imagine Hillsdale” presentations. The scenario that stayed with the current 5-story limit produced a design with very little open space and with the area facing the neighborhood on Edison street being very high and dense. However, the scenario that allowed heights up to 10 to 12 stories for buildings near the railroad and along El Camino Real (ECR) produced a design with a large amount of open space, parks, and a more compatible neighborhood design along Edison Street. The higher height allowed, adjacent to the railroad and ECR, made it possible to lower heights near the existing neighborhood on Edison Street and to provide much more parks and open space for the entire community to enjoy.

With the High II Land Use, it is important that a minimum percentage of land (e.g., 30%) be required for open space (e.g., parks, bike paths, etc., with public access and usability) . This will help ensure that the high priority goal of more open space/parks is being met.

## **B. Potential loophole in Mixed Use High II versus Office High**

Office High has a 5.0 FAR and 4-7 story height. Mixed Use High II similarly has a 5 FAR but with a 6-10 story height. Therefore, the Mixed Use High II allowance for office is at the maximum FAR and then it superimposes 120-200 residential units/acre - all allowed on the same site. Firstly, this leaves no space for highly desired Open Space. And secondly, It can be used to create only office buildings (possibly 6 stories with nominal ground floor retail) and few or no residential units. It can also be used to develop the maximum allowable Office and then cram in as many units as possible, resulting in no open space.

A similar and even worse problem exists between Mixed Use High I and Office Medium where both have the same maximum height of 7 stories and both have a 3 FAR but Mixed Use allows developers to add 40-99 units/acre, in addition, on the same lot.

This error has been a problem in other cities such as Menlo Park, which had a similar loophole.

### **1. Revise the Mixed Use designation and favor Residential**

Consider a total FAR including both Office and Residential for High I and II. The Mixed-Use High II and Mixed-Use High I designations need to be revised to assure that the bulk of mixed-use development is **not** office, but favors residential. As currently written these designations could produce tall office buildings with **no** required residential component (see p.128 of 247 of the March 6, 2023 packet). Several members of the City Council noted at the March 6 meeting that it is important to not further increase the imbalance between housing and jobs. Consideration should be given to giving preference to residential by designating a minimum percentage of the floor area for residential (e.g., >50%) or limiting the FAR for office to Office Medium 3.0 FAR or less. This will provide a better chance of getting more affordable housing built and of not worsening the housing/job fit imbalance. If these changes are not made, then the Mixed-use High I and High II designations should be eliminated.

C. **In summary**, we strongly recommend that

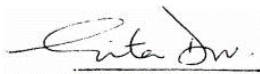
1. The Residential and the revised Mixed Use High II land use designations be retained for use in limited areas near Caltrain stations, part of ECR, and at Bridgepointe as proposed by staff.

2. The Mixed -Use High I and II designations be modified so they clarify the TOTAL FAR including both residential and office, do not allow only Office, or do not maximize Office at the expense of Residential. Mixed Use needs to be modified to favor Residential or be eliminated.

3. Also, all the High I and II designations should have a significant percentage of the land be required for open space/parks.

If these are not met, it will make the already very difficult task of meeting affordable housing goals and providing more parks and open space even more difficult and much less possible. Of course, careful planning as well as input from the local community will be needed to properly fit the High II buildings into these areas, but this is where negotiations and compromise can be useful in the future.

Respectfully submitted,



Gita Dev  
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 Committee Chair  
Sierra Club Loma Prieta Chapter

[1] <https://sanmateo.primegov.com/Portal/viewer?id=3939&type=0>

[2] Residential and Mixed Use High II allows heights from 6 to 10 stories and density of 100 to 200 units per acre. High II is limited to areas around Caltrain stations, parts of El Camino Real and Bridgepointe. If it is removed then Residential High I will be the maximum height and density at 5 to 8 stories and 100 to 130 units per acre)

[3] <https://www.cityofsanmateo.org/DocumentCenter/View/87282/San-Mateo-Community-Opinion-Survey-2022-Report>