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Sent: Monday, April 3, 2023 2:14 PM

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Subject: Comment on Agenda Item 16, General Plan Update

Good afternoon San Mateo City Council (and staff!),

I hope you and the entire San Mateo County are doing well. I am submitting the attached comment on behalf of HLC regarding the city's ongoing General Plan update.

Thank you for your consideration,

Jeremy

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Jeremy Levine (he • him)

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To the honorable San Mateo City Council,

The Housing Leadership Council of San Mateo County appreciates this opportunity to engage the City of San Mateo on its General Plan. We have followed the process closely and value the hard work by council and the city staff to put forward a plan that meets the housing needs of the entire San Mateo community.

HLC wants to make sure that San Mateo has the maximum amount of flexibility to plan for housing that meets the needs of all residents. Though the General Plan rezonings can help the city make progress on housing, the current proposals to be studied in the EIR are quite modest. The city is only proposing to study an increase of densities in pre-existing commercial and multi-family areas. The highest heights currently proposed to be studied in the EIR, whether 8 or 10 stories, are quite low relative to the dwelling units per acre the city asserts can be built. (Our general rule of thumb is one story every 10 du/ac.)

These rezoning proposals would be a huge missed opportunity for the city. The redevelopment of major commercial areas such as Hillside and Bridgepoint presents a historic chance to promote affordable housing near transit and jobs. San Mateo's downtown would be much more lively with a greater number of residents. And many of the city's highest-opportunity neighborhoods could accommodate new housing to promote access.

Furthermore, studying such low densities within such a narrow scope in the EIR may make it difficult for the city to comply with other state laws, particularly housing element law. The city is currently updating its housing element; the state department of Housing and Community Development recently sent the city a letter with recommendations for improvements to its housing plan.

In [its most recent review letter](#), HCD writes that the housing element "must include specific commitment to increase densities and adjustments to development standards. In addition, the element should include a specific program to address the constraint of Measure Y." The city cannot afford to undershoot; to receive housing element certification, the city must address the constraint posed by Measure Y as needed to make new housing development feasible.

There are two options to address that constraint and meet the state housing goals. The first is to study increased densities above the Measure Y limit in specific locations—the city's current

strategy. The second option is to study modest density increases up to the Measure Y limit in single family neighborhoods throughout the city. HLC supports both being studied, but we expect rezoning in single family neighborhoods will be much more controversial than overturning the poorly written, outdated Measure Y.

In addition, including higher densities for consideration in the city's General Plan update EIR would create opportunities for the city to better comply with two primary areas of housing element law:

- San Mateo's site inventory relies on a number of large sites that likely require rezoning in order to be made feasible for new development. However, the current constraints to development on these sites may be too high to enable redevelopment for housing. By increasing the densities studied in San Mateo's housing element EIR, the city can ensure it has the latitude necessary to remove constraints to development on its opportunity sites.
- Current proposals to study rezoning in San Mateo do little to Affirmatively Further Fair Housing (AFFH), one of the most significant new requirements for a housing element. AFFH law requires cities to promote affordable housing throughout the community rather than concentrating it in certain areas. Unfortunately, San Mateo drafted its General Plan rezoning proposals before it even considered AFFH issues. As a result, the General Plan update EIR proposal doesn't even consider allowing for more housing choices in the city's highest opportunity neighborhoods. In its most recent review letter, HCD writes "The element should ... identify further program actions that will be taken to promote equitable quality of life throughout the community." By continuing to study such a narrow scope of rezoning, the city may hamper its ability to comply with the AFFH mandate and promote fair housing throughout the community.

The housing element is not just a paper exercise; in fact, it is the only part of the General Plan that is specifically regulated by the state. In the past year, HLC has sent the city three letters outlining opportunities to approve the initial draft of its housing element: We sent two letters in April and May of 2022 regarding the city's first draft of its general plan, [one](#) focused primarily on needs and constraints, [the other](#) focused on affirmatively furthering fair housing, the sites inventory, and the goals, policies, and programs. We then sent [a third letter](#) on November 7, 2022 elaborating on our policy proposals, including a set of rezoning proposals we believe would ensure that San Mateo can comply with all relevant state housing laws while also promoting the most housing choices for the community.

Unfortunately, the city's current General Plan rezoning proposals for study in the EIR present a huge risk: The proposed density increases above Measure Y may not pass. As a result of this uncertainty, HLC proposes the city study multiple options in its EIR: A primary plan that allows for potential rezoning above the Measure Y limit in the city's densest areas, and a contingency plan that allows for potential rezoning throughout many of the community's single-family neighborhoods. If the city does not study a broad enough area within the EIR, then it risks legal challenges that could undermine its ability to get a certified housing element.

In order to provide the maximum flexibility to plan for the community's housing needs, San Mateo's EIR should consider the broadest range of options possible. The city would benefit from studying—and surveying—a much greater scope for its general plan EIR . We propose the EIR include:

- Continuation of the 10-story High II zoning designation
- Implementation of a 12-story High III zoning designation for study at Hillsdale and Bridgepoint sites, at least
- Expand area being studied for upzoning to *at least* Mixed-Use Medium II standards to include all neighborhoods within $\frac{3}{4}$ mile of CalTrans
- Expand area being studied for upzoning to Mixed-Use Medium II standards to include all sites owned by schools and faith institutions.

Remember, we're not making any decisions right now. We're creating options for the future housing needs of San Mateo. Please direct staff to expand the rezoning options to be studied in the city's General Plan EIR and representative survey.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read 'J. Levine', with a large, stylized initial 'J'.

Jeremy Levine

Policy Manager, Housing Leadership Council of San Mateo County